

**City of Cayce
Regular Council Meeting
August 7, 2012**

The August Regular Council Meeting was held this evening in Council Chambers. Those present included Councilmen Steve Isom, Tim James, and James Jenkins, City Manager, Rebecca Rhodes, Municipal Clerk, Tammy Barkley and Municipal Treasurer, Garry Huddle. City Attorney, Danny Crowe, Shaun Greenwood, Director of Planning & Development, Joan Roland, Human Resources Manager and Chief Charles McNair, Public Safety Director were also in attendance. Mayor Partin was absent from the meeting due to family illness and Councilmember Jumper arrived later in the evening. Ms. Barkley advised that members of the press and the public were duly notified of the meeting in accordance with the FOIA.

Call to Order

In the absence of Mayor Elise Partin and Mayor Pro-Tem Kenneth Jumper, Councilmember James called the meeting to order at 6:15 p.m. Councilmember Isom made a motion to elect Councilmember James as Presiding Officer of the meeting. Councilmember Jenkins seconded the motion which was unanimously approved by roll call vote.

Mr. Jenkins made a motion that Item VII. Executive Session and Item VIII. Possible Actions by Council after Executive Session be postponed until the Mayor and Councilmember Jumper could be present to discuss. Councilmember Isom seconded the motion which was unanimously approved by roll call vote.

Councilmember James stated that Mayor Partin's father was very ill and asked that he be kept in everyone's prayers for a speedy recovery. He recognized Senator Nikki Setzler who was in attendance and wished him a Happy Birthday. He also recognized Senator Jake Knotts. Councilmember Jenkins gave the invocation and the assembly recited the Pledge of Allegiance.

B. Approval of Minutes

Councilmember Isom made a motion to approve the minutes of the June 22, 2012 Special Meeting, July 3, 2012 Regular Meeting, July 19, 2012 Special Meeting, and July 23, 2012 Special Meeting as submitted. Councilmember Jenkins seconded the motion which was unanimously approved by roll call vote.

C. Appointment and Swearing in of Municipal Judge

Councilmember James stated that at the July 23, 2012 Special Council meeting, Council voted to offer the position of the City's Municipal Judge to Ms. Keabii Henderson and that she has accepted the position. He asked Ms. Henderson to come forward for the Oath to be administered. Ms. Barkley, Notary Public for the City administered the Oath to Ms. Henderson. Council congratulated Ms. Henderson on her appointment and wished her success in her new duties. Councilmember James stated that Judge Ebener would continue to served as secondary Judge for the City.

D. Appointment of City Representative to Serve on the West Metro Chamber Board of Directors

Ms. Rhodes stated that the City's current representative, Mr. Leo Redmond, has asked to step down from this position. She stated that it is suggested that Mr. Shaun Greenwood be appointed to the Board to represent the City. Councilmember Jenkins made a motion to appoint Mr. Greenwood as the City's Representative to serve on the West Metro Chamber of Commerce Board of Directors. Councilmember Jumper seconded the motion which was unanimously approved by roll call vote.

Presentations

A. Approval and Presentation of Resolution recognizing Mr. Pat Vella

Councilmember Isom made a motion to approve the Resolution as submitted. Councilmember Jenkins seconded the motion which was unanimously approved by roll call vote.

Councilmember James, Mayor Pro-Tem Jumper, and Senators Setzler and Knotts presented the Resolution to Mr. Vella recognizing and thanking him for his countless contributions to the Cayce community.

B. Presentation of Whole Sole Awards

Mayor Pro-Tem, Kenneth Jumper and Mr. Greenwood presented the Whole Sole Award to Ms. Monique Ocean, the City's GIS Analyst/Zoning Technician and thanked her for her hard work and dedication to the City and her fellow employees.

Public Comment Regarding Items on the Agenda

Ms. Barkley advised that no one had signed up to provide public comment.

Resolutions and Ordinances

A. Approval of Ordinance Repealing the Annexation of property located at 3916 Platt Springs Road by previous Ordinance – First Reading

Council considered for first reading approval an Ordinance repealing the annexation of property located at 3916 Platt Spring Road by previous Ordinance. Mr. Greenwood stated that the annexation petition was signed by the individual leasing the property at the time and did not have the authority to do so. He stated that the City was advised that the property owner did not want to be annexed into the City and requested that the annexation be repealed. He stated that he and his staff have put guidelines in place so that this situation would not occur again. Councilmember Isom made a motion to approve the Ordinance on first reading. Councilmember Jenkins seconded the motion.

Councilmember Jenkins inquired if the annexation repeal would cause any liability on the city's part. Mr. Crowe stated that it would not and the property was not utilized as contiguous property to annex other properties. After discussion the motion was unanimously approved by roll call vote.

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

Councilmember Jenkins made a motion to postpone the issue until the next Regular Council meeting. Councilmember Jumper seconded the motion.

Councilmember Isom stated that Council has been postponing this issue for quite some time and inquired if any extra interest is being paid by the City on loans and/or bonds because of the delays in this project and secondly, can this be delayed indefinitely and is there a penalty in the contract if the construction is not completed. Ms. Rhodes stated that she was not aware of any penalties for the delay in construction but is not sure. She stated she would have to look at the contract with Wharton Smith and the contract with American Engineering. Ms. Rhodes stated that the City is not paying any extra interest on the SRF loan. She stated obviously we are not collecting revenues from the purchasers, but the purchasers are not sending us any waste to be treated so there are no increased costs. She stated we are receiving payments for the SRF loan from the Commission.

Councilmember Isom stated that it sounds like we went out and brought a new car and are making monthly payments, but we are not driving the car. Ms. Rhodes stated that the City is required by SRF to start making payments on the loan. She stated that the City did request that payments be pushed back and received a three month delay. Mr. Crowe stated that he would be pleased to review the contract and advise Council of the status regarding penalties for construction delays. He stated that usually the contracts include penalty and delay provisions and, he would be glad to get the details from City staff, review the contract, and provide Council with the status. He stated that this particular Ordinance does not directly impact the issues raised by Councilmember Isom. After discussion, the motion was unanimously approved by roll call vote.

C. Approval of Resolution and Memorandum of Understanding for Distribution of TIF Funds to the Cayce Beautification Foundation for City Signage Project at the Blossom Street Bridge

Ms. Rhodes stated that at the July 3, 2012 Council meeting, Council voted to approve the disbursement of TIF funds in an amount not to exceed \$80,000 for this project. She stated that in order to comply with the established TIF disbursement of funds guidelines, the City and the Beautification Foundation need to enter into an agreement regarding the scope of the project, the amount of money available, and how the disbursement of funds will occur. She stated that the City Attorney has prepared the Resolution and Memorandum of Understanding for Council's review. Councilmember Jenkins made a motion to approve the Resolution and Memorandum of Understanding as submitted. Councilmember Jumper seconded the motion. Mr. Isom stated that although this is proper use for these funds, in these times he was not in favor of the project and felt that the funds should be for infrastructure or returned to benefit the taxpayers. The motion passed three to one with Councilmember Jumper, Jenkins and James voting yes and Councilmember Isom voting no.

City Manager's Report

Ms. Rhodes stated that the second meeting this month which is tentatively scheduled for August 23, 2012 at 3:00 p.m. needed to be held to go over several pending contractual matters. She asked Council to place this on their calendar as confirmed and to let her know if there were any conflicts with the date and/or time.

Ms. Rhodes reminded Council of the Council Strategic Planning Session to be held on Saturday, August 11 from 9 a.m. – 3:00 p.m. at the Cayce Tennis & Wellness Center. She stated that she would advise Council if the Mayor would be unable to attend due to family illness and if the meeting needs to be rescheduled.

Ms. Rhodes stated that the City's Municipal Election is now open for filing for Councilmember seats in District 1 and District 3. She stated that the deadline to file is August 15, 2012 at noon.

Ms. Rhodes provided Council with an update on the Phase III-A of the Cayce Riverwalk Park which is almost completed. She stated that there was not enough funding to put in the lighting or call boxes and this portion will be closed off until additional funds are received. She stated that this phase extends the walkway from the Thomas Newman Boat Landing to the City's Wastewater Treatment Plant. She stated that Phase III-B includes the lighting and call boxes for Phase III-A and that there are two additional phases left to extend the Riverwalk to I-77.

Councilmember James stated that the date for the second Council meeting, August 23, is also the date for the next LCMA which will be held that evening. Ms. Rhodes stated that the LMCA would be held in Gaston.

Committee Matters

- A. Approval to Enter the following approved Committee Minutes into the City's Official Record
Cayce Events Committee – June 14, 2012

Councilmember Isom made a motion to approve that the above Committee minutes be entered into the City's official record. Councilmember Jenkins seconded the motion which was unanimously approved by roll call vote.

- B. Appointments and Reappointments

Cayce Housing Authority – One Position
Mr. Xen Motsinger's term expires August, 2012. There is no recommendation at this time.

Public Safety Foundation – One Position
Ms. Gail Spires' term expires August, 2012 and she has resigned from the Foundation. Ms. Spires represents District 3.

Councilmember Isom made a motion to postpone both positions until recommendations could be provided to Council. Councilmember Jumper seconded the motion which was unanimously approved by roll call vote.

At the beginning of the meeting, a motion was made, seconded and approved to postpone the following items.

Executive Session

- A. Discussion of negotiations incident to proposed contractual arrangements between the City of Cayce and Lexington Two School District
- B. Discussion of negotiations incident to proposed contractual lease agreement for Animal Services between the City of Cayce and the Columbia Metropolitan Airport
- C. Discussion of negotiations incident to proposed contractual arrangements for wastewater treatment services between the Town of Lexington, Joint Water & Sewer Commission and the City of Cayce
- D. Receipt of legal advice relating to claims and potential claims by the City and other matters covered by the attorney-client privilege
- E. Personnel Matter – City Manager's Annual Salary Review

Possible Actions by Council in follow up to Executive Session

There being no further business, Councilmember Isom made a motion to adjourn the meeting. Councilmember Jumper seconded the motion which was unanimously approved by roll call vote. The meeting adjourned at 6:50 p.m.

Elise Partin, Mayor

ATTEST:

Tammy P. Barkley, CMC, Municipal Clerk