

**City of Cayce  
Regular Council Meeting  
July 3, 2012**

The July Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Councilmen Steve Isom, Tim James, James Jenkins, and Kenneth Jumper, City Manager Rebecca Rhodes, Municipal Clerk Tammy Barkley and Municipal Treasurer, Garry Huddle. City Attorney, Danny Crowe, Frank Robinson, Director of Utilities, Shaun Greenwood, Director of Planning & Development, and Chief Charles McNair, Public Safety Director were also in attendance. Mayor Partin advised that members of the press and the public were duly notified of the meeting in accordance with the FOIA.

**Call to Order**

Mayor Partin called the meeting to order. She stated that in reference to the recent fire at the recycling plant, there was no danger to air quality there She expressed Council's thanks to the residents for standing by us during the recent fire event. She stated additional information would be coming to them shortly. She praised the City's Public Safety Department and staff for their efforts and the cooperation from other agencies. She stated the good news that the City's water plant is now back on and in operation.

Councilmember Jumper gave the invocation and the assembly recited the Pledge of Allegiance.

**Approval of Minutes**

Councilmember Jumper made a motion to approve the minutes of the May 29, 2012 Special Meeting, June 5, 2012 Regular Meeting, June 7, 2012 Special Meeting, and June 13, 2012 Special Meeting as submitted. Councilmember Jenkins seconded the motion which was unanimously approved by roll call vote.

**Presentations**

- A. Presentation re Cayce-West Columbia Branch Library's 100<sup>th</sup> Birthday Celebration

Mr. Matt Steinmetz of the Cayce-West Columbia Branch Library presented an invitation to Council to attend the Library's 100<sup>th</sup> Birthday and the 20<sup>th</sup> Anniversary of the Library in Cayce celebration to be held at the Library on July 17, 2012 at 6:30 p.m. He

stated that all residents of Cayce were also invited. Mayor Partin acknowledged the importance of the Library to the Cayce community.

**B. Presentation of Cayce Calendar Photo Contest Awards**

Mayor Partin presented the Cayce Calendar Photo Contest Awards and thanked all winners for their participation. She advised that calendars were now ready to be picked up at City Hall. A list of winners has been attached to the minutes.

**C. Approval and Presentation of Resolution recognizing Mr. Pat Vella**

Mr. Vella was unable to attend tonight's meeting. Councilmember Jenkins made a motion to postpone the item until Mr. Vella could attend the meeting. Councilmember James seconded the motion which was unanimously approved by roll call vote.

**D. Presentation by Mr. Butch Kelly, Chair of the Cayce Beautification Foundation re Request for TIF Funds for City Entrance Beautification Project**

Mr. Butch Kelly appeared before Council to request TIF funds for a City Entryway Beautification Project being considered by the Cayce Beautification Foundation. Mr. Brandon Brison, intern with Compass 5 Partners, provided Council with the plan drawings and explained the enhancements. Mr. Kelly stated that he, on behalf of the Foundation, is requesting \$78,000 in TIF funds for the initial phase of this project and that the Foundation will continue to hold fund raisers to help fund the project as well. Mayor Partin advised that action on this item will be taken up later in the agenda.

**Public Comment Regarding Items on the Agenda**

Ms. Barkley advised that no one had signed up to provide public comment.

**Resolutions and Ordinances**

**A. Approval of Resolution Declaring the Elections to be Open and Advising Deadline For Write-In Candidates**

Councilmember James made a motion to approve the Resolution declaring the elections to be open for filing beginning August 2, 2012 through August 15, 2012 at noon and advising the deadline for write-in candidates. Councilmember Isom seconded the motion which was unanimously approved by roll call vote.

Mayor Partin advised that one of the City's precincts has changed locations. Those who voted at the Granby Education Center will now vote at Edwards Memorial Presbyterian Church located at 1600 Summerland Dr. Council asked that staff work with the Municipal Election Commission and the Lexington County Voter Registration

office to ensure voters are fully aware of this change and perhaps a sign could be placed at the old precinct directing voters to the new precinct and/or a flyer attached to the roll carts.

- B. Approval of Resolution Authorizing the Completion and Submission of a SRF Loan Application for the Closeout and Demolition of the City's 9.5 Wastewater Treatment Plant

Councilmember Isom made a motion to approve the Resolution authorizing the completion and submission of a SRF Loan Application for the closeout and demolition of the City's 9.5 Wastewater Treatment Plant. Councilmember Jenkins seconded the motion. Ms. Rhodes advised that the City is making an application to SCDHEC to obtain approximately \$2,800,000 from the State Revolving Fund to fund the close-out and demolition of the city's 9.5 MGD wastewater treatment plant. She stated that this is the total cost for the project and that funding for the project will be allocated with the purchasers, the Town of Lexington and Joint Water & Sewer Commission. Mayor Partin stated that the partners may decide to pay the City direct for their portions and not participate in the SRF loan. If that is the case, Ms. Rhodes stated that the loan amount can be changed prior to the closing date. After discussion the motion was unanimously approved by roll call vote.

- C. Approval of Resolution Ratifying Mutual Aid and Narcotics Enforcement Agreements between the City of Cayce Public Safety Department and the City of Columbia Police Department

Councilmember Jenkins made a motion to approve the Resolution ratifying the Mutual Aid and Narcotics Enforcement Agreements between the City of Cayce Public Safety Department and the City of Columbia Police Department and authorized the City Manager to execute the agreements on behalf of the City. Councilmember James seconded the motion which was unanimously approved by roll call vote.

- D. Approval of Ordinance to Amend Sec. 6.10-2 of the City of Cayce Zoning Ordinance re Uses in the Overlay Districts – Second Reading

Councilmember Isom made a motion to approve the Ordinance to amend Sec. 6.10-2 of the City of Cayce Zoning Ordinance re uses in the Overlay Districts on second and final reading. Councilmember Jumper seconded the motion which was unanimously approved by roll call vote.

- E. Approval of Ordinance to Rezone Property Located at 2234 Taylor Road from C-2 (Neighborhood Commercial) to RS-3 (Single Family Residential) Second Reading

Councilmember Isom made a motion to approve the Ordinance to rezone property located at 2234 Taylor Road from C-2 to RS-3 on second and final reading.

Councilmember Jenkins seconded the motion. Councilmember James inquired about the neighboring properties and if they were zoned C-2 or RS-3. Mr. Greenwood stated there is a mix of uses on that street and at some point that corridor was re-zoned as neighborhood commercial or a transitional area from higher density commercial into a neighborhood type atmosphere. He stated the property in question is a residence and because it sat unoccupied for so long, it was not able to be a residence any more. He stated that the applicant, after fixing up the structure, wants to be able to live in it again and there are several residences around the same area. He stated that there are other properties that are technically zoned commercial but are still being used residentially. He stated that there are some commercial properties and some empty lots that could go commercial with the noted aspect that it is zoned neighborhood commercial. He stated low density commercial would be allowed such as doctor's office, insurance office, etc. Councilmember James inquired as to how long the public hearing was posted. Mr. Greenwood stated the public hearing was posted for 15 days and all the neighbors surrounding the area were personally notified. He stated that 8-10 people showed up at the hearing and all were in favor of the rezoning. He stated that there was no opposition presented at the hearing. After discussion, the motion was unanimously approved by roll call vote.

F. Approval of Ordinance re Franchise Fee and Fee in Lieu of Taxes for City Water and Sewer System – Second Reading

Councilmember James made a motion to postpone the issue until the next Regular Council meeting. Councilmember Isom seconded the motion which was unanimously approved by roll call vote.

G. Approval of Resolution Finding and Declaring an Emergency with Regard To the Worldwide Recycling Fire and Ratifying and Authorizing Certain Actions by the City Manager

Ms. Rhodes stated that she has provided Council with a Certificate outlining the events that took place over the weekend. She stated the Certificate provides the course of events, what occurred and why she took the action. She provided Council with detailed information concerning all activity and the actions she took to do what was needed in the face of this emergency to not only distinguish the fire, but also the actions taken for the safety of staff, the City's residents and businesses. (A copy of the Certificate is attached to the Minutes.) She stated that the approval of the Resolution authorizes and ratifies her actions of signing the contract with Hepaco to extinguish the fire and hazard materials clean up and to open the interconnections and purchase water from alternate sources. Councilmember Isom made a motion to approve the resolution finding and declaring an emergency with regard to the Worldwide Recycling fire and ratifying and authorizing certain actions by the City Manager. Councilmember Jenkins seconded the motion. Councilmember Isom stated that he did not see where Council has any other choice but to approve the Resolution and stated it is a good use of

taxpayer funds in an emergency. After discussion, the motion was unanimously approved by roll call vote.

### **Other**

- A. Approval of FY12-13 Memorandum of Agreement between the City of Cayce and the Department of Juvenile Justice's Detention Center

Councilmember James made a motion to approve the revised Memorandum of Agreement as recommended by staff. Councilmember Jenkins seconded the motion. Ms. Rhodes advised that the Agreement is the same one submitted each year by the Juvenile Justice's Detention Center and that as recommended by the City Attorney, the same changes have been made to the Agreement as has been done in previous years. Councilmember Jenkins inquired if this was something that needed Council's approval each year since the Agreement is the same each year. Ms. Rhodes stated that because it is a distribution of funds, the Agreement should come before Council for approval. After discussion, the motion was unanimously approved by roll call vote.

- B. Discussion of and Approval to Proceed with the Beautification Foundation's Request for TIF Funds for the City's Entrance Beautification Project

Ms. Rhodes stated that Council had received information on this project from the Foundation's Chair earlier this evening and a cost estimate has also been provided. Ms. Rhodes stated that if Council votes favorably for this request, a Resolution and Agreement would be needed and approved by Council at the next Regular meeting. She recommended that the Agreement amount be stated as "not to exceed \$80,000. Councilmember James made a motion to approve the request for TIF funding for the City's entrance beautification project as recommended and that a Resolution and Agreement be provided to Council for action at the next Regular meeting. Councilmember Jumper seconded the motion. Councilmember Isom stated that he was not in favor of using taxpayer funds for this project at this point in time due to the status of the economy. He stated that beautification should be a distant second to services the City needs to offer and would like to see the money come from private areas. Councilmember James stated that TIF monies cannot be used for services but can be used for this type of project. Mayor Partin stated that developers look at how cities take care of themselves and this project will encourage economic development. The motion passed four to one with Councilmembers Jumper, Jenkins, James and Mayor Partin voting yes and Councilmember Isom voting no.

### **City Manager's Report**

Ms. Rhodes stated that during the budget process, changing the hours of operation at City Hall from 8:00 am – 5:00 pm to 8:30 am – 5:00 pm was discussed. She stated that this is a day to day operational decision that she can make but wanted

to be sure that there were no objections from Council before we proceed. She stated that the Utility Billing window will keep the same hours of 8:00 am – 5 pm. She stated that she is suggesting the change over take place on September 1 which would give us time to place notice on the water bills, on Facebook, on the City's website, flyers, and various email groups. No objection from Council was voiced.

Ms. Rhodes stated that in reference to the Special called meeting at the end of the month, she will be on vacation that week, but Council may want to reconsider keeping that meeting scheduled to interview potential municipal judge applicants. There was some discussion on whether the meeting is on the third or fourth Thursday of the month. It was decided to keep this meeting on July 19, 2012 to hold the interviews with the potential municipal judge applicants. Ms. Rhodes stated the actual interviews would need to be held in Executive Session.

### **Committee Matters**

- A. Approval to Enter the following approved Committee Minutes into the City's Official Record

Cayce Housing Authority – April 10, 2012  
Cayce Historical Museum Commission – May 1, 2012  
Beautification Board – May 8, 2012  
Cayce Events Committee – May 10, 2012  
Board of Zoning Appeals – May 21, 2012

Councilmember Isom made a motion to approve that the above Committee minutes be entered into the City's official record. Councilmember Jenkins seconded the motion which was unanimously approved by roll call vote.

- B. Appointments and Reappointments

Beautification Board – One (1) Position - Ms. Sue Perry's term has expired and she would like to serve again. Her potential member application is attached. The Board recommends the reappointment of Ms. Perry. A potential member application has also been received from Janek Kazmierski and is attached. Councilmember James made a motion to reappoint Ms. Perry to the Board. Councilmember Isom seconded the motion which was unanimously approved by roll call vote.

Cayce Events Committee – One (1) Position - Mr. Mike Henderson has resigned from the Committee due to relocation. Potential member applications have been received from Mr. Jesse Thompson, Mr. Elroy Broehm, and Ms. Tina Newton-Washington. The Committee recommends the appointment of Mr. Thompson to the Committee to fill Mr. Henderson's unexpired term. Councilmember Isom made a motion to appoint Mr. Thompson to the Committee. Councilmember Jumper seconded the motion which was unanimously approved by roll call vote.

Cayce Housing Authority – One (1) Position - Ms. Willistine Mosely resigned from the Authority. The Authority recommends the appointment of Ms. Silvia Sullivan to this position. Her application as well as others received are attached for your review. Councilmember Jenkins made a motion to appoint Ms. Sullivan to the Authority. Councilmember Isom seconded the motion which was unanimously approved by roll call vote.

Planning Commission – Two (2) Positions - Ms. Daytona Jarman's and Mr. Larry Mitchell's terms have expired. As requested by the Commission and included in the Commission's approved bylaws, it is now Council's responsibility to appoint/reappoint members to the Commission with no recommendation from the Commission.

Ms. Jarman has notified the City that she no longer wishes to serve on the Commission. Mr. Mitchell would like to serve again. His application and other potential member applications received are attached for Council's review. Mr. Broehm and Ms. Newton-Washington have also expressed an interest in serving on the Commission.

Councilmember Jenkins made a motion to reappoint Mr. Mitchell to the Commission. Councilmember Isom seconded the motion which was unanimously approved by roll call vote.

Councilmember James made a motion to appoint Mr. Broehm to the Commission to replace Ms. Jarman's position. Councilmember Isom seconded the motion which was unanimously approved by roll call vote.

Public Safety Foundation – One (1) Position - Ms. Cynthia Lampley's term has expired and she would like to serve again. Her reappointment application is attached for your review. The attendance report requested by Council is attached. Councilmember Isom made a motion to reappoint Ms. Lampley to the Foundation. Councilmember Jumper seconded the motion which was unanimously approved by roll call vote.

### **Executive Session**

Councilmember Jenkins made a motion to move into Executive Session to discuss the matters below. Councilmember Jumper seconded the motion which was unanimously approved by roll call vote.

- A. Discussion of negotiations incident to proposed contractual arrangements for Architectural Study between the City of Cayce and Jumper, Carter, Sease
- B. Discussion of negotiations incident to proposed contractual arrangements between the City of Cayce and Lexington Two School District

- C. Discussion of negotiations incident to proposed contractual lease agreement for Animal Services between the City of Cayce and the Columbia Metropolitan Airport
- D. Discussion of negotiations incident to proposed contractual arrangements between the City of Cayce and SCE&G for State Street Lighting and Request for Street Lighting for Ft. Congaree Trail
- E. Discussion of negotiations incident to proposed contractual arrangements for wastewater treatment services between the Town of Lexington, Joint Water & Sewer Commission and the City of Cayce
- F. Personnel Matter - Discussion of Selection of Municipal Judge
- G. Personnel Matter - City Manager's Annual Evaluation

Councilmember Jumper made a motion to move out of Executive Session and reconvene the Regular Meeting. Councilmember Jenkins seconded the motion which was unanimously approved by roll call vote.

Mayor Partin announced that no vote was taken in Executive Session other than to adjourn and resume the Regular meeting.

#### **Possible Actions by Council in follow up to Executive Session**

Councilmember James made a motion to approve and authorize the City Manager to sign the Agreement with Jumper, Carter, Sease for the City Hall Architectural Study. Councilmember Isom seconded the motion which was unanimously approved by roll call vote.

Councilmember James inquired if the City Manager automatically received a salary increase with the evaluation. Ms. Rhodes stated no. Councilmember James stated that he thought Council should discuss this issue. Mayor Partin stated she would place the matter on the next Regular meeting agenda.

There being no further business, Councilmember James made a motion to adjourn the meeting. Councilmember Jenkins seconded the motion which was unanimously approved. The meeting adjourned at 8:45 p.m.

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Elise Partin, Mayor

ATTEST:

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Tammy P. Barkley, CMC, Municipal Clerk