

**CITY OF CAYCE
Regular Council Meeting
February 3, 2009**

The Regular February 2009 Council meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Council members Steve Isom, James Jenkins, Kenneth Jumper and Rick Myers, City Manager John C. Sharpe, Tammy Barkley, Municipal Clerk, and Garry Huddle, Municipal Treasurer. City Attorney, Danny Crowe, Ken Knudsen Director of Planning & Zoning, Frank Robinson, Director of Utilities and Chief Charles McNair, Director of Public Safety, 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.

Mayor Partin called the meeting to order. Mr. Jumper gave the invocation and Mayor Partin led everyone in the Pledge of Allegiance.

Mr. Isom made a motion to amend the agenda to move Item II. C. prior to Item II. A. Mr. Myers seconded the motion which was unanimously approved.

Approval of Minutes

The minutes of January 6, 2009 Regular Meeting, January 13, 2009 Special Meeting and January 28, 2009 Council Retreat were presented for approval. Mr. Jenkins stated that on Page 7 of the January 6 minutes, Mr. Myers' motion regarding the Charrette Process be clarified by stating that Mr. Myers' made a motion to approve the Charrette Process as presented and in the event the amount of private funds needed were not collected that the project be brought back to Council for further discussion. Mr. Jenkins made a motion to approve the January 6, 2009 minutes with the noted correction. Mr. Jumper seconded the motion which was unanimously approved.

Mr. Myers made a motion to approve the January 13, 2009 minutes as presented. Mr. Isom seconded the motion which was unanimously approved.

Mr. Myers made a motion to approve the January 28, 2009 minutes as presented. Mr. Isom seconded the motion which was unanimously approved.

Presentations

C. Presentation by Mr. Curtis Loftis Re Transparency

Mr. Loftis introduced Comptroller General Richard Eckstrom. Mr. Eckstrom provided Council with information regarding the transparency program through his office. He stated that transparency is a good government initiative. He stated that this is a process that would not have been possible 10 years ago, but with the spread of the internet in the community, just the idea of financial transparency is an idea that has come to fruition. He stated that last year his office created one web site for state agencies and that anyone can go to that web site, select an agency, select an account and scroll down and view what is being spent in any particular category. He stated that he was not sure of what to expect and thought they would receive numerous calls. However, he stated that the exact opposite occurred in that his office received less questions than they had received previously. He stated that citizens are using the web site heavily as well as the media. He stated that media inquiries have also sharply decreased. He commended Council for their openness and stated that the website is available. He stated the web site contains templates available to list the city's daily cash disbursements and challenged the city to be one of those communities to be on the front end of this program.

Mr. Eckstrom advised that legislation requiring state agencies to participate in this program did not pass. However, he stated that several state agencies are doing so on a voluntary basis. He stated the program would provide a tremendous public relations benefit to the city by the trust that would be established. He stated his office is available to work with the city. He stated that to put this system state-wide, his office has not placed any additional burden on their budget and they have received very positive feedback. Mr. Isom inquired as to the first step to begin the process. Mr. Eckstrom stated that Council would need to decide as a governing body that this is something that they want. From that point, he stated his staff would get together with the city to discuss the process. He stated that their challenge is that not all municipalities use the same financial software programs and this presents a problem. Mayor Partin thanked Mr. Eckstrom for attending and providing Council with this information.

A. Presentation by Representative Mac Toole Re Kids Camp

Representative Toole thanked Council for their willingness to serve the community. He provided Council with detailed information regarding Congaree Kids Camp and stated that this is the 10th anniversary of the camp. He stated that today, the camp averages over 1,200 kids for a one week camp and 400 volunteers. He stated that the major reason for his attendance was to recognize Mr. and Mrs. Darwin Fulwood and the staff of Public Safety for their volunteer service for the past 10 years. He presented a plaque of appreciation to Chief McNair and Mr. and Mrs. Fulwood and thanked them for their efforts.

B. Presentation by Mr. Gilbert Walker Re Neighborhood Stabilization Program

Mr. Walker, Director of the Columbia Housing Authority and Ms. Julia Prator, Deputy Director provided Council with information on the Neighborhood Stabilization Program. Ms. Prator stated that an opportunity for funds for this project was noted by their office and they researched the City of Cayce to locate foreclosed properties within the city limits. She stated that they have been able to identify 6 properties and proposes to use the grant funds to provide jobs through rehabilitation of the homes. She stated the plan is to take the funds from the sale of the foreclosed property, roll them over and put them right back into the program. Mr. Walker stated that it is not a requirement to receive Council's approval of the plan, but wanted Council to be aware of what was going on in the community. Mayor Partin thanked Mr. Walker and Ms. Prator for attending and bringing Council up to date on the project.

Public Comment

Ms. Barkley advised that Ms. Darlene Walton had signed the speaker's list to discuss Item II. C. Regarding Comptroller General's presentation, Ms. Walton stated that she thought this was long overdue. She stated that she came from a city in North Dakota and for over 40 years, the newspaper printed the monthly financial report along with the minutes of meetings. She stated by the city participating in this program, it would clear up a lot of questions and make people aware of where the money is going. She stated that providing the information on line is great, but asked Council to keep in mind that a lot of people do not own a computer and the information should be in some type of published form where everyone has access to how money is being spent.

Resolutions, Agreements and Ordinances

A. Approval of Resolution Re Procurement

The City Manager stated that the Resolution has been provided by the City Attorney in reference to the Charrette Program that was discussed at the January 6, 2009 Council Meeting. Mr. Myers made a motion to deny approval of the Resolution. Mr. Isom seconded the motion. Mr. Isom stated that he felt Council was all in favor of the process and asked the City Manager to explain the normal process for procurement of these types of services. The City Manager stated that because the project is not being funded by city funds, the normal process did not apply. The City Attorney, Danny Crowe, provided additional information regarding procurement stating that even though funds are coming from the private sector, it is for a service of the city and felt that it should follow the normal procurement process. He advised, however, that a regulation can be promulgated whereby a sole source and sole source contract could be issued for this type of service and thus the consideration of the resolution. Mr. Myers stated that through the normal procurement process, Council has the authority to choose whoever they want whether they are the lowest bidder or not. He stated that he has an issue with the resolution as competition is good and Council has the authority to award a bid.

Mr. Crowe stated that the scope of the resolution is relatively narrow and it would only apply to unique consulting services. Mr. Myers inquired if this would include the city's independent auditor. Mr. Crowe stated that the consultant would have to be affiliated with a state institution, state COG, etc. Mr. Isom inquired if the scope could be narrowed further. Mr. Crowe stated the resolution could be narrowed by including that scope would relate to community visioning, economic analysis and planning which would be fairly narrow. Mr. Myers inquired as to the city's cost if it issued an RFP for the project. The City Manager advised there would be minimum cost. The motion to deny the approval of the resolution passed three to two with Mr. Myers, Mr. Jenkins and Mr. Isom voting yes and Mr. Jumper and Mayor Partin voting no.

B. Approval of Resolution Approving Agreement with Lexington County concerning Distribution of Fee-In-Lieu of Taxes – CMC Steel

Council considered for approval a Resolution approving an agreement with Lexington County concerning the distribution of fee-in-lieu of taxes (FILOT) for CMC Steel. Mr. Jenkins recused himself from this issue stating conflict of interest as he is employed by CMC Steel. Mr. Jenkins removed himself from the dais. Mr. Myers asked if the current agreement with CMC Steel would piggy back this one. The City Manager advised that the current agreement does not piggy back with this one. Mr. Myers made a motion to approve the resolution. Mr. Isom seconded the motion which was unanimously approved.

C. Approval of Ordinance Approving Expansion of FILOT – CMC Steel – Second Reading

Council considered for second and final reading the approval of an Ordinance approving the expansion of the FILOT for CMC Steel. Mr. Jenkins recused himself from this issue stating conflict of interest as he is employed by CMC Steel and removed himself from the dais. Mr. Myers made a motion to approve the Ordinance as amended on second and final reading. Mr. Isom seconded the motion which was unanimously approved. Mr. Jenkins re joined Council at the dais.

D. Approval of Agreements re Construction and Conveyance of a Water Main from 12th St. Extension to Saxe Gotha Industrial Park and 12th St. Lighting Project

The City Manager and Municipal Clerk provided Council with a copy of the revised agreement that included the annexation of the full parcel of property and a map showing SCANA's revision. The City Manager advised that the original draft agreements for the water main project all included the section in which SCANA would request annexation of 689.3 acres upon Council approved of the agreements. He stated that Mr. Randy Summers of SCANA met with him today and he advised that SCANA only wanted to annex a portion of the property. Mr. Myers inquired if Mr. Summers was acting on behalf of SCANA officially and if SCANA has officially asked to

withdraw the term. Mr. Myers made a motion to approve the three agreements as presented by the City Manager and authorize the City Manager to execute the agreements on behalf of the City. Mr. Isom seconded the motion. Mr. Rich Fletcher with SCANA was in attendance and advised that Mr. Summers was acting in an official capacity for SCANA and that he would be happy to take back Council's approved agreements to SCANA for further discussions. After discussion the motion was unanimously approved.

E. Approval of Agreement Concerning Credits and Payment for Improvements to Taylor Road

The City Manager advised that Mr. David Hilburn presented his plans for the Concord Park subdivision to Council in June, 2007. He stated that one of the issues to be resolved was the upgrade of Taylor Road. He stated that at the September 2008 Council meeting, Lexington County agreed to participate in the project with a cash contribution from County C-funds and that the City agreed to participate in the project through reimbursement and credits to the developer. He stated that since this is a Lexington County project, the county finalized engineering for a three lane road with curbs and gutter, advertised for bids and is now in the process of confirming the bid and checking bonds, math, etc. He stated the County would award the bid at their February 10, 2009 meeting. He stated that based on what Council approved in September and after the County's contribution is deducted from the bid, there would be a balance of \$229,122.80, 50% of which would be Cayce's contribution and 50% as a credit to the developer against sewer capacity. He stated the agreement spells out these terms specifically. Mr. Myers made a motion to approve the Agreement and authorize the City Manager to sign the agreement subject to Lexington County awarding the contract to the low bid. Mr. Isom seconded the motion. Mr. Myers noted that the agreement includes a blank regarding the required square footage of the homes to be built and inquired if the plans for the development would be the same as presented to Council in 2007. Mr. George Delk, Mr. Hilburn's representative, was in attendance and advised that with the current economy, he was not able to provide an exact answer although he stated they would not be starter homes. He stated the estimated cost of the homes would begin at \$185,000 up to \$350,000 - \$400,000. Council asked the City Manager to contact the developer to include either the square footage or starting price of homes in the agreement. After discussion the motion was unanimously approved.

Other

A. Approval to Proceed with PARD Grant Projects

The City Manager advised that in April 2008, the City was awarded PARD Grant funds to improve Burnett Park, Churchill Gardens Park, Granby Gardens, and Glenwood Park. He stated the total amount was \$62,695 with a PARD grant of \$50,156 requiring a match of \$12,539. He stated that in addition, the city also received grant funds to improve the Thomas Newman Boat Landing in the amount of \$1,750 with

PARD funds of \$1,400 and a match of \$350. He stated that the city's match for the park construction would be taken from the ABC permit fees investment account. The grant is scheduled to expire in 2010. He stated that In July and August 2008, residents from Churchill Gardens appeared before Council on the issue and some residents opposed the park while others, including the Neighborhood Association, were in favor of the park. He stated the property is owned by the City and has a deed restriction that will allow only for park construction. Mr. Jumper made a motion to approve to proceed with the PARD Grant projects. Mr. Isom seconded the motion. Mr. Jumper inquired as to when the project will begin. The City Manager stated that once approval from Council is received, the city will solicit bids and proceed with the projects. After discussion, the motion was unanimously approved.

B. Bid Award – Upgrade of Council Chambers Sound System

The City Manager advised that on the request of Council, bids were solicited to improve the sound system in Council Chambers. He provided Council with a list of the bids and advised that the low bid was received from Pecknel Music Company in the amount of \$1,360.00. He stated that if Council awards the bid, the budget would need to be amended accordingly. Mr. Jenkins made a motion to award the bid to the low bidder, Pecknel Music Company. Mr. Jumper seconded the motion. Mr. Jenkins stated that Council wanted to be sure the low bid would improve the system. The City Manager stated that ACS Sound and Lighting has installed the current system in 2001. Mr. Myers stated that he felt the ACS bid was more detailed and included items that appear would correct the current system. Ms. Barkley advised that the ac/heat unit is on the roof of the building which is going to be a constant issue. After discussion, Mr. Jenkins amended his motion to award the bid to ACS Sound and Lighting in the amount of \$2,353.95. Mr. Jumper amended his second. The amended motion was unanimously approved.

C. Approval of Sole Source Contract for Charrette Process

The City Attorney stated that because the Resolution presented earlier was defeated, Council could not move forward to designate someone to do the Charrette. He stated that the service provider would need to be selected through an RFP process. Mr. Myers stated that to clarify, the Charrette Process is still a viable project and private funds could still be collected.

D. Discussion of Resolutions pertaining to recognition of citizens for service to the City of Cayce

The City Manager advised that at the request of Council, staff was asked to look into the possibility of issuing some type of recognition to Ms. Frankie Newman to thank her for her service to the city on a voluntary basis. He stated that while Ms. Newman's commitment and loyalty is greatly valued, there are many citizens who serve in the capacity and have done so for many years. It was suggested that Council consider a

years-of-service type award as a way to recognize all volunteers who serve on various committees. Mr. Isom stated that his idea was not a quantitative one but one in terms of quality. He stated he is asking that he be allowed to approach the school board to see if they have any ideas such as a joint resolution, award plaque, naming a building after Ms. Newman, etc. Mr. Jenkins inquired as to how we would recognize others who provide service to the city. The City Manager stated that Council can approve a resolution in this instance. Mr. Myers stated that the City could also initiate an awards program for those who have served on committees instead of issuing resolutions. Mr. Isom made a motion that he, on behalf of the city, approach the School Board to make a presentation to them suggesting a joint resolution to honor Ms. Frankie Newman and provide Council an update on his presentation. Mr. Jumper seconded the motion. Mr. Myers stated the key is what is said in the presentation. He stated that he felt the consensus of Council is that the City of Cayce is willing to join in a joint resolution with the school district honoring Ms. Newman for her years of service to the school system, the community and to the city. He stated that beyond that, such as naming a street or building, he would not feel comfortable, however if that is part of the negotiations that come out of it, Mr. Isom would bring that back to discuss with Council. After discussion, the motion was unanimously approved.

Mr. Myers made a motion that the City set up service guidelines to recognize volunteers starting at 10 years. It was decided that Certificates of Appreciation would be awarded. Mr. Isom seconded the motion. Mr. Jenkins stated that at some point Council discussed limitations on term limits. The City Manager stated that there are currently no term limits. Mr. Jenkins stated that he felt beginning at 10 years would not be beneficial. Mr. Myers amended his motion to begin service recognition at 5 years. Mr. Isom amended his second to the motion which was unanimously approved.

Committee Matters

A. Committee Minutes

Council reviewed the following Committee meeting minutes for approval to enter into the official city record:

Board of Zoning Appeals – November 17, 2008
Planning Commission – September 29, 2008
Cayce Events Committee – January 8, 2009
Beautification Board – January 13, 2009
Cayce Museum Commission – January 14, 2009
Cayce Housing Authority – January 27, 2009

Mr. Jumper made a motion that the Committee meeting minutes be entered into the official city record. Mr. Jenkins seconded the motion which was unanimously approved.

Mr. Myers inquired in reference to the Planning Commission minutes regarding

the rezoning of a portion of 12th Street, if the overlay zoning plan for 12th St. that was done some years ago was considered. Mr. Knudsen advised that some years ago the Comprehensive Plan was revised to show that area as a transitional zone and it was part of the discussions on this rezoning request.

Committee Appointments

Board of Zoning Appeals – Two (2) Positions

Mr. Cory Moore has resigned from the Board. A potential member application has been received from Tara Almond and is attached for your review. The Board of Zoning Appeals recommends the appointment of Ms. Almond to this position.

Mr. Robert McArver's term expires February 2009. He has served on the Board for 4 years and missed one meeting last year (excused). He would like to serve again and his reappointment application is attached for your review. The Board of Zoning Appeals recommends the reappointment of Mr. McArver.

Mr. Jenkins made a motion to appoint Ms. Almond and reappoint Mr. McArver to the Board. Mr. Jumper seconded the motion which was unanimously approved.

Cayce Events Committee – One (1) Position

Mr. Steve Isom has resigned from the Committee. A potential member application has been received from Ms. Jessica Johnston and is attached for your review. The Committee recommends the appointment of Ms. Johnston to the Committee.

Mr. Myers made a motion to appoint Ms. Johnston to the Committee. Mr. Jumper seconded the motion which was unanimously approved.

Cayce Museum Commission – Two (2) Positions

Ms. Mary Sharpe and Ms. Pat Walker's terms expire February 2009. Both have been contacted and would like to serve again. Reappointment applications are attached for your review. Ms. Sharpe has served on the Commission for 14 years and was present at all meetings last year. Ms. Walker has served for 10 years and missed one meeting last year (excused).

Mr. Jenkins made a motion to reappoint Ms. Sharpe and Ms. Walker to the Commission. Mr. Jumper seconded the motion which was unanimously approved.

Housing Construction Board of Adjustment and Appeals – Four (4) Positions

The following members' terms expire February 2009. All have served on the Board for 11 years. The Board meets on an as needed basis and there were no meetings in 2008--Don Golightly, John Tien, John Reich, Blue Grimsley.

A reappointment application has been received from John Tien and it is recommended that he be reappointed to the Board. We are awaiting the reappointment applications from the others and recommend that these positions be postponed until their applications are received.

Mr. Myers made a motion to reappoint Mr. Tien to the Board. Mr. Isom seconded the motion which was unanimously approved. Mr. Myers made a motion to postpone other appointments until reappointment applications have been received. Mr. Jenkins seconded the motion which was unanimously approved.

City Manager's Report

The City Manager stated that the January financial reports would be submitted to Council this week.

The City Manager provided Council with the following dates:

February 11 - Mayors' Prayer Breakfast, Brookland Baptist Church Conference Center – 7:30 a.m.

February 17 - Brookland Cayce High School Education Foundation Dinner, Seawell's, 5:30 p.m.

February 17 - Municipal Elected Officials Institute, Marriott Columbia

February 18 - Hometown SC Legislative Action Day, Marriott Columbia

February 16 – Presidents Day Holiday, City Hall closed, normal pick up Business Forum Breakfast, February 25 – CANCELLED

February 23 – Mayor to meet with leaders of neighborhood groups

February 26 - LCMA at Catch22 in Irmo, 6:30 p.m.

April 15 – Deadline for 2009 Statement of Economic Interest form

The City Manager provided the following updates:

The City Manager provided Council with the latest design plans for the Senior Center building that will replace the Riverland Park clubhouse.

The City Manager advised that the Airport Blvd. Beautification Project will remain as is.

Mr. Isom inquired as to status of Officer Hoffman and other officer involved in a recent accident and complimented Public Safety for their fine work. Chief McNair advised that both officers were fine.

Chief McNair addressed those in attendance regarding a rash of car break-ins and asked that residents not to leave anything in their cars unattended or in plain sight.

He asked that this information be passed along to all neighbors and friends in the community. Mr. Myers stated that he has received positive comments regarding the recent reverse 911 calls.

There being no further business, the meeting adjourned. 8:00 p.m.

Elise Partin, Mayor

ATTEST:

Tammy P. Barkley, CMC, Municipal Clerk