

**City of Cayce
Regular Council Meeting
May 1, 2012**

The May Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Councilmen Steve Isom, Tim James, James Jenkins, and Kenneth Jumper, City Manager Rebecca Rhodes, Municipal Clerk Tammy Barkley and Municipal Treasurer, Garry Huddle. City Attorney, Danny Crowe, Frank Robinson, Director of Utilities, Shaun Greenwood, Director of Planning & Development, Charles McNair, Director of Public Safety and Judge Melody James 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.

Call to Order

Mayor Partin called the meeting to order. Councilmember Jumper gave the invocation and the assembly recited the Pledge of Allegiance.

Approval of Minutes

Councilmember Jumper made a motion to approve the minutes of the March 21, 2012 Special Meeting, April 3, 2012 Regular Meeting and April 19, 2012 Special Meeting as submitted. Councilmember Jenkins seconded the motion. Councilmember Isom requested that the word "not" be added to page 5, line 9 between "was" and "alluding" on the April 3, 2012 minutes. The motion was unanimously approved by roll call vote.

Councilmember James made a motion to amend the agenda to include Item VII.D. under Executive Session – Personnel Matters regarding the Municipal Judge position. Councilmember Isom seconded the motion which was unanimously approved.

Presentations and Proclamations

- A. Approval of Proclamation – Communications Month and Say Something Nice Day

Councilmember Jenkins made a motion to approve the Proclamation proclaiming the month of June 2012 as Communications Month and June 1, 2012 as Say Something Nice Day as submitted. Councilmember Isom seconded the motion which was unanimously approved.

Mayor Partin thanked the City's staff for all that they do and the difference they make to the Cayce community.

A. Presentation by Mr. Elry Denton re Storm Drainage Issues

(Mr. Denton arrived later in the evening. Please see his comments at the end of the City Manager's Report.)

Public Comment regarding Items on the Agenda

Mr. Jordan Boone, Item IV. C – please see comments attached.

Mr. Floyd Dinkins, Item IV.C. – Mr. Dinkins advised that he teaches the third grade at Taylor Elementary in Cayce and lives in Pine Ridge. He stated that he has chickens at his home and that through conversations with his students, they became interested in possibly having chickens at their homes in Cayce. He stated that the students sent letters to the Mayor and explained why they should be allowed to own chickens. He thanked Council for taking the issue up during the school year so that the students could be a part of the process. He stated that he is a Councilman for Pine Ridge. He said that he thought the ordinance, as it is posted on line, is very well written and cannot see any loopholes within the Ordinance. He stated he fully agrees with the no rooster policy.

Ordinances

A. Approval of Amendment to Sec. 14-2 of the City of Cayce Code of Ordinances Concerning Election by Council of the Municipal Judge – First Reading

Councilmember James made a motion to approve the amendment to the Ordinance on first reading. Councilmember Isom seconded the motion. Discussion took place regarding the wording of the amendment. Mr. Crowe advised that in reference to the Municipal Judge, he followed the state's statute. After discussion, the motion was unanimously approved by roll call vote.

B. Approval of Amendment to Sec. 2-201 and 2-203 of the City of Cayce Code of Ordinances Concerning the Election and Duties of the City Attorney – First Reading

Councilmember James made a motion to approve the amendment to the Ordinance on first reading. Councilmember Isom seconded the motion which was unanimously approved by roll call vote.

C. Approval of Amendment to Chapter 8 (Animals) of the City of Cayce Code of Ordinances to Allow the Keeping of Domestic Chickens Under Certain Conditions – First Reading

Councilmember Isom made a motion to approve the Amendment to the Ordinance on first reading. Councilmember Jenkins seconded the motion which was unanimously approved by roll call vote. Ms. Rhodes advised that because there is a fee associated with the amendment, a public hearing would be held before the second and final reading of the Ordinance amendment. Mayor Partin stated that the teachers at Taylor Elementary need to be advised of the date of the public hearing as well.

D. Approval of Ordinance to Annex and Zone Property Located at 2846 Charleston Highway – Second Reading

Councilmember James made a motion to approve the Ordinance to annex and zone property located at 2846 Charleston Highway on second and final reading. Councilmember Isom seconded the motion which was unanimously approved by roll call vote.

E. Approval of Ordinance re Franchise Fee and Fee In Lieu of Taxes for City Water and Sewer System – Second Reading

Councilmember Isom made a motion to postpone the issue until the next regular Council Meeting. Councilmember James seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Ms. Rhodes stated that one of the new Ford Interceptor police cars is in the parking lot for anyone who would like to see it. She stated that the City has received five and they are the first five in the state and are waiting for three more vehicles to complete the City's entire order. She thanked Council for providing their approval for the purchase of the badly needed vehicles.

Ms. Rhodes stated that construction on the Cayce Riverwalk Phase IIIA will begin next week and should be completed by August 30. She stated that hopefully the City will hear about funding for the next phase by then as well. She stated that staff has recently submitted grants for another phase of State Street, the next phase of the River walk and also applied for C Funds to repair sidewalks in Guignard Park.

Ms. Rhodes reminded Council of the following special called meetings: May 16 for the interviews with the architectural firms, May 24 and May 29 to begin with the General Fund draft budget.

Ms. Rhodes reminded Council to provide Ms. Barkley with their information for the MASC Annual Meeting.

Ms. Rhodes stated that the Parks staff will be working on K Avenue. She stated that years ago there were problems with sink holes on that road and in the back yard of some of the properties. She stated the problem has returned and staff will be working to resolve that problem.

Mayor Partin inquired if the City had received any information regarding the DOT grant and the rebidding of the project. Ms. Rhodes advised that the City has not received any further information on this project.

Councilmember Jenkins inquired if staff could look for funding to assist the City in replacing damaged lights poles along State Street or moving them back further from the road. Ms. Rhodes stated that staff is looking at options regarding the upkeep of those poles and hopefully will have information for Council at the next meeting.

Mr. Denton appeared before Council to advise that the drainage issues he had with his property have been resolved and thanked the City for their assistance. He stated that he has also worked with SC DOT on the issue and they have been helpful as well. Ms. Rhodes advised that Mr. Denton lives on the corner of 8th and M Avenue. She stated that SCDOT has acknowledged the issue is on their right of way.

Committee Matters

- A. Approval to Enter the following approved Committee Minutes into the City's Official Record

Councilmember James made a motion to approve that the following Committee Minutes be entered into the City's official record. Councilmember Isom seconded the motion which was unanimously approved.

Cayce Housing Authority – February 21, 2012
Cayce Events Committee – March 8, 2012
Beautification Board – March 13, 2012
Cayce Historical Museum Commission – March 14, 2012

- B. Committee Recommendations
Planning Commission Recommendation re Amendment to By Laws

Councilmember Isom made a motion to approve the recommended changes the Planning Commission's By Laws. Councilmember James seconded the motion. Ms. Rhodes stated that the by laws had been cleaned up and include attendance information in compliance with the City Code. The motion was unanimously approved by roll call vote. Mayor Partin inquired if staff would be reviewing the City Code and the rest of the Committees' by laws. Ms. Rhodes advised that staff is currently working on this. She asked Council to forward any of their concerns and/or revisions of the by laws to her. Mayor Partin asked that staff send Council an email with a deadline on when the information is needed. Councilmember James suggested that staff make recommendations on each individual committee and build it in a way that it is what the City needs for the future. Councilmember Jumper also asked that the by laws state that Committee members include a mix of representatives from the different neighborhoods in Cayce. Councilmember James stated that as a Councilmember he feels it is their responsibility to recruit potential committee members from their districts.

- C. Appointments and Reappointments

Beautification Foundation – Two (2) Positions

The following members' terms expire May, 2012: Maryellen Cannizzaro and Ross Shealy. Both would like to serve again and their reappointment applications are attached. Councilmember Isom made a motion to reappoint Ms. Cannizzaro and Mr. Shealy to the Foundation. Councilmember James seconded the motion which was unanimously approved by roll call vote.

Public Safety Foundation – Three (3) Positions

The following members' terms have expired: Murray Fant, Hammond Pound, and Randy Summer. Mr. Fant and Mr. Summer would like to serve again and their reappointment applications are attached for your review. We have been unable to reach Mr. Pound. Councilmember Jenkins made a motion to reappoint Mr. Fant and Mr. Summer and to postpone the third position until Mr. Pound can be reached. Councilmember Jumper seconded the motion which was unanimously approved.

Cayce Events Committee – Three (3) Positions

The following members' terms have expired: Brenda Cole, Rachel Scurry, Julie Isom. All would like to serve again. Reappointment applications are attached for review. Councilmember Isom recused himself from voting on the reappointment of Ms. Isom.

Councilmember James made a motion to approve the reappointment of Ms. Cole and Ms. Scurry to the Committee. Councilmember Jenkins seconded the motion which was unanimously approved.

Councilmember James made a motion to reappoint Ms. Isom to the Committee. Councilmember Jenkins seconded the motion. The motion passed with Councilmembers Jumper, Jenkins, James and Mayor Partin voting yes. Councilmember Isom recused himself from voting on this issue.

Consolidated Board of Appeals – Three (3) Positions

The following members' terms have expired: Charles Mellette, Ron Lawson, Maryellen Cannizzaro. Mr. Mellette and Ms. Cannizzaro would like to serve again and their reappointment applications are attached for your review. We have been unable to reach Mr. Lawson.

Councilmember Jumper made a motion to reappoint Mr. Mellette and Ms. Cannizzaro to the Board and to postpone the third position until Mr. Lawson can be reached. Councilmember James seconded the motion which was unanimously approved.

Board of Zoning Appeals – One (1) Position

Mr. Leo Dryer's term has expired and he would like to serve again. He has submitted his reappointment application however the Board has not met to consider this issue. There is no recommendation at this time. Councilmember Jenkins made a motion to postpone the issue until the Board could meet to discuss. Councilmember Jumper seconded the motion which was unanimously approved by roll call vote.

Executive Session

- A. Discussion of negotiations incident to proposed contractual arrangements for street lighting services between the City of Cayce and SCE&G

- B. Discussion of negotiations incident to proposed contractual arrangements for sludge removal services between the City of Cayce and Waste Management
- C. Receipt of legal advice relating to claims by the City and other matters covered by the attorney-client privilege
- D. Discussion of Personnel Matter – Municipal Judge Position

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

Reconvene

After the Executive Session was concluded, Councilmember Jenkins made a motion to reconvene the Regular meeting. Councilmember Jumper seconded the motion which was unanimously approved by roll call vote. Mayor Partin announced that no vote was taken in Executive Session other than to adjourn and resume the Regular meeting.

Possible Actions by Council in follow up to Executive Session

Councilmember James made a motion to approve the Waste Management Agreement for sludge removal services and to authorize the City Manager to execute the documents on behalf of the City. Councilmember Jenkins seconded the motion which was unanimously approved by roll call vote.

Councilmember James made a motion to approve the amended contract with SCE&G for street lighting services and to authorize the City Manager to execute the documents on behalf of the City. Councilmember Jenkins seconded the motion which was unanimously approved by roll call vote.

There being no further business, Councilmember James made a motion to adjourn the meeting. Councilmember Jumper seconded the motion which was unanimously approved. The meeting adjourned at 8:07 p.m.

Elise Partin, Mayor

ATTEST:

Tammy P. Barkley, CMC, Municipal Clerk