

**CITY OF CAYCE***MAYOR*
ELISE PARTIN*MAYOR PRO-TEM*
JAMES E. JENKINS*COUNCIL MEMBERS*
TARA S. ALMOND
EVA CORLEY
TIMOTHY M. JAMES*CITY MANAGER*
REBECCA V. RHODES*ASSISTANT CITY MANAGER*
SHAUN M. GREENWOOD**CITY OF CAYCE
Regular Council Meeting
November 5, 2013**

The November Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Council Members Tara Almond, Eva Corley, Tim James, and James Jenkins, City Manager Rebecca Rhodes and Assistant City Manager Shaun Greenwood and Municipal Clerk Mendy Corder. City Attorney, Danny Crowe, Director of Utilities, Blake Bridwell, and Lt. Brian Lorick were also in attendance. Mayor Partin asked if members of the press and the public were duly notified of the Council Meeting in accordance with the FOIA. Ms. Corder confirmed they were notified.

Call to Order

Mayor Partin called the meeting to order. Council Member Skip Jenkins gave the invocation. Mr. Robert McKnight, a Veteran who served ten years in the Navy and twenty years in the Army, led the assembly in the Pledge of Allegiance.

Approval of Minutes

Council Member Jenkins made a motion to approve the minutes of the October 1, 2013 Regular Meeting and the October 16, 2013 Special Meeting as submitted. Council Member James seconded the motion which was unanimously approved by roll call vote.

Presentations

Mayor Partin recognized Ms. Zan Norris with the Cayce Wastewater Treatment Plant and Ms. Kay Hutchinson, the City's Customer Accounts Manager, for submitting winning artwork for the City of Cayce Safety Banner Contest. She explained the City has always viewed safety as a primary focus of its business operations. In the past few years the city has increased efforts to promote safety and encourage employee health. The Safety Banner Contest is just one effort that has been implemented to encourage and promote employee safety.

Public Comment Regarding Items on the Agenda

No public comment was given.

Ordinances, Resolutions and Other

- A. Approval of Ordinance to Amend Section 6.2 ("Purpose of Districts") and

Section 6.8 (PDD Planned District Development) of the City of Cayce
Zoning Ordinance in relation to Planned Development Districts – First
Reading

Mr. Greenwood stated the City's PDD ordinance is in need of clarification and does not provide adequate flexibility to be enforced in a business friendly manner. In order to create an ordinance that is more unified and provides more cohesive regulations, Staff researched the PDD ordinances of several other municipalities and believes that the proposed changes will create an ordinance that is more comparable.

Mr. Greenwood summarized the changes to the Ordinance. He explained the language was changed to indicate only uses approved by Council shall be permitted in a Planned Development District. Language was also added so that Council may require financial guarantees to ensure the applicant complies with the approved development plan and language was added that gives the City the ability to hold a developer accountable if the project is not started within the agreed upon timetable.

Language was also added to define what major and minor changes are and to clarify who may make major or minor changes. Mr. Greenwood explained that with the current changes made to the Ordinance the Zoning Administrator can approve minor changes whereas in the old ordinance the changes would have to go back to the Planning Commission and required a Public Hearing.

Mr. Greenwood stated the Planning Commission met on October 21, 2013, to hear Public Comment about the suggested changes. No members of the public were present at the meeting but Staff received input and recommendations from a party that had an interest in the proposed revisions. The recommendations were evaluated and several changes resulted from those recommendations. The Planning Commission voted unanimously to recommend the amendment.

Council Member Jenkins made a motion to approve the Zoning Ordinance as amended in relation to Planned Development Districts. Council Member James seconded the motion. Council Member James asked if the changes made to the definitions of major changes and minor changes are definitive enough. Mr. Greenwood explained that most Ordinances leave it up to the Zoning Administrator to define minor changes but the Planning Commission was not comfortable with that so staff researched similar Ordinances and found one that spelled out exactly what minor and major changes are.

Ms. Rhodes explained that language was also added to the Ordinance to require a list for sight plan requirements to indicate items that may be requested by staff, the Planning Commission and/or Council in order to review the proposed plan. She stated that the previous Ordinance did not require any plans so there were times where there

was only an Ordinance with no plans or maps with it to explain the vision. After discussion, the motion was unanimously approved by roll call vote.

B. Approval of Ordinance Amending Section 6.9-1 ("Flood Damage Prevention Ordinance") of the Zoning Ordinance – First Reading

Mr. Greenwood explained that in July, the SC Department of Natural Resources (SCDNR) conducted a community assistance contact visit (CAC-V) with the City. The purpose of the CAC-V is to maintain contact with local communities participating in the National Flood Insurance Program (NFIP). The visit also assesses the effectiveness of the local floodplain ordinance and floodplain management enforcement practices. After review, it was determined that the City's Flood Damage Prevention Ordinance is in need of updating. The updates are not intended to affect current floodplain management regulations, but are solely language changes to ensure compliance with FEMA regulations. The SCDNR provided a model ordinance for use as a guide to make the needed changes.

Mr. Greenwood explained that the new language does require the City to regulate temporary development so Planning and Development staff will have to handle this on a case by case basis in the future. He stated the Planning Commission met on October 21, 2013, to hear Public Comment about the suggested changes. No members of the public were present at the meeting. The Planning Commission voted unanimously to recommend the amendment.

Council Member Almond made a motion to approve the Ordinance as amended. Council Member Corley seconded the motion which was unanimously approved by roll call vote. Mayor Partin asked Mr. Greenwood to explain the insert regarding annexed property in Richland County. He explained that the old Ordinance did not include a date adopting the Richland County maps because at that time the City had not annexed that property. He explained that the City has to adopt their most current maps so the Ordinance governs those maps in Richland County as well. After discussion, the motion was unanimously approved by roll call vote.

Mayor Partin asked staff to start including the draft minutes of the Planning Commission meetings when there is a recommendation from them for Council so Council will know the thought process of the Commission and have more background information.

C. Approval of Ordinance Amending Zoning Map and Rezoning property Located at Tax Map Number 006900-01-021 – First Reading

Council Member Jenkins made a motion to approve the Ordinance amending the Zoning Map and rezoning property as recommended by the Planning Commission.

Council Member Corley seconded the motion. Council Member James and Mayor Partin had questions regarding the two maps attached to the white paper. Mr. Greenwood explained that one map was created by the developers and one was created by City staff. The developer's map shows all the subdivided property whereas staff's map only shows the portion that the re-zoning request covers.

Mr. Greenwood explained that Council approval is needed for the First Reading of an ordinance to re-zone a portion (approx. 19 acres) of the property located at Fort Congaree Trail identified as TMS# 006900-01-021 from M-1 (Light Industrial) to RG-2 (General Residential, High Rise). The property is currently undeveloped land zoned as M-1 (Light Industrial) and consists of 108 acres. As part of future development along the 12th Street Extension corridor, the applicant requests to re-zone a portion of the parcel (approx. 19 acres). The applicant plans to build multi-family apartments on the subdivided section. Multi-family apartments are a permitted use in the RG-2 zoning district.

Mr. Greenwood stated the Planning Commission considered the request for re-zoning at its regular meeting on October 21, 2013. The re-zoning request was opened for public hearing. No one was present to speak in opposition to the re-zoning request. The Planning Commission voted unanimously to recommend the requested re-zoning to a RG-2 zoning designation. He stated the requested zoning is in compliance with the Comprehensive Plan.

Council Member Jenkins requested that in the future staff give Council a list of what potential uses are in each zoning designation when rezoning property is requested. After discussion, the motion was unanimously approved by roll call vote.

D. Approval of Ordinance Amending the Development Agreement with Lexington School District Two for Land Use Development of Brookland-Cayce High School – Second Reading

Mayor Partin stated staff has recommended Council postpone second and final reading of this item until Lexington County II School Board has a chance to meet and officially agree to the changes. Council Member James made a motion to postpone this item until the December regular Council Meeting. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

E. Consideration and Approval of Resolution Approving Multijurisdictional Alcohol Enforcement Unit Agreement

Council Member James made a motion to approve the resolution and authorize the Mayor to sign the agreement. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

F. Discussion and Approval of Design Process for Riverland Park and Andrew J. Burnette Park

Ms. Rhodes explained that staff needs Council approval to move forward with advertising for a consultant for the design and construction of Riverland Park and the renovations to the Andrew J. Burnette Park. She explained because both of these projects are smaller staff feels that it is best to advertise them together. Staff will accept RFQs and form a rating and ranking committee and would like to have a Council Member on that committee. Council Member Jenkins has volunteered to serve on the committee.

Council Member Jenkins made a motion to move forward with approval and design of the Riverland Park and the Andrew J. Burnette Park. Council Member James seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Ms. Rhodes informed Council that the City is going to receive \$100,000 from SCPRT for Phase IV of the Riverwalk Park. This phase will make the Cayce Riverwalk Park an 8 mile continuous trail from the Blossom Street Bridge to the Timmerman Trail Phase II. She explained that the total cost for the trail is \$460,000 so the City will have to find other funding options for the remaining amount. She stated staff will come before Council in the future to request TIF funds to finish the trail.

Ms. Rhodes stated the City received notification from SCDOT that they bid out the Airport Boulevard project and only received one bidder, which does not meet their standards, so they will bid it back out in January.

Ms. Rhodes stated the City did receive notification from SCDOT that the State Street projects that are open have been bid out and there are contracts on Phase III and IV and the contracts end in March 2014.

Ms. Rhodes reminded the assembly that the Beautification Foundation gala is November 15, 2013 at 6:30pm at the State Farmer's Market and she and Council Member Almond are selling tickets to the fundraising event.

Ms. Rhodes notified Council that the deadline has been extended indefinitely on the Water Tank project since the original funding goal has not been met. She explained that any funds raised over the cost of the artwork for the tank will be donated to Harvest Hope. Mayor Partin stated Public Works of HeART has done an outstanding job with such a short timeline to raise funds. Ms. Rhodes stated Nephron donated \$20,000 to the project, Blanchard Machinery donated \$5,000, Love Chevrolet donated \$1,000 and Mungo Homes donated \$1,000 as well. Ms. Rhodes stated the tank is still out of service and the City will

probably have to drain it again when the funds are raised to do the artwork. Mayor Partin asked Ms. Rhodes to tell the assembly who the silhouettes are on the mural. Ms. Rhodes stated Coach Steve Spurrier and Darius Rucker are the two figures in the artwork.

Committee Matters

- A. Approval to Enter the Following Approved Committee Minutes into the City's Official Record

Council Member Almond made a motion to approve entering the following Committee minutes into the City's official record:

Cayce Historical Museum Commission – September 3, 2013
Beautification Board – September 10, 2013
Cayce Events Committee – September 12, 2013
Planning Commission – September 16, 2013

Council Member James seconded the motion which was unanimously approved by roll call vote.

Mayor Partin stated that Ms. Corder has contacted Ms. Linda Kelly with Leadership Lexington County who has agreed to forward the information regarding the City's open board positions to her database. Mayor Partin stated Ms. Kelly is a resident of the City as well.

Ms. Rhodes stated staff has pulled up Mr. Crowe's comments from the Public Safety Foundation by-laws issue and will meet with the Foundation about it at their next meeting.

Executive Session

- A. Receipt of legal advice relating to a claim and potential claim by the City
And other matters covered by the attorney-client privilege
- B. Discussion of employees annual leave policy

Council Member Jenkins made a motion to move into Executive Session to discuss the matters above. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

Reconvene

After the Executive Session was concluded, Council Member James made a motion to reconvene the Regular meeting. Council Member Almond 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

No action by Council was taken in follow up to Executive Session.

There being no further business, Council Member James made a motion to adjourn the meeting. Council Member Almond seconded the motion which was unanimously approved by roll call vote. The meeting adjourned at 8:15 p.m.

Elise Partin, Mayor

ATTEST:

Mendy C. Corder, Municipal Clerk