

Mayor
Elise Partin

Mayor Pro-Tem
James E. Jenkins

Council Members
Phil Carter
Tim James
Hunter Sox

City Manager
Tracy Hegler

Deputy City Manager
Jim Crosland
Assistant City Manager
Michael Conley



**City of Cayce
Regular Council Meeting
Tuesday, January 10, 2023
6:00 p.m. – Cayce City Hall – 1800 12th Street
www.caycesc.gov**

I. Call to Order

- A. Invocation and Pledge of Allegiance
- B. Approval of Minutes
December 6, 2022 Regular Council Meeting

II. Public Comment Regarding Items on the Agenda

III. Ordinances

- A. Discussion and Approval of Ordinance 2023-01 Amending City Code Section 28-117 ("Penalties for Repeated False Alarms") – First Reading

IV. Items for Discussion and Possible Approval

- A. Discussion and Approval to Authorize the Mayor to Execute for the City an Agreement and Memorandum of Understanding with City Manager on Previously Agreed Terms

V. Committee Matters

- A. Appointment
Standard Technical Codes Board of Appeals – One (1) Position
- B. Annual Appointment of Council Members to City Foundations

VI. City Manager's Report

VII. Council Comments

VIII. Executive Session

- A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege

IX. Reconvene

X. Possible actions by Council in follow up to Executive Session

XI. Adjourn

SPECIAL NOTE: Upon request, the City of Cayce will provide this document in whatever form necessary for the physically challenged or impaired.



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**City of Cayce
Regular Council Meeting
Tuesday, December 6, 2022**

The December Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Mayor Pro Tem James Jenkins and Council Members Phil Carter, Tim James and Hunter Sox. City Manager Tracy Hegler, Deputy City Manager Jim Crosland, Assistant City Manager Michael Conley, Municipal Clerk Mendy Corder, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley, Police Chief Chris Cowan, Fire Chief Steven Bullard, IT Director Jamie Beckham and City Attorney Danny Crowe were also in attendance.

Mayor Partin asked if members of the press and the public were duly notified of the meeting in accordance with the FOIA. Ms. Corder confirmed they were notified.

Call to Order

Mayor Partin called the meeting to order and Mayor Pro Tem Jenkins gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

Approval of Minutes

Council Member Carter made a motion to approve the November 1, 2022 and November 16, 2022 Regular Council Meeting minutes as written. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

No one signed up for Public Comment.

Presentations

A. Presentation of Cayce Calendar Photo Contest Winners

Mayor Partin stated that every year the City had a photo contest for the Cayce Calendar that was given to all residents. She stated that Mr. Kevin White's photo, "The Cayce Riverwalk Railroad Bridge", was chosen as the 2023 winner and was featured on the cover of the calendar and for the month of December. Mayor Partin presented Mr. White with a \$200 check and thanked him for his beautiful photograph. Mayor Partin presented a \$100 check to each of the other winners and thanked them for their participation. She advised that calendars were available to be picked up at City Hall.

Mr. Grant Davis, a partner with Mauldin & Jenkins, reviewed the City's Annual Comprehensive Financial Report for FY 2020-2021. He stated that the total assets of the City's General Fund were approximately \$9.9 million and \$7.6 million of that was cash. He stated that a very significant portion of the City's assets were liquid cash versus liabilities of about \$776,000. He stated that the liabilities were trade accounts payable to vendors, accrued salaries to employees and other things of that nature. He stated that the City's fund balance was almost \$9 million. Mr. Davis stated that it was important to look at the total fund balance including the unassigned portion. He stated that was the portion that was not restricted by some external party that it was assigned to or committed to by Council for any specific purpose. He stated that the unassigned total was essentially available to spend. Mr. Davis stated that it was a very liquid balance sheet for the general fund.

Mr. Davis stated that the City had a very healthy General Fund. He stated that the City had almost eight (8) months of fund balance on hand. He stated that if the City spent at the 2021 level and did not have even \$1 of revenue it still had enough fund balance for operating expenses for eight (8) months. He stated that there was an increase in the fund balance from 2020 to 2021 of about \$1.2 million therefore the fund balance was going up. He stated that the General Fund budgeted revenues were \$12.6 million but the City actually took in \$13.6 million. He stated that \$14.2 million was budgeted to be spent but only \$14 million was actually spent.

Mr. Davis stated that the Utility Fund had \$162 million in assets and the most significant element of that total were capital assets, which were things like infrastructure and vehicles. He stated those were reported on the balance sheet net of any accumulated depreciation, so it was a net number. He stated that the Utility Fund had liabilities of \$64.5 million. He stated that the bigger elements of the liabilities were revenue bonds outstanding at about \$54 million. Mr. Davis stated that the water and sewer portion of the City's overall net pension liability was \$7.8 million but that was not uniquely big for city governments. He stated that the remaining liabilities were post-employment benefits liability, which was retiree health insurance that quantified so all these liabilities gave the utility about \$97 million in net position or equity.

Mr. Davis stated that equity decreased in the utility by about \$500,000 but it was important to note that the depreciation was depreciation expense on the capital assets included in the income statement which was \$6 million and a noncash item. He stated therefore there was a big expense for depreciation that did not impact the City's cash flows. He stated that the water sewer utility generated cash flows from operations of about \$6.5 million. He stated that \$500,000 was spent on acquisition and construction of capital assets which was the utility reinvesting in itself by investing in the infrastructure of the utility. Mr. Davis stated that that the interest paid on that debt that was issued was to finance all those capital assets, or at least a portion of them. He stated that \$24.6 million was used for an issuance of bonds to refund prior bonds. He stated there was an increase in cash and utility of \$2 million which was very positive.

Mr. Davis stated that as part of the audit Mauldin & Jenkins issued two (2) reports. The first was an unmodified report on the financial statements. He stated that the second report was a report on internal controls and compliance with laws, regulations, and grant agreements and so on in accordance with government auditing standards. He stated that this report was not designed to offer an opinion or provide an opinion. He stated that they conducted an audit in accordance with government auditing standards, which required certain things and if they noted any deficiencies in internal controls, they were required to communicate that. Mr. Davis stated that there were three (3) deficiencies in internal controls that were noted as a part of the audit. He stated that he and his team were very impressed with the finances of the General Fund. He asked Council if they had questions or anything he could try to address.

Council Member James stated that Mr. Davis presented a good overview. He stated that the very healthy and liquid fund balance was certainly a testimony to staff. He stated that was needed in a city to be able to continue to provide services. Mayor Partin thanked Mr. Davis for his presentation.

Items for Discussion and Possible Approval

A. Discussion and Approval of 2023 Council Meeting Dates

South Carolina state law requires a municipality to make public the dates of Council Meetings at the beginning of each calendar year and provide Council with a suggested schedule. Mayor Partin stated that the Regular Council Meetings were held the first Tuesday and the third Wednesday of the month. She stated that the February, March, July and November Special Council Meetings would be held the fourth Wednesday of the month due to schedule conflicts.

Council Member James made a motion to approve the Council Meeting dates as submitted. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

Committee Matters

- A. Approval to Enter the following Committee approved Minutes into the City's Record**
 - Zoning Board of Appeals – September 19, 2022
 - Museum Commission – October 5, 2022

Council Member Carter made a motion to accept the Committee approved minutes into the record. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

B. Reappointments
Events Committee – One (1) Position

Council Member James made a motion to reappoint Mr. Dave Caps to the Events Committee. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that staff was excited to release the resident calendars to the public the next day. She stated that she wanted to compliment staff for their hard work on the Christmas in Cayce events. She stated that they did a fantastic job and Ms. Corder was at the helm. She stated that she was continuing to get compliments from the public who were able to participate in the events. She stated that the events took a lot of work and dedication, but it was worth it. She stated that the Abbott Arms Apartments rehab was underway nicely and they were getting ready to break ground on the community center. She stated that the City was completely off of the bypass for Six Mile Creek, the emergency sewer line repair the City had to do outside of Moss Creek. Ms. Hegler stated that the construction was complete but the rest of the system still needed to be lined so it would be in good standing for future mishaps. She stated that the lining would start at the beginning of January so the bypass might be needed at that time. She stated that the Utility staff did a great job of managing the massive sewer line repair project.

Ms. Hegler stated that staff was busy preparing their floats and hanging lights for the Chamber's upcoming Christmas parade. She stated that she thought everyone would be super impressed with staffs work on the floats. She stated that they did the work on their lunchtime and they did it because they love being a part of the parade. She stated that she had more compliments on staff to share with Council. She stated that she continued to get so many compliments on the City's Police Officers. She stated that it was so nice that people took the time to write in. She stated one was about Officer Misty Burroughs who was seen providing food and water to a gentleman outside of a local church. She stated that Officers Ware and Sinnott were given kudos from the City of West Columbia. She stated that they had a shots fired call in West Columbia and within 20 minutes, Cayce Officers saw the car, picked it up and had the suspects under arrest. Ms. Hegler stated that Officer Tyler was commended for taking care of someone's aging parents with grace and dignity and this made them so happy that they took time to call. She stated that Lieutenant Harlow was asked recently to speak at the MHRA annual meeting in Myrtle Beach for the Municipal Association and its human resource group. She stated that he did a session on active shooter prevention and had been asked to do it again. Ms. Hegler stated that the City's staff were asked to give statewide trainings often. She stated another staff kudo she had involved an Officer doing extra duty work at Steel Hands and jumped into action and took care of someone that had a lot of sugar issues.

Ms. Hegler stated that after Thanksgiving the City's Utility Department had quite a few people that were out sick. The staff that normally does not work in the office stepped up and worked in the front office for a week. She stated that while one of those staff members, Ben McCartha, was working in the office providing customer service a woman came in to pay her bill and asked Ben if he knew of anyone or any organization that would deliver a Christmas tree to her house. She stated that she lived with her elderly mom who was very sick with infections in her leg and the customer was recovering from back surgery herself. She stated that when the customer came in the next time she told Ms. Kay Hutchinson, the Utility Department Manager, that Ben personally delivered a tree and two boxes of lights to her house. Ms. Hegler stated that was a good example of the customer service the City's staff provided. Mayor Partin thanked Administration for supporting staff so well so they could deliver that level of customer service.

Council Comments

There were no Council comments.

Executive Session

- A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege
- B. Discussion of negotiations incident to proposed contractual arrangements with a consultant related to proposed location of facilities and economic development

Mayor Pro Tem Jenkins made a motion to enter into Executive Session. Council Member James seconded the motion which was unanimously approved by roll call vote.

Reconvene

After the Executive Session was concluded, Council Member Sox made a motion to reconvene the Regular meeting. Council Member James 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.

Adjourn

Council Member James made a motion to adjourn the meeting. Council Member Carter seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 7:18 p.m.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk

IF YOU WOULD LIKE TO SPEAK ON A MATTER APPEARING ON THE MEETING AGENDA, PLEASE COMPLETE THE INFORMATION BELOW PRIOR TO THE START OF THE MEETING.* *THANK YOU.*

COUNCIL MEETING SPEAKERS' LIST

Date of Meeting December 6, 2022

Name	Address	Agenda Item

***Appearance of citizens at Council meetings - City of Cayce Code of Ordinances, Sec. 2-71.** Any citizen of the municipality may speak at a regular meeting of the council on a matter pertaining to municipal services and operation, with the exception of personnel matters, by notifying the office of the city manager at least five working days prior to the meeting and stating the subject and purpose for speaking. Additionally, during the **public comment period** as specified on the agenda of a regular meeting of the council, a member of the public may speak on a matter appearing on the meeting agenda, with the exception of personnel matters by signing a speakers list maintained by the city clerk prior to the start of the public comment period. The number of speakers at a council meeting may be limited in the discretion of the mayor or presiding officer, the length of time for any speaker's presentation is limited to a maximum of five minutes, and a presentation may be curtailed if determined to be uncivil, contentious, or disruptive in the discretion of the mayor or presiding officer or by majority of vote of council.

Memorandum

To: Mayor and Council

From: Tracy Hegler, City Manager

Date: January 10, 2023

Subject: First Reading of Ordinance 2023-01 to Amend City Code 28-117, "Penalties for Repeated False Alarms"

ISSUE

Council's approval is needed to give First Reading to amend City Code 28-117, "Penalties for Repeated False Alarms"

BACKGROUND/DISCUSSION

The City of Cayce has responded to 377 false alarms in 2021. Resources are too valuable, especially when the primary cause is due to user error. That valuable response time could have been spent on patrols, community initiatives, and hospitality.

Due to our new community policing proactive mindset, it is necessary to create an education-based Ordinance instead of enforcement/penalty based. The proposed amended Ordinance is attached. The primary amendments include requirements for working with the Police Department to recommend prevention measures, training and assessments and read as follows:

The City of Cayce will have a working policy and documented procedures to track, monitor and prevent false alarms. Penalties will be determined by the number of false alarms during a twelve-month period, from 12:01 AM July 1 to midnight June 30. Penalties shall include:

1. First documented false alarm- No penalty or requirement
2. Second documented false alarm- Letter to the alarm location with recommended prevention measures
3. Third documented false alarm- \$100.00 fine/ or documentation from the alarm company that the system has been checked, and tested, and all employees have been trained with second call verification.
4. Fourth documented false alarm- \$200.00 fine/ or a completion of a no cost security assessment conducted by the Cayce Police Department's C.O.P.S. Unit or Fire Marshal.
5. Fifth and subsequent documented false alarm- \$500.00 per activation

Recommendations:

Staff recommends Council give First Reading approval to Ordinance 2023-01 amending City Code Section 28-117 Penalties for Repeated False Alarms to include a more education-based penalty section.

STATE OF SOUTH CAROLINA)	ORDINANCE 2023-01
)	Amending City Code Section 28-
COUNTY OF LEXINGTON)	117 (“Penalties for Repeated False
)	Alarms”)
CITY OF CAYCE)	

WHEREAS, the City desires to amend City Code section 28-117 (“Penalties for Repeated False Alarms”) to include more educational based penalties,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Cayce, in Council, duly assembled, as follows:

Subsection (b) of Section 28-117 (“Penalties for Repeated False Alarms”) of Article V (“Offenses Against Public Safety”) of Chapter 28 (“Offenses and miscellaneous Provisions”) of the Cayce City Code is hereby amended to include a more educational based penalty section. City Code Section 28-117, as amended,

(a) A false alarm is defined for this section as any activation, whether intentional or unintentional, of any alarm system to which the City of Cayce is requested by a representative of the alarm company, an automated system, or a third party to respond to the alarm location for a possible emergency when no emergency exists. A third party may be, but is not limited to, another agency that has received notification of the alarm or any person that hears an audible alarm, to include city employees. A test of an alarm system shall not be considered a false alarm if the Cayce Police Department receives prior notification at least 15 minutes before the test.

(b) The City of Cayce will have a working policy and documented procedures to track, monitor and prevent false alarms. Penalties will be determined by the number of false alarms during a twelve-month period, from 12:01 AM July 1 to midnight June 30. Penalties shall include:

1. First documented false alarm- No penalty or requirement
2. Second documented false alarm- Letter to the alarm location with recommended prevention measures
3. Third documented false alarm- \$100.00 fine/ or documentation from the alarm company that the system has been checked, and tested, and all employees have been trained with second call verification.
4. Fourth documented false alarm- \$200.00 fine/ or a completion of a no cost security assessment conducted by the Cayce Police Department’s C.O.P.S. Unit or Fire Marshal.
5. Fifth and subsequent documented false alarm- \$500.00 per activation

(c) The City of Cayce shall issue a written notice of the penalties to the party owning or in possession of the premises containing the alarm location. Failure to pay any such penalty when due and owed shall constitute a violation of this section.

This Ordinance shall be effective from the date of second and final reading.

DONE IN MEETING DULY ASSEMBLED, this _____ day of _____ 2023.

Elise Partin, Mayor

Attest:

Mendy Corder, CMC, Municipal Clerk

First Reading: _____

Second Reading and Adoption: _____

Approved as to form: _____
Danny C. Crowe, City Attorney

COUNCIL ACTION REQUIRED

STANDARD TECHNICAL CODES BOARD OF APPEALS – ONE (1) POSITION

The City has received a potential member application from Mr. Derek Hutton for the Standard Technical Codes Board of Appeals. The Board currently has two (2) open positions that require the applicant to be either an Engineer, Contractor, Architect or Design Professional. Mr. Hutton is a Hydraulic Engineer. His potential member application is attached for Council's review.

NO COUNCIL ACTION REQUIRED

The following positions remain open until receipt of potential member applications.

STANDARD TECHNICAL CODES BOARD OF APPEALS – TWO (2) POSITIONS

Reviews citizen appeals to ensure building codes, property maintenance codes and fire codes are properly interpreted and implemented fairly. Members who serve on this Board must be either an Engineer, Contractor, Architect or Design Professional. There are no recommendations at this time.

APPOINTMENT PROCESS

Cayce citizens have an opportunity to actively participate in the City through their services on a number of advisory boards, commissions, foundations and committees. These groups help shape and carry out policy.

Applications are accepted at any time for all City of Cayce boards, commissions, foundations and committees. Cayce citizens wishing to apply for appointment may submit a potential member application to the Municipal Clerk, P. O. Box 2004, Cayce, SC 29171. More information and a copy of the application can be found on our website at <https://www.caycesc.gov/boards.php> or by calling City Hall at 803-796-9020.

City Council considers applications at a meeting immediately following an opening.



CITY OF CAYCE POTENTIAL MEMBER APPLICATION

Name: Derek Hutton Date 2 Dec 2022
 Home Address: Fairlane Circle City, State, Zip Cayce, SC 29033
 Telephone: _____ E-Mail: _____
 Resident of Cayce: Yes No Number of Years: 7

Please indicate the Committee(s) for which you are applying:

- Accommodations Tax Committee Cayce Housing Authority Events Committee
 Consolidated Board of Appeals Municipal Election Comm Museum Commission
 Planning Commission Board of Zoning Appeals

Have you ever been convicted of a felony or misdemeanor other than a minor traffic violation?

Yes No If yes, specify below.

Work Address

Company: CECS, Inc. Position: Hydraulic Engineer
 Address: 2000 Park Street City, State, Zip Columbia, SC 29201
 Telephone: _____ E-Mail: huttond@cecsinc.com

Work Experience: Hydraulic study and design of closed and open drainage design, pre and post development analysis, sediment and erosion control, and bridge design.

Educational Background: BS and MS in Civil Engineering from Clemson University

Membership Information (Professional, Neighborhood and/or Civic Organizations):

ASCE

Volunteer Work: _____

Hobbies: Running, cycling, hiking, kayaking

Return to:

Mendy Corder, Municipal Clerk
 City of Cayce, PO Box 2004, Cayce, SC 29171-2004
 Telephone: 803-550-9557 ♦ Fax: 803-796-9072 ♦ Email: mcorder@caycesc.gov

City of Cayce
Annual Appointment of Council Members
to City Foundations
January 10, 2023

ITEM V. B.

COUNCIL ACTION REQUIRED

BEAUTIFICATION FOUNDATION

Council Member Hunter Sox is currently serving on the Beautification Foundation.

PUBLIC SAFETY FOUNDATION

Council Member Tim James is currently serving on the Public Safety Foundation.