

## 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  
Special Council Meeting  
Wednesday, October 16, 2013  
5:00 p.m. – Council Chambers – 1800 12<sup>th</sup> Street  
[www.cityofcayce-sc.gov](http://www.cityofcayce-sc.gov)**

**I. Call to Order**

- A. Invocation and Pledge of Allegiance

**II. Other**

- A. Approval of Ordinance to Annex and Zone Property Located at 104 Laurel Lane – Second Reading
- B. Approval of Ordinance to Annex and Zone Property Located at 105 Laurel Lane – Second Reading

**III. Executive Session**

- A. Receipt of legal advice relating to claims and potential claims by the City and other matters covered by the attorney-client privilege
- B. Discussion of negotiations incident to proposed contractual arrangements between the City of Cayce and Lexington Two School District
- C. Discussion of contractual matters as it relates to purchase of new software
- D. Discussion of employee annual leave policy

**IV. Possible Actions by Council in follow up to Executive Session**

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

**SPECIAL NOTE: Upon request, the City of Cayce will provide this document in whatever form necessary for the physically challenged or impaired.**

# Memorandum

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**To:** Mayor and Council

**From:** Rebecca Rhodes, City Manager  
Shaun Greenwood, Assistant City Manager  
Teddy Luckadoo, Special Projects Coordinator

**Date:** October 14, 2013

**Subject:** Second reading of ordinance for annexation in conjunction with RS-3 zoning of 104 Laurel Lane.

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## ISSUE

Council approval is needed for the Second Reading of an ordinance to annex a .25 acre tract of land located at 104 Laurel Lane, Lexington County. The recommended zoning is RS-3 (Single Family, Small Lots).

## BACKGROUND/DISCUSSION

The owner of 104 Laurel Lane has requested to be annexed into the City of Cayce.

The property is currently one of the few donut holes remaining in this area of City. Annexation of the property is part of the City's plan to annex all existing donut holes.

The annexation will allow the property owner to receive services from the City of Cayce, as well as, lower water and sewer rates.

The recommended zoning for the property is RS-3 (Single Family, Small Lots) which would be consistent with the zoning of the surrounding area.

The Planning Commission considered the request for annexation at its regular meeting on September 16, 2013. A public hearing was held at the meeting for public input. No members of the public were present to speak either for or against.

The Planning Commission unanimously recommends Council approve the requested annexation and zoning.

## **RECOMMENDATION**

Staff recommends Council approve the Second and Final Reading of an ordinance to annex the property located at 104 Laurel Lane and to zone the property RS-3 (Single Family, Small Lot).

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )  
CITY OF CAYCE )

**ORDINANCE**  
Annexing property located at 104 Laurel Lane into the City limits under the provisions of South Carolina Code Section 5-3-150(3)

**WHEREAS**, a proper petition has been filed with the City of Cayce by the owner or owners of 100 percent of the assessed value of the contiguous property hereinafter described petitioning for annexation of the property to the City of Cayce under the provisions of S.C. Code Section 5-3-150(3); and

**WHEREAS**, it appears to Council that annexation would be in the best interest of the property owners and the City of Cayce,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Cayce, in Council, duly assembled, that the following property herein described is hereby annexed to and becomes a part of the City of Cayce.

**PROPERTY DESCRIPTION**

All that certain piece, parcel or lot of land, together with the improvements thereon, (known as 104 Laurel Lane), situate, lying and being in the County of Lexington, State of South Carolina, being more particularly shown and delineated as Lot number seven(7) of BLOCK "U" as shown on a Map of a Portion of Edenwood dated June 21, 1968, prepared by Keels Engineering Company, recorded in the Office of the R.M.C, for Lexington County in Plat Book 64-G at page 123 and having the following boundaries and measurements as shown upon said plat, to-wit: on the NORTHEAST by Laurel Lane, measuring thereon One Hundred Forty (140') feet; on the SOUTHEAST by Lot No. 6 in Block "U", measuring thereon One Hundred Forty Six and One/Tenth (146.1') feet; on the SOUTHWEST by Lot No. 5 in Block "U" measuring thereon One Hundred Thirty Four and Two/Tenths (134.2') feet; on the NORTHWEST by Lot No. 8 in Block "U" measuring thereon Two Hundred Thirty One and Three/Tenths (231.3') feet, be all the said measurements a little more or less. This being the identical property heretofore conveyed to Jack W. Kates and Sandra D. Kates by deed of Orin G. Rucker, Jr. dated September 19, 1974, recorded in Deed Book 35 at page 7 on September 19, 1974.

The street address of the property is 104 Laurel Lane, Cayce, South Carolina 29033. TMS# 005723-04-003

The property shall be zoned RS-3, Single Family, Small Lot, in accord with City of Cayce Zoning Ordinance, Section 3.15, and this classification shall become effective upon the effective date of this annexation ordinance. This property is added to Voting District Number Four (4).

This Ordinance shall be effective from the date of second reading approval by Council.

**DONE IN MEETING DULY ASSEMBLED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Elise Partin, Mayor

Attest:

\_\_\_\_\_  
Mendy Corder, Municipal Clerk

First Reading: \_\_\_\_\_

Second Reading and adoption: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

**CITY OF CAYCE  
PLANNING COMMISSION  
STAFF EVALUATION REPORT**

**CASE NO. 004-13**

**APPLICANT:** Phillip & Doris Ross

**TYPE OF REQUEST:** Annexation in conjunction with RS-3 zoning designation

**LOCATION/ADDRESS:** 104 Laurel Lane

**TAX MAP NUMBER:** TMS# 005723-04-003

**NUMBER OF ACRES:** 0.25 more or less

**EXISTING ZONING CLASSIFICATION:** NONE

**REQUESTED ACTION:**  
An annexation in conjunction with RS-3 (Single Family, Small Lots) zoning

**COMPLIANCE WITH COMPREHENSIVE PLAN:**  
The zoning is in compliance with the adopted plan for the area and the surrounding neighborhood.

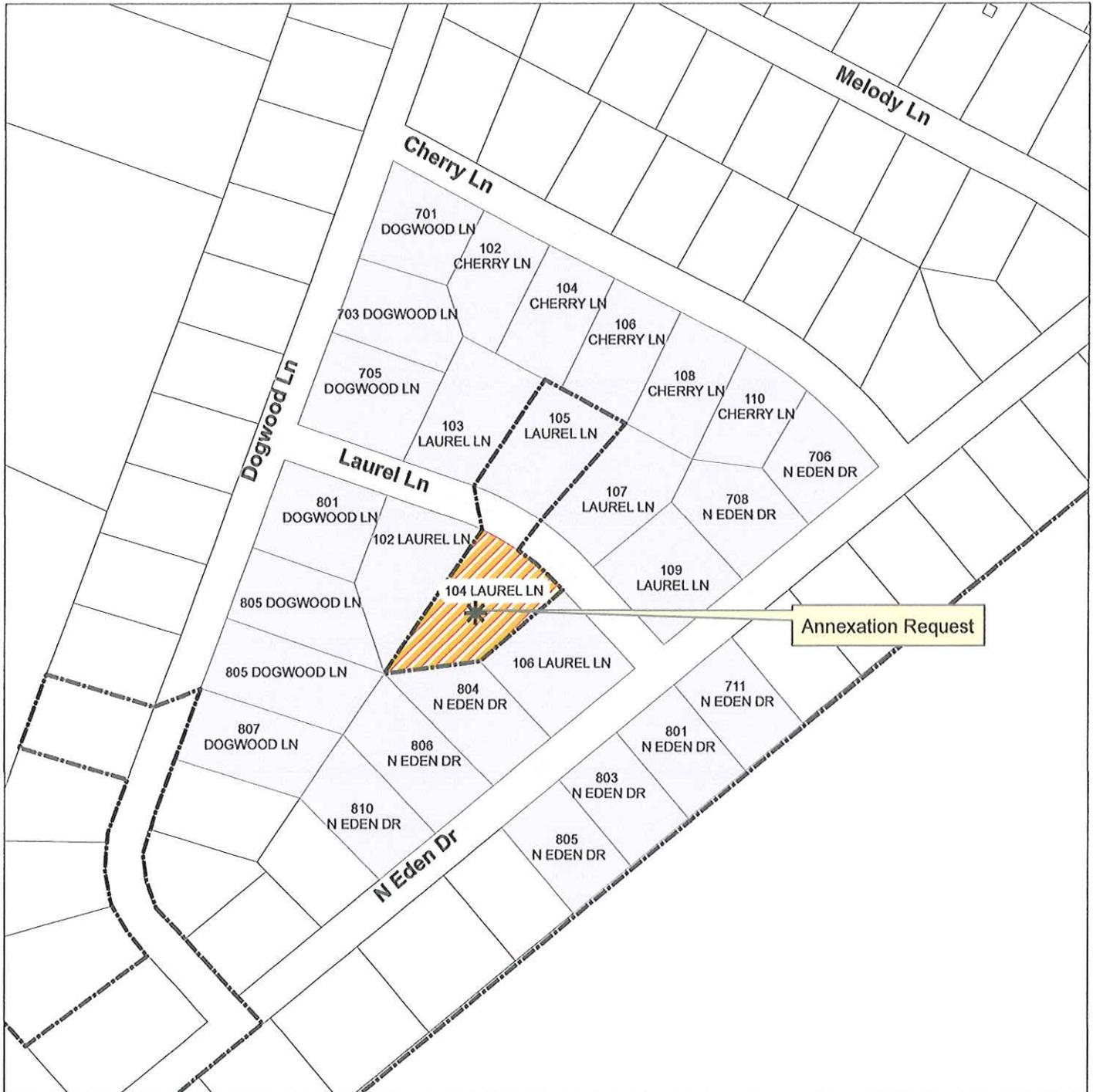
**STAFF COMMENTS/CONCERNS:**  
The property is an existing donut hole located within our municipal boundaries. Annexation of this property is part of the City's efforts to bring all existing donut hole parcels into the City. Annexation of this property will also increase the City's tax income. The property contains an existing home, which is occupied by the owners. The RS-3 zoning is consistent with neighboring properties in the area.

MA004-13  
Annexation Request  
104 Laurel Lane

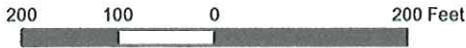


Legend

- Properties within 200' of Annexation Request
- Annexation Request
- Cayce City Limits



Annexation Request



**CERTIFICATION OF NOTIFICATION:**

*The City of Cayce Zoning Ordinance requires that all property owners of parcels within two hundred feet of the subject parcels be notified by mail of the Public Hearing.*

Administrative Coordinator

I, Michelle Paulchel, do hereby certify that I processed the letters of notification for both property owners, and all property owners within two hundred (200) feet of the affected parcels for Map Amendment MA004-13, City of Cayce.

Michelle Paulchel  
Michelle Paulchel

9-16-13  
Date

Director, Planning & Development

I, Shaun M. Greenwood, Director, do hereby certify that I have personally signed each and every notification concerning MA004-13. Under my direct supervision, all materials were placed at postal facilities at Cayce City Hall for mailing.

Shaun Greenwood  
Shaun M. Greenwood, ACIP  
Assistant City Manager

9-16-13  
Date

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# Memorandum

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**To:** Mayor and Council

**From:** Rebecca Rhodes, City Manager  
Shaun Greenwood, Assistant City Manager  
Teddy Luckadoo, Special Projects Coordinator

**Date:** October 14, 2013

**Subject:** Second Reading of ordinance for annexation in conjunction with RS-3 zoning of 105 Laurel Lane.

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## ISSUE

Council approval is needed for the Second Reading of an ordinance to annex a .25 acre tract of land located at 105 Laurel Lane, Lexington County. The recommended zoning is RS-3 (Single Family, Small Lots).

## BACKGROUND/DISCUSSION

The owner of 105 Laurel Lane has requested to be annexed into the City of Cayce.

The property is currently one of the few donut holes remaining in this area of the City. Annexation of the property is part of the City's plan to annex all existing donut holes.

The annexation will allow the property owner to receive services from the City of Cayce, as well as, lower water and sewer rates.

The recommended zoning for the property is RS-3 (Single Family, Small Lots) which would be consistent with the zoning of the surrounding area.

The Planning Commission considered the request for annexation at its regular meeting on September 16, 2013. A public hearing was held at the meeting for public input. No members of the public were present to speak either for or against.

The Planning Commission unanimously recommends Council approve the requested annexation and zoning.

## **RECOMMENDATION**

Staff recommends Council approve the Second and Final Reading of an ordinance to annex the property located at 105 Laurel Lane and to zone the property RS-3 (Single Family, Small Lot).

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )  
CITY OF CAYCE )

**ORDINANCE**

Annexing property located at 105 Laurel Lane into the City limits under the provisions of South Carolina Code Section 5-3-150(3)

**WHEREAS**, a proper petition has been filed with the City of Cayce by the owner or owners of 100 percent of the assessed value of the contiguous property hereinafter described petitioning for annexation of the property to the City of Cayce under the provisions of S.C. Code Section 5-3-150(3); and

**WHEREAS**, it appears to Council that annexation would be in the best interest of the property owners and the City of Cayce,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Cayce, in Council, duly assembled, that the following property herein described is hereby annexed to and becomes a part of the City of Cayce.

**PROPERTY DESCRIPTION**

All that certain piece, parcel or lot of land, with improvements thereon, if any, situate, lying and being in the County of Lexington, State of South Carolina, and being shown and designated as Lot 11, Block T, on a plat of a portion of Edenwood prepared for Peggy A. Penn, by Keels Engineering Company, dated June 21, 1968 and recorded in the Office of the Lexington County Register of Deeds in Plat Book 64-G at page 123; and being further shown on a plat prepared by Robert E. Collingwood, Jr., RLS, dated July 14, 2000 and recorded in the Office of the Lexington County Register of Deeds in Plat Book 5886 at page 62. Reference being made to aforesaid plats for a more accurate and complete description thereof. Being the same property conveyed to Peggy A. Penn by deed of Wylie F. Roberts and Katherine Jo Roberts dated July 24, 2000 and recorded July 25, 2000 in the Office of the Lexington County Register of Deeds at Book 5890 at page 48.

The street address of the property is 105 Laurel Lane, Cayce, South Carolina 29033. TMS# 005723-03-011

The property shall be zoned RS-3, Single Family, Small Lot, in accord with City of Cayce Zoning Ordinance, Section 3.15, and this classification shall become effective upon the effective date of this annexation ordinance. This property is added to Voting District Number Four (4).

This Ordinance shall be effective from the date of second reading approval by Council.

DONE IN MEETING DULY ASSEMBLED, this \_\_\_\_\_ day of \_\_\_\_\_,  
2013.

\_\_\_\_\_  
Elise Partin, Mayor

Attest:

\_\_\_\_\_  
Mendy Corder, Municipal Clerk

First Reading: \_\_\_\_\_

Second Reading and adoption: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

**CITY OF CAYCE  
PLANNING COMMISSION  
STAFF EVALUATION REPORT**

**CASE NO. 005-13**

**APPLICANT:** William & Peggy Penn

**TYPE OF REQUEST:** Annexation in conjunction with RS-3 zoning designation

**LOCATION/ADDRESS:** 105 Laurel Lane

**TAX MAP NUMBER:** TMS# 005723-03-011

**NUMBER OF ACRES:** 0.25 more or less

**EXISTING ZONING CLASSIFICATION:** NONE

**REQUESTED ACTION:**

An annexation in conjunction with RS-3 (Single Family, Small Lots) zoning

**COMPLIANCE WITH COMPREHENSIVE PLAN:**

The zoning is in compliance with the adopted plan for the area and the surrounding neighborhood.

**STAFF COMMENTS/CONCERNS:**

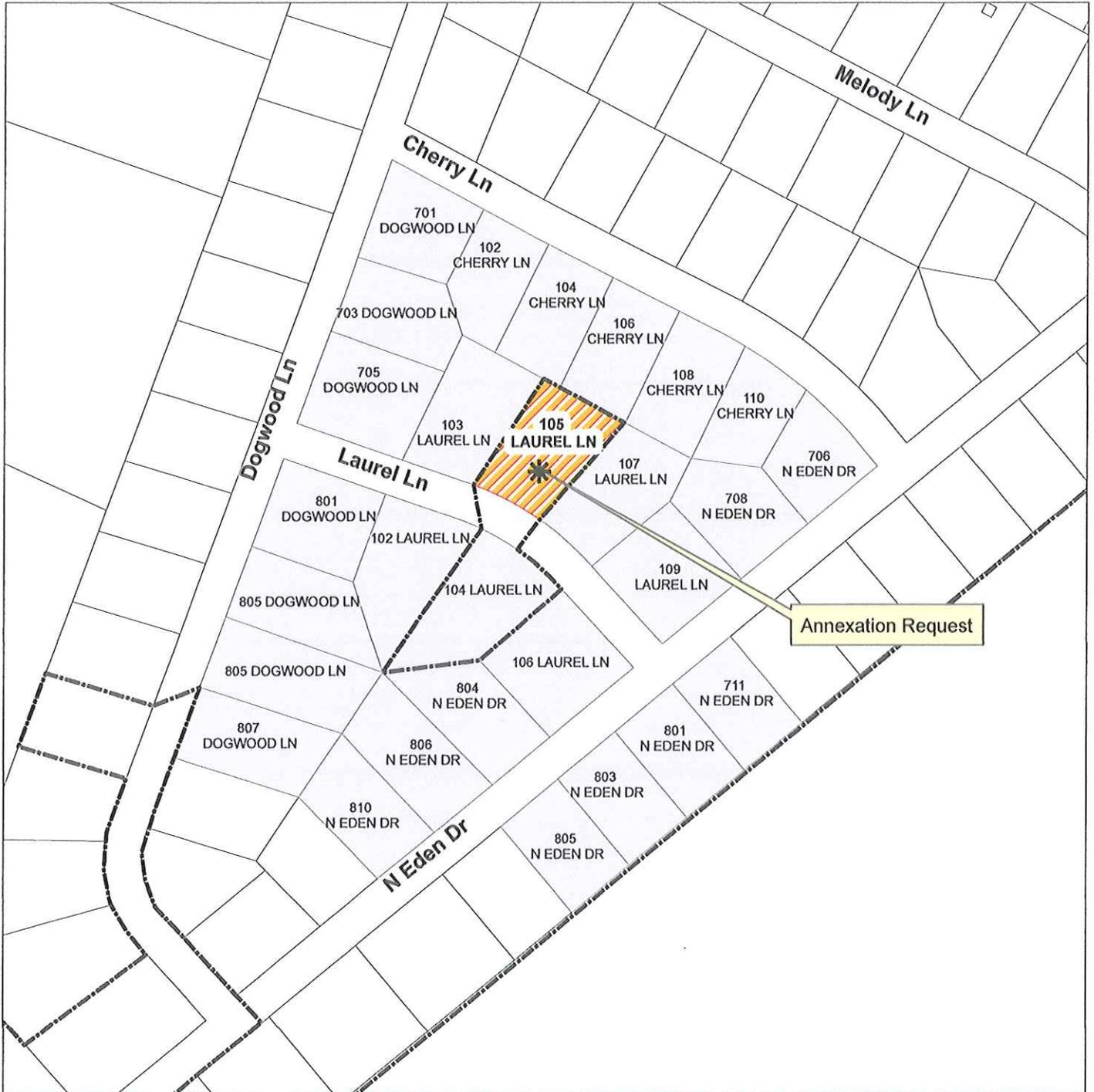
The property is an existing donut hole located within our municipal boundaries. Annexation of this property is part of the City's efforts to bring all existing donut hole parcels into the City. Annexation of this property will also increase the City's tax income. The property contains an existing home, which is occupied by the owners. The RS-3 zoning is consistent with neighboring properties in the area.

MA005-13  
Annexation Request  
105 Laurel Lane



Legend

-  Properties within 200' of Annexation Request
-  Annexation Request
-  Cayce City Limits



**CERTIFICATION OF NOTIFICATION:**

*The City of Cayce Zoning Ordinance requires that all property owners of parcels within two hundred feet of the subject parcels be notified by mail of the Public Hearing.*

Administrative Coordinator

I, Michelle Paulchel, do hereby certify that I processed the letters of notification for both property owners, and all property owners within two hundred (200) feet of the affected parcels for Map Amendment MA005-13, City of Cayce.

Michelle Paulchel  
Michelle Paulchel

9-16-13  
Date

Director, Planning & Development

I, Shaun M. Greenwood, Director, do hereby certify that I have personally signed each and every notification concerning MA005-13. Under my direct supervision, all materials were placed at postal facilities at Cayce City Hall for mailing.

Shaun Greenwood  
Shaun M. Greenwood, ACIP  
Assistant City Manager

9-16-13  
Date

STATE OF SOUTH CAROLINA	)	<b>ORDINANCE</b>
	)	<b>Amending the Development Agreement with</b>
COUNTY OF LEXINGTON	)	<b>Lexington County School District Two for</b>
	)	<b>Land Use Development of Brookland-Cayce</b>
CITY OF CAYCE	)	<b>High School</b>

**WHEREAS**, Lexington County School District Two (“the School District”) and the City previously entered into a Development Agreement concerning land use development of Brookland-Cayce High School and the Development Agreement was approved by Ordinance adopted on Feb. 5th 2013; and

**WHEREAS**, the District now desires to alter certain portions of the Agreement as provided for in the attached Amendment to Brookland-Cayce High School Development Agreement; and

**WHEREAS**, the Council approves of the alterations and Amendment,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Cayce, in Council, duly assembled, as follows:

1. The Amendment to Brookland-Cayce High School Development Agreement between Lexington County School District Two and the City of Cayce is approved and authorized in the form attached hereto or in substantially similar form with such changes as may be agreed upon by the time of second reading of this Ordinance.
2. The Mayor is authorized to sign the Amendment to Brookland-Cayce High School Development Agreement on behalf of the City.

This Ordinance shall be effective from the date of second and final reading.

**DONE IN MEETING DULY ASSEMBLED**, this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Elise Partin, Mayor

ATTEST:

\_\_\_\_\_  
Mendy C. Corder, Municipal Clerk

First reading: \_\_\_\_\_

Second reading and adoption: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

**AMENDMENT TO BROOKLAND-CAYCE HIGH SCHOOL  
DEVELOPMENT AGREEMENT**

Lexington County School District Two ("the District"), acting through its Board of Trustees ("the Board"), and the City of Cayce ("the City"), acting through its City Council ("the Council"), agree to amend, as provided below, the Development Agreement concerning Brookland-Cayce High School, previously entered into between them as of \_\_\_\_\_ 2013. These amendments are made at the request of the District.

The District and the City agree to the following amendments to the Development Agreement:

1. Exhibit D ("Architectural Renderings") to the Development Agreement is amended by supplementing with new superseding renderings dated October 9, 2013 and attached to this Amendment.

2. The list of Exhibits on page 3 of the Development Agreement is amended to add a new Exhibit E described as "Landscaping Plan for Shielding Seating" dated October 16, 2013 and attached to this Amendment.

3. The title of Section 8d of the Development Agreement is amended to read "Buffers, Fencing, Signage and Landscaping."

4. Section 8d of the Development Agreement is further amended to add a new sub-item d to read as follows:

d. Landscaping. All internal landscaping required to shield portions of the visitor and home seating areas from Knox Abbott Drive shall be installed and maintained in accordance with the plans attached as Exhibit E.

The authorized representatives of the Board and the Council enter into this Amendment, by duplicate originals, effective as of November \_\_\_\_\_, 2013.

WITNESS AS TO BOARD:

LEXINGTON COUNTY SCHOOL  
DISTRICT TWO BOARD OF TRUSTEES

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
William H. Bingham, Jr.  
Chair

WITNESS AS TO COUNCIL:

\_\_\_\_\_  
\_\_\_\_\_

CITY COUNCIL OF THE  
CITY OF CAYCE

By: \_\_\_\_\_  
Elise Partin  
Mayor

**AMENDMENT TO ADDENDUM TO SETTLEMENT AGREEMENT BETWEEN  
LEXINGTON COUNTY SCHOOL DISTRICT TWO BOARD OF TRUSTEES AND  
CITY COUNCIL OF THE CITY OF CAYCE**

Pursuant to the request of the Lexington County School District Two Board of Trustees (“the Board”), the parties agree to this Amendment to the Addendum to Settlement Agreement executed by the parties on February 5, 2013 (“the Addendum”) which Addendum altered the Settlement Agreement executed by the parties on May 31, 2006.

The Board and the City Council of the City of Cayce (“the Council”) agree to the following amendments to the Addendum:

- (1) The architectural renderings prepared for the District by Jumper Carter Sease Architects dated September 14, 2012, will be supplemented and superseded by the additional architectural renderings dated October 9, 2013 and attached to this Amendment.
  
- (2) The top of the bleachers shall be approximately 19.4 feet in height on the visiting side (not to exceed 19.4 feet in height). The walls fronting Knox Abbott Drive shall be not less than 18.4 feet in height with columns within the wall not less than 21.4 feet in height.

All other matters in the Addendum and in the original Settlement Agreement not specifically altered, addressed or amended by this Amendment to Addendum shall remain in full force and effect.

The authorized representatives of the Board and the Council enter into this Amendment to Addendum, by duplicate originals, on this \_\_\_\_\_ day of November, 2013.

WITNESS AS TO BOARD:

LEXINGTON COUNTY SCHOOL  
DISTRICT TWO BOARD OF TRUSTEES

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
William H. Bingham, Jr.  
Chair

WITNESS AS TO COUNCIL:

CITY COUNCIL OF THE  
CITY OF CAYCE

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Elise Partin  
Mayor