



Mayor Elise Partin	Mayor Pro-Tem James E. Jenkins	Council Members Ann Bailey-Robinson Phil Carter Tim James	City Manager Tracy Hegler	Assistant City Manager James E. Crosland
------------------------------	--	---	-------------------------------------	--

**City of Cayce
Public Hearing and Regular Council Meeting
October 21, 2020**

A Public Hearing was held this evening at 5:00 p.m. via Zoom video and conferencing software to obtain public comment on the establishment of a new fee related to holding a special event in the City of Cayce and new fee amount. Those present included Mayor Elise Partin and Council Members Ann Bailey-Robinson, Phil Carter, Tim James and James Jenkins. City Manager Tracy Hegler, Assistant City Manager Jim Crosland, Municipal Clerk Mendy Corder, Planning Director Carroll Williamson, 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. Mayor Partin stated that the meeting was being recorded via Zoom.

Opening Statement

Mayor Partin stated that pursuant to Section 6-1-80 and Section 6-1-330 of the SC Code of Laws, public notice was hereby given that the City of Cayce Council would hold a Public Hearing on the establishment of a new fee related to holding a special event in the City of Cayce and new fee amount.

Public Testimony

Mayor Partin asked if anyone on the phone call wished to speak. She stated that all the callers had been unmuted and if anyone wished to speak on the special event fee, they were welcome to at that point. Mayor Partin asked Ms. Corder if anyone had contacted her regarding speaking at the Public Hearing. Ms. Corder stated that no one had called. No one offered any public testimony or comment.

Close Hearing

Mayor Partin closed the public hearing noting that no public comment was received.

The Council Meeting immediately followed the Public Hearing at 5:05 p.m. via Zoom. Those present included Mayor Elise Partin and Council Members Ann Bailey-Robinson, Phil Carter, Tim James and James Jenkins. City Manager Tracy Hegler, Assistant City Manager Jim Crosland, Municipal Clerk Mendy Corder, Planning Director Carroll Williamson, 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.

Mayor Partin stated that the public was provided a call in number to be able to follow all of the City business as normal. She asked any caller to mute their audio so there would not be any feedback. She stated that the meeting organizer was also able to mute calls. Mayor Partin stated that the public could speak on any item on the agenda if they prearranged speaking with the City's Municipal Clerk.

Call to Order

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

Public Comment Regarding Items on the Agenda

No one signed up for Public Comment.

Presentations

A. Presentation of the Midlands Regional Competiveness Report by Mr. Will Schenk

Mr. Schenk stated that EngenuitySC's Midlands Regional Competitiveness Report was an in-depth document that highlights areas in which Columbia and the surrounding municipalities are thriving and where there is room to improve in comparison to similar Southeastern cities. He stated that the goal was to help the Midlands be the best area it could be; an awesome place to visit, live, learn, work and play. The report considers five (5) indicators of competitive communities: 1) talent (is the Midlands attracting and retaining a smart, skilled workforce?), 2) entrepreneurial and business environment (is it easy to do business in the Midlands? Are startups supported and fostered?), 3) innovative capacity (how does the Midlands support and develop new technology and products?), 4) industry clusters (what industries bring in jobs?) 5) livability (is the Midlands a dynamic live, learn, work and play environment?).

Mr. Schenk stated that in the report the Midlands was being compared to nine (9) Southeastern cities with a similar Metropolitan Statistical Area (MSA) which means they have comparable populations and economic landscapes as well as factors like major universities and similar technological strengths. For example, places like Knoxville, Tallahassee, Winston-Salem and Greenville-Anderson-Mauldin. He stated that according to the report the "aspirational MSA" the Midlands should strive to be like was Raleigh, N.C. Mr. Schenk stated that the number for each indicator, like entrepreneurial and business environment was 116, shows how each MSA compared to the national average. Therefore an index of 116 was 16% better than the U.S. average. The Midlands maintained or increased its rankings in 4 out of 5 indicators since last year's rankings. The Midlands only decreased in one (1) area, talent. Mr. Schenk stated that since the 2017 report, the Midlands had seen substantial increases in the proportion of business services employment (i.e. accounting, legal, etc.) which was an indicator of a

healthy business environment. The Midlands ranked third for the livability factor of vitality, defined as the percentage of the population aged 15-44 years old.

Mr. Schenk stated that the Midlands improved the most in the entrepreneurial and business environment category, the indicator that had most steadily improved since the reports started in 2014. He stated that score indicated that the Midlands was a great area for which to start a new business venture. He stated that the University of South Carolina was producing a significant talent pool. The Darla Moore School of Business's most recent graduating class was its largest (1086 undergrads); had its highest job placement rate (84%); and received the highest average starting salaries to date (\$57,837).

Mayor Partin thanked Mr. Schenk for reviewing the report with Council and stated that the Midlands Regional Competiveness Report was amazing. She stated that she hoped it motivated everyone to think of ways that the Midlands could reach the goal of being one of the most competitive regions in the United States. Mr. Schenk thanked Mayor Partin for being gracious enough to serve her time on EngenuitySC's board.

Resolutions and Ordinances

A. Approval of Resolution Supporting the City's Safety Policy Statement

Mayor Partin stated that the Resolution supporting the City's safety policy statement was required to be updated any time there was a new member of Council. Ms. Hegler stated that that requirement was pretty standard with most insurance companies. Council Member Jenkins made a motion to approve the Resolution. Council Member Bailey-Robinson seconded the motion. Council Member James stated that the date on the Resolution needed to be corrected to reflect the October 21, 2020 Council Meeting date. Ms. Corder stated she would correct the date. Mayor Partin called the question which was unanimously approved by roll call vote.

B. Discussion and Approval of Emergency Ordinance 2020-34 Amending Sec. 2-225 of the City Code Concerning Attendance of Volunteer Members of City Boards, Commissions and Committees – Second Reading

Ms. Hegler stated that the Ordinance in the agenda packet was slightly different than the Ordinance that was approved at First Reading. She stated that there was a clerical error in the First Reading Ordinance. She stated that the change was that instead of four (4) out of twelve meetings staff wanted to make the parameter 1/3 out of all meetings in a 12 month period.

Council Member James made a motion to proceed with what Ms. Hegler stated was staff's intent. Council Member Jenkins seconded the motion. Ms. Hegler stated that a motion needed to be made to approve the amended version of the Ordinance then a motion would need to be made to adopt it. Council Member Carter made a

motion to amend Ordinance 2020-34 to conform with the version contained in the agenda packet. Council Member Bailey-Robinson seconded the motion. Mayor Partin asked Council Members James and Jenkins if they were good with the amended motion. They stated they were. Mayor Partin called the question which was unanimously approved by roll call vote. Council Member Carter made a motion to approve Ordinance 2020-34 as amended. Council Member Bailey-Robinson seconded the motion which was unanimously approved by roll call vote.

C. Discussion and Approval of Ordinance 2020-35 Amending the City Business License Ordinance to Provide a Specific License Tax for Certain Special Event Promoters – First Reading

Ms. Hegler stated that the City's Business License Ordinance had a tax for special events, but it did not reflect the wide range of special events that were held in the City. She stated that the current business license tax had a tax for special events, but it was designed more for large events that generate significant revenue or events that are held for more than one day. She stated that the amendment to the Ordinance would more appropriately license smaller events in the City that do not generate as much revenue as the larger events. She stated that staff had been requested before to consider adding other parameters for smaller scale events. She stated that only the special events promoter would be required to obtain a business license for all events; no additional business license would be required for vendors at the event. Ms. Hegler stated that hospitality tax would still be required to be collected by all food and beverage vendors during an event.

Council Member Bailey-Robinson made a motion to approve the amendment. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

Discussion Items

A. Discussion and Possible Action of Proposed Lexington County Stormwater Utility Fee

Ms. Hegler stated that Council had received a number of emails from Lexington County regarding a stormwater utility fee which included a fact sheet about what was being proposed. She stated that Lexington County had numerous stormwater management issues throughout the County. They have estimated the costs to be \$114,000,000 to repair the various issues and this estimate is growing \$3,000,000 annually. She stated that that includes County and state right-of-ways. Ms. Hegler stated that the state was not always able to address the stormwater runoff issues so the County took on the challenge of looking to propose a way to address the issues. She stated that there were stormwater fees in neighboring counties and cities. The City of Columbia and Richland County both have stormwater fees but currently there is not a funding source for Lexington County to address those issues.

Ms. Hegler stated that a couple of years ago the County created a framework group that consisted of staff from a number of municipalities in Lexington County. She stated they also have a consultant assisting them with researching the feasibility of the fee and the program. She stated that if the fee passed the County's goal would be to have it on the October 2021 property bill. She stated that the fee would be assessed on all parcels except for roads and would be based on impermeable surface. The County has an equation based on an equivalent residential unit and predict that the average home would pay \$6.50 monthly based on that impermeable surface equation. Ms. Hegler stated that the County predicts that the fees would generate an annual budget of ten to fourteen million dollars.

Ms. Hegler stated that the County had asked each municipality to send in a list of projects. However the County realizes that the stormwater fees would not cover all the projects so they would have to get creative in how they fund the projects and bond them. She stated that staff had asked for a prioritization of the projects but had not received it yet. She stated that the County asked for staff to discuss with Council the City's willingness to opt into the program or to decline to be a part of the utility stormwater fee.

Council Member Jenkins asked if Council would be receiving any more information from the County before they were expected to take a vote. He stated that November 6 was a short timeframe. Mayor Partin agreed that it was a short timeframe. She stated that she was supportive of any solution that helped solve the City's storm drainage issues. She stated that the City had been very up front with its partners at the county, state and federal level in communicating that the City was happy to coordinate the solution to this issue however the City is the lowest funded entity and the lowest taxing entity and does not have the funding mechanism for the solution. Mayor Partin stated that she appreciated that the County was trying to work on a solution. She stated that there were still a lot of unknowns. She stated that Council could certainly say that they were supportive in the County's efforts to find a solution but more details are needed.

Council Member Bailey-Robinson stated that details and being fully informed on how the County was prioritizing the projects was needed before the City could commit to anything. She stated that Council's constituents would ask them for the same amount of details and information. Council Member Carter stated that Council did not have quite enough information to agree or disagree with moving forward. He stated that he agreed with Mayor Partin in applauding the County's efforts but more data was needed. Council Member James stated that he too applaud the County for trying to determine a way to mitigate and minimize and possibly even eradicate a problem that needs to be addressed. He stated that a little more information was needed before Council could make such a big decision on spending the City of Cayce's taxpayer's money. Council Member James stated that he was sure the County would understand the need for more information and more importantly Council was not saying no just that they would like to have more information. He asked if the November 6 date that was

mentioned was a stop date. Ms. Hegler stated that she understood that date to be the County's hard line on receiving responses from all the municipalities. She stated that the County intends to take an Ordinance to County Council after the November 6 meeting. She stated that the County's Ordinances need three (3) readings before passing. She stated that they were working to get in a position where they can work with their auditor to get the information on a tax bill so it is ready to be published for October 2021.

Mr. Crowe stated that based on the County's request it would be best for Council to make a motion so Ms. Hegler could relay that information back to the County. Council Member Carter stated that he was making a motion in response to Lexington County's request to know the City's intent to participate in the stormwater utility fee. He moved that Council authorize the City Manager to relay that Council felt that there was merit to a stormwater solution to address historical flooding issues caused by stormwater runoff in the City but before the City could formally commit to an intent to participate Council would need to review more details about stormwater project prioritization and review the County's proposed Ordinances. Council Member Jenkins seconded the motion. Council Member Bailey-Robinson asked what was already in place regarding flooding issues. Mayor Partin stated that the City funded a study that American Engineering completed for one of the water basins. Mayor Partin stated that Senator Nikki Setzler was very helpful in working with the City to get the SC Department of Transportation's support since there are various layers responsible for the water runoff and storm drainage issues that the City was having. She stated that the City had also received some grants. Mayor Partin stated that the City had been working on a number of things in conjunction with partners but all the partners need to step up.

Ms. Hegler stated that the County's response to stormwater management was to use a small amount of their general fund to try to address the greatest complaints. She stated that the City's relationship with the County in terms of anything related to stormwater or roads was through an agreement that the City has with the County that dates back to the 1970's where the County maintains roads that come into the county system which all of the City's new roads do. She stated that a lot of the issues on roads are on state roads that the state has not historically addressed. Mayor Partin called the question which was unanimously approved by roll call vote.

B. Ratification and Approval of City Manager's Authorization of Contingency Change Order for Riverwalk Phase 2 Boardwalk Repair

Ms. Hegler stated that Council's approval and ratification was needed for the City Manager's authorization of a contingency change order with 3D Dirtworks for additional concrete and rip rap to permanently stabilize the boardwalk and assist with leveling. City Administration requests that the Council approve and ratify the City Manager's authorization on October 19, 2020 to approve a change order in the amount of \$10,000 by 3D Earthworks for the Cayce Riverwalk Phase 2 Boardwalk Repair. City Council approved the original contract with 3D Dirtworks on July 29, 2020. This additional work

was for extra rip rap and concrete to be placed around the boardwalk footings and fill large gaps where boulders had to be removed. This change order amount authorized by the City Manager for this work fell within the original amount of 20% contingency funding provided by Council. The City Manager's authorization for this change order was based on the interpretation that the intent of a prior change order approved by Council was to provide additional services within the amount of the original contingency, not necessarily from the contingency amount. A time exigency factor considered in the City Manager's authorization of this contingency was the City's interest in ensuring public safety by concluding the project's repairs as expeditiously as possible before the contractor moved on to non-City projects so as to reduce potential public safety hazards in the project area.

Council Member Jenkins made a motion to approve the \$10,000 that was spent on the project. Council Member Carter seconded the motion. Council Member Jenkins asked if that amount was enough to cover any possible future change orders since it was a safety issue. Ms. Hegler stated that the contractors were very close to completion of the project and the footings had already been poured. Mr. Crowe stated that it would be helpful if Council Member Jenkins would modify his motion to include the word ratify since the actions of the City Manager occurred in the past. Council Member Jenkins amended his previous motion to approve and ratify the City Manager authorizing the approval of the change order. Council Member Carter amended his second. Mayor Partin called the question which was unanimously approved by roll call vote.

C. Discussion and Approval to Convert all City Street Lights from High Intensity Discharge (HID) to Light Emitting Diode (LED)

Ms. Hegler stated that Council's approval was needed to authorize Dominion Energy to convert all street lighting in the City from HID (High Intensity Discharge) to LED (Light Emitting Diode). She stated that the LED lighting is clearer, brighter, programmable, and lasts longer than the HID systems. The monthly cost to operate is also lower. The lights, however, are more expensive to purchase, adding to the monthly operating cost. She stated that Dominion Energy had an incentive program for municipalities that included a ten-year contract with a five-year incentive package. The total current monthly cost for LED is \$12,698.67. The City currently pays \$10,475.46 per month for HID lighting. Dominion's incentive is a monthly reduction of \$2,957.26 which means the City will save \$744.05 per month off what was currently being payed, for the next five years. Ms. Hegler stated that after the five-year incentive program had expired under the ten-year contract, the City would be billed the new LED rate which was decreasing every year and should be below the standard current City HID rate. She stated that during the transition, the lighting systems around the City could be changed out to better illuminate the area and install uniformity.

Council Member Jenkins made a motion to authorize the City Manager to enter into an agreement with Dominion Energy to convert all the City's street lights to LED

and enter into the incentive program. Council Member Bailey-Robinson seconded the motion which was unanimously approved by roll call vote.

D. Discussion and Approval of Agreement with American Engineering and MR Systems for Upgrades to the City's Water Plant's Supervisor Control and Data Acquisition (SCADA) System

Ms. Hegler stated that the City's Water Treatment Plant (WTP) Controls are fully automated and because of its complexity, could not be manually operated. This makes the automated systems in place critical to the WTP being able to continuously and reliably transport, produce, and supply water to the City's finished water tanks for its customers. She stated that the WTP current control systems are 20 years old and need an upgrade to keep the plant operating as normal.

Ms. Hegler stated that the original Water Plant Supervisor Control and Data Acquisition (SCADA) system was installed in the 2000/2001 water plant upgrade. She stated that nearly all components were original and still in service since that start up. Over the course of twenty years, both the primary and backup computers, a couple of power supplies and a few input/output components had been replaced. Also the main Program Logic Controller (PLC) had to be "flashed" at least twice. The main PLC had failed twice, with the result being the water plant was shutdown until an outside vendor was able to make repairs. She stated that the electronic components were outdated by any standard, with replacement parts unavailable.

Ms. Hegler stated that the upgrade would replace the critical PLC's, input/output modules, new main/backup computers and power supplies at the water plant, and provide more reliability and dependable systems for continued plant operation. She stated that Council had previously discussed the upgrade during budget discussions. She stated that American Engineering and MR Systems would be coordinating the work. American Engineering designed the original WTP with these systems and has extensive knowledge for the inner-workings of the WTP. She stated that their experienced input on the new upgrades required is crucial to the success of the needed upgrades. The SCADA system is a complex system with specialty software which MR Systems has maintained for years. Their experience is also needed for successful and efficient upgrades.

Ms. Hegler stated that the proposals from MR Systems totaled \$687,124.00. The proposed work included quotes for PLC Replacements at the WTP and Raw Water Reservoir, Telemetry Upgrades in the water distribution systems (new PLC's at water tanks), and Software Upgrades. She stated that the agreement from American Engineering was for a lump sum fixed fee of \$59,000.00 with a section addressing any additional engineering services. In addition, American Engineering had recommended a contingency totaling \$65,000.00 so the total for the project would be \$811,124.00. She stated that the project needs to occur during the non-peak summer months to avoid peak water demand times of the summer. Ms. Hegler stated that staff was also requesting that

Council waive their formal and informal bid process to allow staff to work with American Engineering and MR Systems since they designed it originally and had the knowledge of where everything was. She stated attempting to use anyone else would be costly and extremely difficult.

Council Member Carter made a motion to authorize the City Manager to enter into a totality of contracts with MR Systems and American Engineering for the City's Water Plant's SCADA for a total of \$811,124.00 to be appropriated as described in the White Paper. Mayor Partin asked if the motion included waiving the informal and formal bid process. Council Member Carter stated that it did. Council Member Jenkins seconded the motion which was unanimously approved by a roll call vote.

Committee Matters

A. Committee Appointments and Reappointments

Cayce Historical Museum Commission – One (1) Position

Mayor Partin stated that the Historical Museum Commission had one (1) open position and the City had received a potential member application from Mr. David Brinkman. Mr. Brinkman attended the Museum Commission's October 7, 2020 meeting and the Commission voted unanimously to recommend him for appointment. Council Member Carter made a motion to appoint Mr. David Brinkman to the Museum Commission which would fill the one open position. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

Cayce Municipal Election Commission – One (1) Position

Mayor Partin stated that one of the members of the Municipal Election Commission could not serve during the November 3, 2020 election due to health reasons and the City had received a potential member application from Ms. Augusta Thompson. Council Member Carter made a motion to appoint Ms. Augusta Thompson to the Cayce Municipal Election Commission which would fill the one open position. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that staff was working to reopen City buildings to the public. She stated that all safety precautions had been put into place to include social distancing, sanitizing and other procedures. She stated that staff missed their customers and citizens and would likely reopen buildings in the next couple of weeks. She stated that staff had been interviewing for the Administrative Coordinator position in the City Manager's Office and would likely make an offer in the next few days. She stated that staff was installing No Thru Truck signs on Axtell Drive and State Street.

Ms. Hegler stated that staff was excited to be meeting with representatives from the COLA Concert series being held at the Columbia Speedway in the City. She stated staff would work with them to ensure that all safety precautions were in place and that they were following the City's guidelines and the Governor's orders. She stated that the first events would likely be in mid-November.

Council Comments

Council Member Carter stated that what appeared to be crime watch signs had been installed in his neighborhood. He stated that he would like to know if it was a county or city initiative but the signs were so small that they were impossible to read from a vehicle. He stated that the signs were so small that he was concerned if they would be very effective. Ms. Hegler stated that Officer West had been working with a resident of Moss Creek to get a crime watch group started. Council Member Carter stated that the signs had been installed before Officer West started meeting with the resident requesting a crime watch group in the neighborhood. Ms. Hegler stated that staff would research it and follow up with Council Member Carter.

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. Receipt of legal advice and discussion of negotiations incident to proposed contractual arrangements with Lexington County concerning inclusion of certain property in Joint County Industrial Park

Council Member Jenkins made a motion to move into Executive Session. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Reconvene

After the Executive Session was concluded, Council Member Jenkins made a motion to reconvene the Regular meeting. Council Member Bailey-Robinson 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

No action was taken in follow up to Executive Session.

Adjourn

Council Member Jenkins made a motion to adjourn the meeting. Council Member Bailey-Robinson seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 6:29 p.m.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk