

**CITY OF CAYCE
Regular Council Meeting
August 4, 2009**

The Regular August 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, Bond Counsel, Margaret Pope, 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.

A. Approval of Minutes

The minutes of the July 7, 2009 Public Hearing and Regular Meeting were presented for approval. Mayor Partin asked that on page 3 of the minutes that "Katherine" Myers be corrected to state "Mr." Myers. Mr. Jumper made a motion to approve the minutes as submitted with noted correction. Mr. Jenkins seconded the motion which was unanimously approved.

The minutes of the July 28, 2009 Special Meeting were presented for approval. Mr. Myers made a motion to approve the minutes as submitted. Mr. Jenkins seconded the motion which was unanimously approved.

Presentations and Proclamations

A. Presentation of Employee of the Quarter Award

Mayor Partin presented the Employee of the Quarter Award to Ms. Bettie Hightower, Laboratory Director at the City's Water Plant. She thanked Ms. Hightower for her excellent work performance and dedication to her job.

B. Presentation by John Banks Re Columbia Speedway Project

Mr. John Banks appeared before Council to discuss his involvement in promoting the Columbia Speedway property as a location to host all types of events. He stated that with the success of the Racers Reunion Spring Festival, it has spurred renewed

interest in the property's future. He stated that he would be involved in the marketing portion of the project and brought Council up to date on the improvements that would be made to the property, which includes a park and a museum. Mr. Isom inquired about the museum. Mr. Banks stated that it would purely be a racing museum. Mr. Jenkins inquired as to how the reservations for the park area would be handled. Mr. Banks stated that decision has not yet been made and that this will be included in ongoing discussions. Mr. Myers inquired if the property would still be a private entity. Mr. Banks advised it remains a private entity.

C. Presentation by Steve Bowen , Russell Jeffcoat, re Infinity Program

Mr. Bowen appeared before Council to discuss the Infinity Program which is a real estate assistance program for employees who wish to purchase or sell a home or investment property. He stated that if the city becomes a partner of this program, there would be no cost to the city. He reviewed the structure of the program with Council noting that rebate checks are issued to employees after a closing on the property has been completed. He stated that if Council is interested in providing this as a benefit to the employees, he would like to have representatives from Russell Jeffcoat visit and present the program to the employees. He stated that five homes per year have to be bought or sold to maintain partnership in the program. Mr. Isom inquired as to how many cities are currently involved in the program. Mr. Bowen stated that Cayce is the first city he has approached and that another agent is in the process of approaching the Town of Lexington. He stated that he would also be contacting the City of West Columbia to see if they are interested. Mr. Jenkins inquired as to the liability to the City. Mr. Bowen stated that there is no liability to the city, just the approval for Russell Jeffcoat to come in and offer the program to employees. Mr. Myers asked that Mr. Bowen work through the City Manager's office to see if this program can be added as a benefit to the employees.

D. Presentation by Walter Harris Re Final Report on Charrette Master Plan

Mr. Walter Harris appeared before Council to provide a final report on the city's Charrette Master Plan project. Mr. Harris thanked city staff for all their help during the Charrette and the elected officials who provided excellent input during the process. He reviewed the highlights of the written report with Council. Mr. Jenkins asked, in reference to the funding needed for projects, if Mr. Harris would work with the city to try and obtain the resources. Mr. Harris stated that his service is available throughout the process and would be available to assist in any way possible. He stated that his organization has a grants writer and she would be available to the city.

Mr. Myers inquired if Mr. Harris had reviewed the written document. Mr. Harris stated that he had not reviewed the written report in great detail. Mr. Myers stated that the Charrette did not seem to touch on more important parts of the overall planning for the city from his standpoint—quality of life issues and other areas of the city seemed to be completely missed including the 12th Street corridor, altogether which is a huge corridor, Hunters Mills, and property across the river. He stated that other Charrette reports he had reviewed seemed to be more well rounded and take into account the entire city rather than just the downtown area. Mr. Harris stated that the focus was on

economic growth and providing things people said they wanted or where there were areas of interest which specifically weighted toward the commercial areas. Mr. Myers stated that most potential area for economic growth is the 12th Street corridor. He stated that he did not want to mislead the people of the city that this is our plan for the entire city. Mayor Partin advised that she has met with representatives from Reid's and JDH Capital and they are interested in talking with Mr. Harris about possible companies for buildings on their properties. Mayor Partin thank Mr. Harris for his report.

E. Presentation and Discussion of Organizing Steering Committee for Charrette Master Plan

Mayor Partin asked for suggestions on organizing a steering committee for the Plan. Mr. Harris stated that generally what they find is a sponsor goes to the other economic entities interested in the development and all those organizations put people forward to be on the committee. He stated that the committee should be broad-based and members are going to be called upon to represent the city to decide things and move forward. He stated it has to be a cooperative effort and recommended that the committee consist of 8 to 20 people representing different organizations and that officers be elected. He stated that process is to quickly come up with a list of things to be done based on priority and costs. He stated that there are going to be some very costly things that may need to be placed on hold for a couple of years. In addition, he stated that the committee would suggest ways to obtain resources for the projects.

Mr. Myers inquired as to who determines the focus of the committee. Mr. Harris stated that his organization would provide a facilitator at no cost. Mr. Myers asked if the committee would consider only items included in the written report. Mr. Harris stated that there may be some changes depending on new things coming on board. Mr. Myers stated that his concern is that Council has not developed a mission for the committee and felt this should be done before a committee is formed. Mr. Harris stated that giving the committee a mission and time frame, is a very good thing to do. He stated he wished he could say that every Charrette they have done has been great and everything was accomplished. However, he stated, some have fallen apart and some have succeeded. He stated that communication is going to be important and that constant feedback should be given to make sure the committee stays in the right direction.

Mr. Jenkins asked that once the committee is appointed by Council and the officers are selected, if this is when you provide the committee with the roadmap to get them focused. Mr. Harris stated that Council should provide the committee with parameters to follow, work with them, and let them dig into the situation more deeply and make a logical process out of it. Mr. Myers inquired as to where the Planning Commission would fit into this structure. Mr. Harris stated that is totally up to Council to decide on what structure it wants to use. He stated that he hoped they Planning Commission would take a leadership role in this process.

Mayor Partin stated that it has been suggested that a few members of the Planning Commission sit on that committee, as well as the chair of the Beautification Board and the Board could be a standing committee. She stated that she recently

spoke at the Cayce West Columbia Rotary Club and someone suggested that a member of the committee be someone from outside of Cayce to look at it from the outside in. Mr. Harris suggested that Council focus on people like SCANA, Bell South, and real resources that would help fund the projects and/or ideas. Ms. Barkley asked if Mr. Harris could provide samples of what other cities have done in coming up with procedures and guidelines for the committee. He stated he could provide samples for Council's review. Mr. Myers suggested that the committee answer to the Planning Commission first before recommendations are brought to Council especially when technical issues are involved. Mr. Myers asked if Mayor Partin could put together a guideline for Council to review. The City Manager stated that he and the Assistant City Manager/Clerk could also work on the guidelines. Mr. Jenkins suggested that a representative from the Neighborhood Coalition be appointed to the committee. Mr. Isom inquired if there would be any conflict between the Ad Hoc committee for the Comprehensive Plan and this steering committee. Mr. Harris suggested that representative from the Ad Hoc committee be appointed to the steering committee. Mr. Isom stated that his concern is with the funding. Mr. Harris stated that all his efforts will cost the city nothing. Mayor Partin stated that she, the City Manager and Clerk would meet and come up with suggested guidelines for Council to review.

F. Presentation by Margaret Pope Re Financing Alternatives for the Tennis Court Complex and Update on the Wastewater Treatment Plant Agreement

The City Manager stated that he had provided Council with a memo that provides a brief history of the issue. Ms. Pope distributed a packet of information to Council. She stated that the bids for the construction of the Tennis Court have not been let, but is close to being done and that it was now time for the city to consider where it will obtain the funding not to exceed \$2.3 million. She went through several options for Council to review by a debt obligation. She stated that this is not a project that the city can just pay as it goes. She stated that one of the options she has not included was the use of funds on hand. She stated that would tie in to the wastewater treatment plant going forward, but it was possible that the city would be using the reserves for the plant. She recommended that the city keep as much of that reserve as it can. She stated that there were two banks that could possibly work with the city on this project--BB&T and Bank of America.

She reviewed with Council the options of a General Obligation Bond and entering into an enterprise financing agreement which is an agreement authorized now in State code and does not count against the city's debt limit. She provided Council with options on paying the general obligation debt by the use of additional millage, hospitality fee and accommodations fee.

She stated that if the city decided on the General Obligation debt, the bond holder of a bank would be agreeable if the city pays for the debt from something else. She stated that the backstop is that the city would put on millage if it had to. However, if it is done as an enterprise, she stated that the city would never put on millage for it and the city would have to have sufficient hospitality fees coming in because it would be the only source of revenue.

She stated that she and her staff needed to do a great deal of research in reference to the enterprise. Her recommendation would be to try the enterprise first. The City Manager recommended that Council engage Margaret Pope to begin the process for the issuance of a General Obligation Bond and to develop a methodology for funding of the debt service on the General Obligation. Ms. Pope stated that she did not want to set the amount until the construction bids come in. She felt that the interest rates are going to continue to go up. Mr. Isom made a motion to engage Margaret Pope to begin the process for the issuance of a General Obligation Bond and to develop a methodology for funding of the debt service on the General Obligation. Mr. Myers seconded the motion which was unanimously approved. Mayor Partin asked that the Lexington County Recreation Commission make a presentation to Council on the plan of the project.

Ms. Pope stated that she will be meeting with Trish Comp at SRF to go over the numbers in the Wasterwater Treatment Plant contract. She stated that she will then be able to finish the appendices in the agreement and the agreement will then be ready for signing. She stated that the SRF Loan would need to be authorized by Ordinance with two readings.

G. Approval of Proclamation – National Payroll Week

Council considered for approval a proclamation proclaiming the week of September 7-11, 2009 as National Payroll Week. Mayor Partin thanked JoAn Roland, Human Resources Manager for the city for all she does for the city. Mr. Jenkins made a motion to approve the proclamation. Mr. Isom seconded the motion which was unanimously approved.

H. Approval of Proclamation – National Alcohol and Drug Addiction Recovery Month

Council considered for approval a proclamation proclaiming the month of September 2009 as National Alcohol and Drug Addiction Recovery Month. Mr. Jumper made a motion to approve the proclamation. Mr. Isom seconded the motion which was unanimously approved.

Public Comment regarding Items on the Agenda

Ms. Staci Mathis appeared before Council to comment on Item II. E. She voiced her support for the Charrette and stated that the Beautification Board is very interested in serving as a subcommittee. She provided Council with the members' backgrounds. She also voiced her concern with the condition of Knox Abbott Drive and clean up needed.

Ms. Angela Hoyle appeared before Council to comment on Items II. D. and E. In reference to the Steering Committee for the Charrette, she voiced her concern on how the committee would be formed and the importance of including residents as members.

She stated that the Charrette has some great assets, but would like to see it combined with the Comprehensive Plan.

She voiced her concern with the impact of the business corridor on Knox Abbott on the neighborhood in the area. She stated that she agrees that Knox Abbot needs to be cleaned up.

Ordinances and Resolutions

A. Approval of Resolution to Award a Contract for the Construction of the Cayce Wastewater Treatment Plant Upgrade and Expansion

The City Manager advised that a resolution to award the contract for the Wastewater Treatment Plan is require for the State Revolving Fund loan and will become a part of the loan closing packet. He stated that the city's engineering firm recommends awarding the bid to the low bidder, Wharton-Smith Inc. in the amount of \$52,672,000. Mr. Myers made a motion to approve the Resolution as presented. Mr. Isom seconded the motion. The City Manager stated that he spoke with American Engineering regarding this form and he stated they received good reviews from work they had done and they are qualified to do the job. Mr. Craig Kirby stated that he spoke to four different entities about the firm and all of them had good things to say about working with Wharton-Smith. He stated that the firm is located in Florida, Atlanta and Charlotte. Mr. Jenkins inquired if the city's contract would include requirements for completing the job on time and change orders. The City Manager advised that the city's contract would cover these items. Mr. Kirby stated that he asked these same questions of the entities he contacted and no one had any major issues with those items. After discussion the motion was unanimously approved.

B. Approval of Resolution re Debt Service Funds

The City Manager stated that Council previously approved authorization for the City Manager to fund the Debt Service Reserve Funds for the 2004 and 2007A revenue bonds in the amount of \$2.6 million and to make the transfers at last month's meeting. He stated that the resolution is to have formal documentation on file of Council's approval as recommended by Margaret Pope. Mr. Myers made a motion to approve the Resolution as submitted. Mr. Isom seconded the motion which was unanimously approved.

C. Approval of Ordinance to Annex and Zone SCE&G Property Located South of I-77 – Second Reading

Council considered for second and final reading the approval of an Ordinance to annex and zone SCE&G property located south of I-77. Mr. Myers made a motion to approve the ordinance on second and final reading. Mr. Jumper seconded the motion. After discussion, the motion was unanimously approved.

Committee Matters

A. Committee Minutes

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

Cayce Events Committee – July 9, 2009
Beautification Board – July 14, 2009

Mr. Myers made a motion to approve entering the minutes into the official city record. Mr. Isom seconded the motion which was unanimously approved.

City Manager's Report

The City Manager advised that the July financial reports would be sent to Council hopefully next week.

He provided Council with the following dates:

August 5-9, 2009 – MASC Annual Meeting – Council was provided with a folder containing details of their registration and hotel reservations for the meeting.
August 19, 2009 – Lexington District II - School begins
August 20, 2009 – LCMA - 6:30 p.m. - West Columbia City Hall - Council was asked to RSVP to Mendy if they will be attending.
August 28, 2009 – Last day of twice weekly garbage pick up
August 31, 2009 – Neighborhood Coalition Meeting – 5:30 p.m. – It was decided that Councilman Jumper would attend this meeting
September 1, 2009 – Regular Council Meeting – 6:00 p.m.
September 10, 2009 – West Metro Chamber of Commerce Annual Dinner – Embassy Suites – Council was asked to RSVP to Mendy if they will be attending

Update on Emergency Operations/Business Continuity Plan – The City Manager advised that staff was in the final stages of completing the plan. Ms. Barkley stated that a copy of the Plan should be provided to Council by August 21.

Update on COPS Grant Award – The City Manager advised that the City received notification that it was awarded the COPS Grant for three additional public safety officers, for three years for salaries and fringes. He stated that the current budget includes two positions and is waiting on the receipt of the grant package. Once it is received, he stated that information will be provided to Council for consideration of amending the FY 2009-2010 budget for the third position and equipment.

Update on Five-Year Capital Plan – The City Manager stated that Council has been given a copy of the Five-Year Capital Plan submitted by each department and if they had any questions, to let him know.

Update on 12th Street/Saxe Gotha Road Improvements – The City Manager stated the street has been coned and is now barricaded. He stated that SC DOT will be installing overhead arm turn signals and turn lanes. The landscaping consisting of the

crepe myrtles and palmetto trees in that area will be removed. He stated that he has asked for a set of plans but has not yet received them. He stated that if city wants to retain the trees, it can do so and make use of them in another area of the city.

The City Manager stated that he received invitations to the Reid's Grocery Store opening house and ribbon cutting and Council should have also received theirs recently.

Mayor Partin asked that Council be provided a report on the usage during the twice per week garbage pick up service at the September Council meeting.

Mayor Partin inquired as to the status of the Indigo drainage issue. The City Manager stated that he has sent a letter to Councilman Todd Cullum regarding the County's commitment to the project and has not received a reply to date.

Mayor Partin inquires as to the status of the CRS Program offered by FEMA. The City Manager advised that the city has not yet received a response to the application that was sent to FEMA.

Mr. Jenkins inquired if the city through the public safety code enforcement officers could check on the elderly. Chief McNair stated that Public Safety has a program whereby elderly residents can join so that Public Safety can check on them. He stated that there has not been a lot of response to the program although it has been promoted. Mr. Jenkins suggested that the information be placed in the city's newsletter and any other media available.

Mayor Partin inquired if the city has received a timeline for the infrastructure plan. The City Manager stated that he would ask American Engineering to provide that information for Council's review.

Mr. Isom inquired as to the number of months of check registers listed on the website in relation to the number of months of financial reports. The City Manager stated that Council approved the inclusion of the check registers at a later date. Mr. Isom made a motion to place the same number of months of check registers on web site. Mr. Myers seconded the motion. Council agreed that the city should maintain 12 months of financial reports, check registers, Council agendas and minutes on the city's web site with a historical archive data link. After discussion, the motion passed three to two with Mr. Myers, Mr. Jumper and Mr. Isom voting yes and Mr. Jenkins and Mayor Partin voting no.

Mr. Myers stated that at the entrance to Moss Creek on Hwy. 321, there is a constant sewer order and asked staff to check to find out who is responsible for it and that something be done to correct it.

Executive Session

- A. Discussion of negotiations incident to proposed sale of City property near the Airport to DOT and proposed purchase by the City of replacement property

Mr. Myers made a motion to move into Executive Session to discuss the above matter. Mr. Jenkins 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.

Possible Actions by Council in Follow Up to Executive Session

Mr. Myers made a motion to authorize the City Manager to negotiate the purchase of the Dunbar Rd. property that is owned by Yellow Freight up to \$375,000 and to negotiate with SC DOT for the best price for the sale of city property. Mr. Isom seconded the motion which was unanimously approved.

There being no further business, the meeting adjourned at 9:45 p.m.

Elise Partin, Mayor

ATTEST:

Tammy P. Barkley, CMC, Municipal Clerk