

**CITY OF CAYCE  
Regular Council Meeting  
March 2, 2010**

The Regular March 2010 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, 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. Mayor Partin stated the guidelines regarding the public comment period and advised those in attendance that the meeting is being video taped by Councilman Isom. Mr. Isom stated that the public is also welcomed to video tape the meeting.

**Approval of Minutes**

The minutes of the February 2, 2010 Special Meeting were presented for approve. Mr. Jumper made a motion to approve the minutes. Mr. Isom seconded the motion which was unanimously approved by roll call vote.

The minutes of the February 2, 2010 Public Hearing and Regular Meeting were presented for approval. Mr. Myers made a motion to approve the revised minutes as presented. Mr. Isom seconded the motion. Mayor Partin stated that Council needed to clarify which minutes are being approved. Mr. Myers stated his motion is to approve the revised minutes provided to Council at their desks. Mr. Jenkins inquired as to why the minutes were revised after Council received them in their agenda packet. Mr. Myers stated that he had asked for clarification on the discussion held regarding the upcoming workshop on the Comprehensive Plan. Mr. Jenkins asked that when minutes are changed in this manner that Council be notified in advance. Mayor Partin stated that if there is a move to go to verbatim minutes that Council discuss that issue. Mr. Isom inquired if the revisions were verbatim minutes. Ms. Barkley stated that she revised the draft minutes after re-reviewing the recording regarding the discussion that took place and the minutes were not verbatim, but close to it. After discussion the motion was unanimously approved by roll call vote.

**Presentations**

A. Presentation by Mr. Joe Mergo – United Way Certificate

Mr. Mergo appeared before Council to present the United Way award to the City for their efforts in promoting and contributing to this year's United Way fund raiser. Mr. Mike Gray, Vice President of Resource Development and Mr. Mergo presented the Premiere Award to Mayor Partin, City Manager John Sharpe and, JoAn Roland, Human Resources Manager and thanked the city for their support.

B. Presentation by Commander Kirkland of American Legion Post 130 re Funding for Girls and Boys State Program

Ms. Darlene Walton appeared for Commander Kirkland. She thanked Council for their previous support of the Boys and Girls State programs and advised that this program is ranked third in the nation. She again asked for Council's support to send students from Brookland Cayce and Airport High Schools to the program this year.

C. Presentation by Mr. Earle Smith re Storm Drainage Issue

Mr. Smith appeared before Council to discuss the city's storm drainage issues (see attached).

**Public Comment regarding Items on the Agenda**

Ms. Darlene Walton, Item IV. B. – Ms. Walton spoke against passage of the smoking regulation ordinance.

Russ Wheat, Item IV. B. – Mr. Wheat spoke against passage of the smoking regulation ordinance.

Christina Hulslander, Item IV. B. and Item V. D.– Ms. Hulslander spoke in favor of the passage of the smoking regulation ordinance. In reference to Council Term Limits, she stated that is already in place and it is called an election.

Cory Norris, Item IV. B. – Mr. Norris spoke against passage of the smoking regulation ordinance.

Allen Olson, Item IV. B. – Mr. Olson stated he was with the Columbia Tea Party and spoke against passage of the smoking Regulation ordinance. He stated that he knew Council would push this through, but stated there are consequences to actions.

**Ordinances**

A. Approval of Ordinance Amending City Code Section 10-31 and the Standard Technical Codes to Create a Consolidated Board of Appeals and to Provide for a Standard Appeal Period – Second Reading

Council considered for second and final reading an Ordinance amending the City Code, Section 10-31 and the Standard Technical Codes to create a Consolidated Board

of Appeals and to provide for a standard appeal period. Mr. Jenkins made a motion to approve the Ordinance on second and final reading. Mr. Jumper seconded the motion. Mr. Myers stated that he felt the wording of the Ordinance was somewhat in opposition to the current ordinance in that "code official" is used instead of "building official." The City Attorney advised that "code official" is intended to be a broader term to cover whoever might be enforcing the Standard Technical Codes since they are not all building codes. Mr. Myers stated that the city only has one person that is a licensed official who can make those decisions. Mr. Myers suggested that the ordinance be revised to change "code official" to "licensed building/code official." Mr. Jenkins inquired if it was the Ordinance's intent that these issues would go through the City's building official. Mr. Myers stated that he did not feel this was the way the Ordinance reads and should be clarified. The City Attorney explained that there is a difference between code official and code enforcement officer. Mr. Myers stated that he just had an issue with the wording of the Ordinance as it is not clarified. Mr. Isom pointed out that other sections of this code state "building official." The City Attorney stated wording could certainly be changed from code official to building official. He stated he was trying to use a word that would cover whoever was the official who was responsible. Mr. Jenkins repeated his motion as requested. Mr. Isom stated he was uncomfortable having the boarder definition included in the Ordinance. Mr. Myers stated he felt wording should be consistent in both sections of the Ordinance and that way there is no misunderstanding. After discussion, the motion passed 3 to 2 by roll call vote with Mr. Isom and Mr. Myers voting no and Mr. Jumper, Mr. Jenkins and Mayor Partin voting yes.

B. Approval of Ordinance Amending the Cayce City Code to Add a New Chapter 35 Regulating Smoking in Places of Employment – Second Reading

Council considered for second and final reading an Ordinance amending the Cayce City Code to add a new Chapter 35 regulating smoking in places of employment. Mr. Jenkins made a motion to approve the Ordinance on second and final reading. Mr. Jumper seconded the motion. Mayor Partin advised that she just received word that the West Columbia City Council is meeting tonight and they have just passed their smoking regulation ordinance on final reading and will be looking at a June 1<sup>st</sup> start date and if Council approves the Ordinance, Cayce's start date will also be June 1<sup>st</sup>. Mr. Isom stated he was sorry to hear the bad news from West Columbia and that constitutional rights were violated tonight, but he felt it was a private property rights issue. He stated he knew smoking was bad and that he was a non-smoker and asked that Council please consider what they were doing. He stated that freedom is a risky business and it is time for someone to take a stand and asked Council to take a stand for freedom for a change and not sacrifice freedom for temporary security.

Mr. Myers stated this particular Ordinance contains some real problems for businesses in the city. He stated he was not talking about restaurants and bars, particularly. He stated he understands the public health argument and felt that this was a bar and restaurant smoking regulation. He stated that unfortunately this Ordinance

will have an effect on all businesses whether it is a single owner business, whether it is a manufacturing facility that has a building open on three sides, that is 100 ft. long, and 40 ft. ceilings. He stated there are office buildings in the city that have spent tens of thousands of dollars putting in smoking rooms, separately ventilated, with no access to the public or employees, except to those who smoke. He said he was not for or against the smoking regulation as a whole, but felt it should be looked at from a common sense prospective and did not think it should include any and all businesses. After discussion, the motion passed 3 to 2 with Mr. Jumper, Mr. Jenkins and Mayor Partin voting yes and Mr. Isom and Mr. Myers voting no.

### **Other**

#### **A. Bid Award – SC602 Road Widening Utilities Relocation Project**

The City Manager advised that this project is a result of the SC DOT project to widen Platt Springs Road and that as part of the project, a new retaining wall and footing has been planned near the intersection of Florentine Rd. and Platt Springs Rd. He stated the project calls for the relocation of 188 linear feet of 8-inch gravity sewer main and 220 linear feet of 6-inch water main. He stated the relocations of the mains are required to insure proper accessibility of the lines for continued operation and maintenance of the lines. Mr. Myers made a motion to award the bid to the low bidder, DS Utilities Inc. in the amount of \$114,320 and that the City Manager be authorized to sign contract documents. Mr. Isom seconded the motion. Mr. Jumper inquired if larger pipes should be used in the project. Mr. Robinson stated that this is a short section and it would not be feasible to replace that section with a larger sized pipe. After discussion, the motion was unanimously approved by roll call vote.

#### **B. Approval to Amend the FY 2009-2010 Budget for Lease of SCBA Equipment**

The City Manager advised that the purchase of this equipment was not included in the current budget and staff was asked to review revenues and expenses mid-year to see if it was favorable to purchase some capital equipment. He advised that he felt it was feasible to do so at this time. He stated that currently the Public Safety Department uses SCBA's manufactured by Survivair. He stated that while this equipment is still functional, all fire departments including West Columbia, Columbia, Irmo and Lexington County, that normally provide mutual aid to or receive it from Cayce uses MSA brand SCBA's. He stated that the city's current equipment is not compatible or interchangeable. He stated that Public Safety has previously applied for Federal Fire Grants to replace the SCBA's without success and that the cost of replacing the current equipment is approximately \$148,025, not including sales tax. He stated that company has advised that they can do in-house financing at almost 7% which would require a down payment of \$22,000 and then an annual payment for five years. He stated that he was able to check with area banks late Friday on a capital lease arrangement. He stated he received a quote from an area bank that can do a three-year capital lease at 2.8%, a four year lease at 2.9% and a five year lease at 3.05%. He stated that would be with payment in arrears there would be no down payment required unless Council

wanted to buy down the amount of the purchase price and finance the remainder of it. If that was done, the budget would need to be amended for the down payment. He stated that if Council did not want to, it could go ahead and finance the full amount and the only payment would be an annual payment 12 months from the contract signing date which means the first payment would occur in the FY 2010-2011 budget. He recommended that the city either buy down the original amount and do a capital lease on the balance for a three or five year term. He advised that to do so, it would be brought back to Council for an approval of a capital lease by resolution. The city could go ahead and order the equipment, obtain additional bids on the finance side and have the issue for consideration at the April Council meeting.

Mr. Jenkins asked that if Council decided to go with the banks and not buy the loan, would there be a penalty further down the line. The City Manager advised there would be no penalty. Mr. Jenkins made a motion to authorize the City Manager to negotiate with area banks to get the loan and not go with the buy down option. Mr. Jumper seconded the motion. Mr. Myers asked the City Manager to explain the impact this will have on the annual budget. The City Manager explained it would have a \$20,000 - \$25,000 or more impact on the budget depending on the amount of the capital lease and the term chosen.

Mr. Isom inquired as to the state of the city's finances. The City Manager stated that the city's tax revenue looks good. He stated that business licenses are based on gross incomes and on the majority of licenses that have come in this year, the gross revenue is down thereby decreasing the amount of license revenues are down. He stated that the City has received unanticipated revenues which could be used.

Mr. Jenkins stated that if the city did not provide employees with the proper equipment and safety equipment and the employee gets hurt, that is a serious infraction. Mr. Myers inquired as to why it seems to be an emergency now rather than it being included in the original budget and why it cannot wait until the FY 2010-2011 budget. The City Manager explained that nine months ago when working on the budget, it was difficult to predict the revenue sources and now that the city has received some unanticipated revenues, it can be afforded. He stated that if it is agreed to go ahead and finance the entire balance, it will not require a budget amendment for the current budget. Mr. Myers stated then it is really not an emergency need, but money is available and this is a top priority based on new funding being available. The City Manager concurred.

Mayor Partin asked for additional information on the buddy system. Chief McNair provided an explanation of the system. Mayor Partin confirmed the equipment being purchased. The City Manager stated that if Council takes action of this item, the contract can be signed and the purchase order can be issued. He stated he would work on getting the financing in place for Council's consideration at the April meeting. After discussion the motion was unanimously approved by roll call vote.

Mayor Partin inquired about the purchase of the confined space rescue equipment. The City Manager stated that the equipment has been received and the training has already been completed. The City Manager stated that next year's budget will include a vehicle to carry the confined space rescue equipment. He stated the equipment can be used now. Mayor Partin inquired as to what type of transportation. The City Manager stated that staff would be looking at an 8-bay truck to permanently house the equipment. Mr. Robinson also advised that the city received a violation regarding hazmat equipment. Mayor Partin asked if the City has received a written report from OSHA. The City Manager advised that the city has received the report. Mayor Partin inquired as to when the report was received. The City Manager responded three weeks prior. Mayor Partin asked that she be provided a copy of the OSHA report. She stated that Council will meet again on March 15, 2010 and asked that the transportation for the confined space equipment be placed on the agenda.

#### C. Discussion of City Contracts Transparency

Mr. Isom made a motion that Council authorize and request that the City Manager post on the City's website copies of any contracts of the City in excess of \$1,000 with the discretion to redact any proprietary information of the contractor. Mr. Isom stated his motivation is that he believes that the city would have more competitive bidding by having this information on the website so that when contractors look at the City of Cayce, they'll see previous contracts and have a historical record of what type things the city is looking for. He stated that he spoke with the City Manager and Clerk who both stated that it would not be difficult to do this. He stated he was not talking about going back and scanning contracts the city previously has, but from this point forward. Mr. Myers clarified that this would include the contracts awarded only. Mr. Jumper requested that if Council is to take action on an item at a meeting that information be provided in advance to all Council members. Mayor Partin stated that she did not have a problem with this issue, but that it is not transparent to take an item to action when it is only listed as a discussion item on the agenda.

Mr. Myers asked Mr. Isom to repeat his motion. Mr. Isom repeated his motion as stated above going this point forward. Mr. Myers asked the City Manager for his thoughts on this issue. The City Manager advised that it would be simple and not a problem. After discussion, Mr. Myers seconded the motion. The motion passed three to two with Mr. Isom, Mr. Myers and Mayor Partin voting yes and Mr. Jumper and Mr. Jenkins voting no.

#### D. Discussion of Council Term Limits

Mr. Isom stated that this item is a resolution expressing support of Cayce City Council for a state law authorizing municipalities to impose terms limits for Mayors and Council members. He stated the argument is that there are terms limits by default since we can vote. He stated his premise is that there is no need for career politicians on the local, state, or federal level. He stated the citizens have a right of referendum for term

limits in other states and that in South Carolina, citizens do not have this right and he feels that citizens should have the right to decide on terms limits of elected officials. He stated that he would like to see the legislators give some power back to the citizens at the local level to make decisions on their own about limiting terms whether it be the city or county. Mr. Myers stated that he was shocked that this could not be a referendum for voters to decide. The City Attorney provided background from the Attorney General's office on the issue to Council. Mr. Isom distributed a copy of a draft resolution to Council.

Mr. Isom made a motion that Council approve a resolution expressing the support of Cayce City Council for a state law authorizing municipalities to impose term limits for mayor and council. Mr. Myers suggested that this be an issue that could possibly be lead by the Municipal Association of South Carolina. He stated that he was not sure Council passing a resolution would have an impact, but believes in the concept. Mr. Myers seconded the motion.

Mayor Partin stated that if Council is going to do anything to encourage the legislators, she would like to see them encourage the legislators to allow home rule to really exist and it does not right now. She stated that she does not see any interest in trying to encourage them to do this. The motion passed three to two with Mr. Isom, Mr. Jumper, Mr. Myers voting yes and Mr. Jenkins and Mayor Partin voting no.

### **Committee Matters**

#### A. Committee Minutes

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

Beautification Board – February 9, 2010  
Cayce Museum Commission – February 10, 2010  
Cayce Events Committee – February 11, 2010  
Cayce Housing Authority – February 16, 2010

Mr. Jenkins made a motion that the Committee meeting minutes be entered into the official city record. Mr. Jumper seconded the motion which was unanimously approved by roll call vote. Mr. Myers stated that in the Cayce Housing Authority minutes, the Housing Authority community development grant was mentioned and asked that the City Manager provide an update to Council. The City Manager stated he would contact Mr. Gilbert Walker to obtain the information. Mr. Myers stated that he thought this would have to go through Council for approval. The City Manager stated he believed that was correct and would check with Mr. Walker.

Mayor Partin advised that the spring Plant Exchange, sponsored by the Beautification Board, will be held on April 24 at City Hall.

## B. Committee Appointments/Reappointments

### Accommodations Tax Committee – One (1) Position

Ms. Chelle Davis' term expires March, 2010. She has been contacted and would like to serve again. Her reappointment application is attached for your review. The committee recommends the reappointment of Ms. Davis. Mr. Myers made a motion to reappoint Ms. Davis to the Committee. Mr. Isom seconded the motion which was unanimously approved by roll call vote.

### Beautification Board – One (1) Position

There is one open position due to the resignation of Staci Mathis. There is no recommendation at this time. Mr. Myers made a motion to postpone the issue until a recommendation is submitted. Mr. Isom seconded the motion which was unanimously approved by roll call vote. Mayor Partin suggested that the Beautification Board send a note to Ms. Mathis thanking her for her dedication and leadership.

### Cayce Events Committee – Two (2) Positions

Ms. Jessica Johnston has resigned from the Committee and Ms. Cindy Pedersen's term expires March, 2010. Ms. Pedersen has been contacted and would like to serve again. The Committee reviewed applications for the open position and recommends the appointment of Ms. Rachel Scurry to fill the unexpired term of Ms. Johnston and the reappointment of Ms. Pedersen. Ms. Scurry's and Ms. Pedersen's applications are attached for your review. Mr. Myers made a motion to reappoint Ms. Pedersen and appoint Ms. Scurry to the Committee. Mr. Jenkins seconded the motion which was unanimously approved by roll call vote.

### Cayce Housing/Construction Board of Appeals – One (1) Position

Mr. Lemuel Knight's term expires March, 2010. There is no recommendation at this time.

### Planning Commission – One (1) Position

Mr. Robert Power's term expires March, 2010. There is no recommendation at this time.

### Board of Zoning Appeals – Two (2) Positions

Ms. Tara Almond and Mr. Davis Murray's terms expire March 2010. There is no recommendation at this time.

Mr. Myers made a motion to postpone the positions on the Cayce Housing/Construction Board of Appeals, Planning Commission, and Board of Zoning Appeals until recommendations could be submitted. Mr. Isom seconded the motion which was unanimously approved by roll call vote.

## **City Manager's Report**

The City Manager advised that the Financial reports would be submitted to Council by end of week.

The City Manager provided Council with the following dates:

March 15 – Special Council Meeting and Joint Session with Planning Commission, 5:30 p.m. Council Chambers  
March 23 – MASC Hometown Connection  
March 25 – LCMA Meeting and Dinner, West Columbia City Hall  
March 29 – Neighborhood Coalition Meeting, 5:30 p.m. Conference Room

In reference to the City's purchase of property on Old Dunbar Rd., the City Manager advised that the contact has been signed and is awaiting the date for the closing.

The City Manager advised that staff is reviewing construction plans for the shelter and will be soliciting bids for the FY 2010-2011 budget. He stated that Councilman Isom wanted to discuss donations for the Animal Shelter. Mr. Isom stated that during a recent Neighborhood association meeting it was suggested that citizens be encouraged to donate funds for the Animal Shelter. Mr. Jenkins stated that a suggestion from the Neighborhood Coalition is that the city review the possibility of placing a notice on the water bill for \$1 donations. The City Manager stated that he would have the City Attorney look into the legalities of the city soliciting donations.

The City Manager advised that on the donation of property on Stratford Road that the due diligence has been completed and the only issue is the 2009 property taxes has not been paid. He stated that as soon as the city received the paid notice, authorization for the transfer of property will be made.

The City Attorney provided Council with an update on the beautification and public safety foundations. He stated that he would provide Council with a proposed resolution, bylaws, conflict of interest policy and non-profit articles of incorporation for the foundations at the next regularly scheduled Council meeting. He stated that after the non-profit status has been set up, it will be necessary to have an organizational meeting whereby officers would be elected. He stated that he needs some direction on how many directors there should be and how they should be appointed. He stated that Council has received a copy of the West Columbia Beautification Foundation documents and their bylaws which specified 15 directors, two of which were designated directors (those holding the office of Mayor and Mayor Pro Tem). The other 13 were appointed by City Council, one from City staff, City Administrator, and other 12 from businesses or residents of the community. It was suggested that in terms how to divvy up those 15, he suggested that 2 positions be held by the Mayor and Mayor Pro Tem, 1 position held by the City Manager, and 2 positions held by the Chairs of the Planning

Commission and the Beautification Board. For the 10 positions left, Mayor and Council members would appoint two board members each.

He stated that he felt a similar format could be followed for the Public Safety Foundation. He inquired if Council wanted him to proceed with the format as suggested. He stated that once he is advised, he will be able to prepare the paperwork for Council's review at the April meeting and suggested that they, too, consider having their board appointees ready for review at the meeting as well. Mayor Partin asked that Council communicate with each other of their suggested appointees prior to the April meeting. Council agreed with the City Attorney's recommendation on the number of directors and procedures for appointments.

Mayor Partin inquired as to the status of the water/sewer infrastructure capital plan. The City Manager stated that he received an e-mail and advised Council in their memo that the information should be ready for Council's review in mid-March.

Mayor Partin stated that Lexington County is having a tree workshop in April and suggested that James Denny attend.

Mayor Partin inquired as to the projects applied for under the CDBG grant and in reviewing the minutes, it appears the information given was for last year's grant. She inquired as to what was submitted for funding for next year. The City Manager stated he would check with the Grants Coordinator and advise.

Mayor Partin stated that no one likes surprises or likes walking up to the table and be given information that they have never seen before to vote on it. She asked that the same rules of courtesy and transparency that people have asked of other members of Council are displayed by all members of Council. She encouraged Council to communicate with the presiding officer of the meeting and include information in the Council packet.

Mr. Jenkins stated that during the Charrette, free services from Clemson were available for designing parks. He stated that Clemson graduate students took on the redesign of Burnette Park and have completed that portion of the project and has moved on to the architect project.

Mr. Jenkins thanked Council, Ms. Barkley and the City Manager for their assistance in presenting Ms. Nancy Coles the City's Ambassador Award. He advised that Ms. Coles passed away on Sunday.

Mr. Isom advised that the meeting held on February 25<sup>th</sup> by Senator Jake Knotts was a very important informational meeting and encouraged those who were unable to attend to try and get the notes from Mr. Mike Shealy's State budget presentation.

Mr. Isom asked Mayor Partin for an update on the Airport Boulevard beautification project and the status of the trip to Washington trip. Mayor Partin advised that the group was continuing to put together paperwork and trying to get funding for the project. She stated the trip to Washington has not been scheduled.

Mr. Isom advised that Rep. Nicki Haley has introduced bill H4275 regarding term limits for the General Assembly, the Senate and the House and suggested Council review it at their convenience.

Mayor Partin brought up the joint session with the Planning Commission. She stated that Mr. Myers stated he wanted more time to review the Comprehensive Plan and wanted to sit down and have a workshop meeting with all parties involved on March 15<sup>th</sup>. She stated she was concerned as to why others would not be invited to attend the meeting. Mr. Myers clarified this issue stating he was not opposed to anyone showing up to the meeting as it is a public meeting. He stated his question was who would be participating in the discussion because he didn't want it to get bogged down into a debate with the Ad Hoc Committee which is what the Mayor was referring to. He stated he did not think it would be productive to rehash a lot of things that they and the Planning Commission had already discussed and had already settled on. He stated his intention was to keep from wasting a whole day basically reinventing the Comprehensive Plan. He stated that we have a Comp Plan that we want to work on and refine and that should be done between Council and the Planning Commission instead of with a recommending body. He stated he felt that staff, Council and either the Chair of the Planning Commission or all of the Planning Commission should participate.

Mayor Partin stated that she did not see a problem inviting the Ad Hoc Committee. She stated she understood that Mr. Myers wanted to say to whomever, how did we get here, why did we add this or not that. She stated that it would seem to her that Mr. Myers would want anybody involved with the process to be available to answer his questions. Mr. Myers stated his questions would be directed to the Planning Commission, Dan Vismor and Ken Knudsen. Mr. Isom agreed. Mr. Jenkins suggested that the Ad Hoc Committee select a spokesperson to participate, but he felt eliminating them from attending the meeting is unfair. He stated he felt there should be a representative in attendance. Mr. Myers stated that the Ad Hoc Committee did the job that they were commissioned to do and worked with the Planning Commission and now the questions are for Council as to how Council wants to change it if we want to change it and the consultant, the Planning Commission and Mr. Knudsen should be able to answer those questions for us.

Mayor Partin stated that she did not understand why this was such a big issue, but obviously was since the draft minutes were changed and presented to Council at tonight's meeting. Mr. Myers stated that he did not ask that the minutes be changed. Mayor Partin inquired as to who did ask that the minutes be changed. Mr. Myers stated the minutes were clarified because he and the Mayor had a conversation about who

was going to participate in this meeting two weeks ago and he and Mayor Partin disagreed on exactly what we're disagreeing about now. He stated that he felt the motion is now clear. He stated that the Clerk went back and listened to the tape recording to clarify it so everyone would understand. He stated that there is no use going to that meeting spending 15-20 minutes discussing how the structure of the meeting is going to work. He stated that needs to be decided in advance and that is why he had the conversation with Mayor Partin. He advised the Mayor that this is not new to her as she said earlier. He stated that Mayor Partin received a copy of it in an earlier email. Mayor Partin stated she did not know the minutes were going to be amended. Mr. Myers stated that the amendment clarified the motion. After discussion, it was decided that staff, the Planning Commission, and Dan Vismor would participate in the meeting and that it is an open meeting and anyone can attend.

### **Executive Session**

- A. Discussion of negotiations incident to proposed contractual agreement with the Lexington County Recreation Commission and receipt of legal advice related to a matter covered by the attorney-client privilege

Mr. Jumper made a motion to move into Executive Session to discuss the above matter. Mr. Myers seconded the motion which was unanimously approved.

### **Reconvene**

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

Mr. Myers asked Council to consider putting rules in place regarding roll call votes.

There being no further business, the meeting adjourned at 9:40 p.m.

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Elise Partin, Mayor

**ATTEST:**

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Tammy P. Barkley, CMC, Municipal Clerk