



CITY OF CAYCE

MAYOR
ELISE PARTIN

MAYOR PRO-TEM
JAMES E. JENKINS

COUNCIL MEMBERS
TARA S. ALMOND
EVA CORLEY
TIMOTHY M. JAMES

CITY MANAGER
REBECCA V. RHODES

ASSISTANT CITY MANAGER
SHAUN M. GREENWOOD

City of Cayce
Public Hearing and Regular Council Meeting
Tuesday, July 2, 2013
6:00 p.m. – Council Chambers - 1800 12th Street
www.cityofcayce-sc.gov

PUBLIC HEARING – Amending Sec. 10-31 Relating to Technical Codes

- I. Opening Statement
- II. Public Testimony
- III. Close Hearing

REGULAR MEETING

- I. **Call to Order**
 - A. Invocation and Pledge of Allegiance
 - B. Approval of Minutes
June 4, 2013 Regular Meeting
- II. **Presentations and Proclamations**
 - A. Presentation of Cayce Calendar Photo Contest Awards
 - B. Approval of Proclamation – Communications Month and Say Something Nice Day
- III. **Public Comment regarding Items on the Agenda**
- IV. **Resolutions and Ordinances**
 - A. Consideration and Approval of Resolution Approving Law Enforcement Mutual Aid Agreement with the Richland County Sheriff's Department
 - B. Consideration and Approval of Memorandum of Agreement with Department of Juvenile Justice

- C. Approval of an Ordinance Regarding Residential Sanitation Fee – First Reading
- D. Approval of an Ordinance Amending Sec. 7-8 of the Zoning Ordinance Regarding Communication Towers and Antennas – First Reading
- E. Approval of Ordinance Amending Sec. 10-31 Relating to Technical Codes – Second Reading
- F. Approval of Ordinance to Amend the Development Agreement with Lexington School District II for Land Use Development of Brookland Cayce High School – Second Reading

V. Other

- A. Discussion of Potential Amendments to the Temporary Sign Ordinance Regarding Farmer's Markets

VI. City Manager's Report

VII. Committee Matters

- A. Committee Minutes
Cayce Housing Authority – December 18, 2012 & April 9, 2013
Cayce Events Committee – May 9, 2013
Planning Commission – May 20, 2013
- B. Committee Appointments/Reappointments
Beautification Foundation – 1 Position
Beautification Board – 2 Positions
Municipal Election Commission – 1 Position

VIII. Executive Session

- A. Receipt of legal advice relating to claims and potential claims by the City and other matters covered by the attorney-client privilege
- B. Discussion of negotiations incident to the sale of City Property
- C. Discussion of contractual matters as it relates to sewer service

- D. Discussion of negotiations incident to proposed contractual arrangements for animal services

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

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

**NOTICE OF PUBLIC HEARING ON
AMENDING SEC. 10-31 RELATING TO
TECHNICAL CODES**

Notice is hereby given that members of Council of the City of Cayce will hold a Public Hearing for the purpose of obtaining public comment on a proposed ordinance amendment to Sec. 10-31 of the Cayce City Code relating to the adoption of the latest versions of certain standard building and safety codes approved by the South Carolina Building Codes Council.

Date: July 2, 2013
Time: 6:00 p.m.
Location: Council Chambers, Cayce City Hall
1800 12th Street
Cayce, SC

A copy of the proposed ordinance amendment is available for inspection at City Hall, 1800 12th Street, Cayce, SC between the hours of 8:30 am and 5 pm Monday through Friday. The public is also invited to submit any written comments to the City Manager at 1800 12th Street, Cayce, SC 29033.

Final reading and vote by the Council on the proposed amendment to the ordinance will be held at the Council's regular meeting immediately following the Public Hearing on July 2, 2013.

**CITY OF CAYCE***MAYOR*
ELISE PARTIN*MAYOR PRO-TEM*
JAMES E. JENKINS*COUNCIL MEMBERS*
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SHAUN M. GREENWOOD

CITY OF CAYCE
Public Hearings and Regular Council Meeting
June 4, 2013

A Public Hearing was held at 6:00 p.m. in Council Chambers to obtain public comment on the proposed Increase in the Residential Sanitation Fee. Those present included Mayor Elise Partin, Council Members Tara Almond, Eva Corley, Tim James, and James Jenkins, Assistant City Manager Shaun Greenwood, Mendy Corder, Municipal Clerk and Garry Huddle, Municipal Treasurer. Mayor Partin asked if members of the press and the public were duly notified of the Public Hearing in accordance with the FOIA. Ms. Corder confirmed they were notified.

Opening Statement

Mayor Partin stated that the purpose of the Public Hearing was to obtain public comment regarding the Proposed Increase in the Residential Sanitation Fee. Mayor Partin gave the opening statement. She explained that Council and staff are working toward each City department being able to fund themselves. She stated the residential sanitation fee will increase from \$1.50 a month to \$4.50 a month. She stated that even with the increase the City of Cayce is still approximately \$10 a month lower than surrounding municipalities with comparable services. Mayor Partin explained the proposed increase will help the Sanitation Department become self sufficient within the next five years.

Public Testimony

No one from the public in attendance offered any public testimony or comment.

Close Hearing

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

Immediately following, a Public Hearing was held at 6:05 p.m. in Council Chambers to obtain public comment on the establishment of a Transaction Fee charged to the City's Customer Utility Service Account for Online and Telephone Payments on the Customer's Account. Those present included Mayor Elise Partin, Council Members Tara Almond, Eva Corley, Tim James, and James Jenkins, and Assistant City Manager Shaun Greenwood, Mendy Corder, Municipal Clerk and Garry Huddle, Municipal Treasurer. Mayor Partin asked if members of the press and the public were duly notified of the Public Hearing in accordance with the FOIA. Ms. Corder confirmed they were notified.

Opening Statement

Mayor Partin stated that the purpose of the Public Hearing was to obtain public comment regarding establishment of a transaction fee charged to the City's customer utility service account for online and telephone payments on the customer's account. She explained that instead of the City paying the \$1.00 fee the customer who chooses to use this service would cover the cost. She stated the establishment of the transaction fee would mean all taxpayers would not be paying for the few utility customers that use this service.

Public Testimony

No one from the public in attendance offered any public testimony or comment.

Close Hearing

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

Immediately following, a Public Hearing was held at 6:10 p.m. in Council Chambers to obtain public comment on the establishment of a Utility Service Account Fee. Those present included Mayor Elise Partin, Council Members Tara Almond, Eva Corley, Tim James, and James Jenkins, and Assistant City Manager Shaun Greenwood, Mendy Corder, Municipal Clerk and Garry Huddle, Municipal Treasurer. Mayor Partin asked if members of the press and the public were duly notified of the Public Hearing in accordance with the FOIA. Ms. Corder confirmed they were notified.

Opening Statement

Mayor Partin stated that the purpose of the Public Hearing was to obtain public comment regarding establishment of a utility service account fee. She explained currently the City charges a refundable deposit to set up a new utility account but in the future will charge a utility service account fee. She explained existing customers will not have to pay a new fee but will in fact receive a credit on their utility account.

Public Testimony

No one from the public in attendance offered any public testimony or comment.

Close Hearing

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

Immediately following, a Public Hearing was held at 6:15 p.m. in Council Chambers to obtain public comment on the Annual Budget for the City of Cayce for FY13-14. Those present included Mayor Elise Partin, Council Members Tara Almond, Eva Corley, Tim James, and James Jenkins, and Assistant City Manager Shaun Greenwood, Mendy Corder, Municipal Clerk and Garry Huddle, Municipal Treasurer. Mayor Partin asked if members of the press and the public were duly notified of the Public Hearing in accordance with the FOIA. Ms. Corder confirmed they were notified.

Opening Statement

Mayor Partin stated that the purpose of the Public Hearing was to obtain public comment regarding the FY13-14 annual budget for the City. She explained that currently the City of Cayce's millage is 43.27 and the proposed increase is .9 mills which will bring the millage to 44.17. Mayor Partin explained one mill equals approximately \$42 per \$1,000 of assessed value so Cayce residents will have an approximate increase in their property taxes of \$4.00. She explained the very small increase in taxes will not only help cover the 19% increase in health insurance for staff but also enables the City to hire three additional firefighters.

Public Testimony

No one from the public in attendance offered any public testimony or comment.

Close Hearing

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

The Regular Council Meeting immediately followed the Public Hearing at 6:20 p.m. in Council Chambers. Those present included Mayor Elise Partin, Council Members Tara Almond, Eva Corley, Tim James, and James Jenkins, and Assistant City Manager Shaun Greenwood, Municipal Clerk Mendy Corder and Garry Huddle, Municipal Treasurer. City Attorney, Danny Crowe, Director of Utilities, Blake Bridwell, and Public Safety Director Charles McNair were also in attendance. Mayor Partin asked if members of the press and the public were duly notified of the Council Meeting in accordance with the FOIA. Ms. Corder confirmed they were notified.

Mayor Partin explained that City Manager Rebecca Rhodes would not be at the Council Meeting due to a family emergency and Assistant City Manager Shaun Greenwood would lead the meeting in her place. Mayor Partin called the meeting to

order. Councilmember Jenkins gave the invocation and the assembly recited the Pledge of Allegiance.

Approval of Minutes

Council Member Almond made a motion to approve the minutes of the May 7, 2013 Regular Meeting, and the May 21, 2013 Special Meeting as submitted. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

Presentations

A. Presentation of Whole Sole Award

Mayor Partin presented staff member Teddy Luckadoo with the Whole Sole Award for assisting a water customer who became very ill and was in and out of consciousness due to issues she was having with her diabetes.

Public Comment Regarding Items on the Agenda

No public comment was given.

Ordinances and Other

A. Approval of Ordinance to Adopt an Annual Budget for the City of Cayce For FY13-14 - Second Reading

Council Member James made a motion to approve the Ordinance to adopt the annual budget for FY13-14 for the City of Cayce on second reading. Council Member Jenkins seconded the motion.

Mr. Greenwood stated many of the capital items were cut out of the budget but staff met with the Directors and left in any capital items needed for safety purposes. Council Member Almond stated she was still concerned about cutting capital and repairs and maintenance to fund the salary increases for employees. She stated she had talked to several of the City's Department Heads and they feel what is included in the budget is what they need. Council Member Almond stated she has not heard from any of the City's citizens or the public and has not heard any negative comments regarding the budget. She stated she does agree that all the things that were talked about during the budget discussions are needed and she does agree the Sanitation Department does need to be self sustaining so she is inclined to change her prior statements and move forward with the budget.

Council Member James stated just to clarify that everything left in the budget was anything that is safety oriented and that meets the needs of the Department Heads. He stated the City is not trying to grow its services at this time but to sustain its services. Mr. Greenwood confirmed that the employees working conditions will be improved with the items included in the current budget and the City's services will stay the same.

Council Member James stated that at the last Council Meeting there was a great deal of discussion regarding safety. He explained with his background in Public Safety he believes that the City can buy the best piece of equipment but if you don't maintain and sustain trained employees with experience then there is no sense in having good equipment. He stated he believes the 2% increase is extremely vital when it comes to safety as well since trained employees are needed and should be compensated accordingly.

After discussion, the motion was unanimously approved by roll call vote.

- B. Approval of Ordinance Repealing City Code Section 40-61 ("Service Deposits"), Providing for Credits for Deposits, and Adding a New City Code Section 40-4 ("Setup and Transaction Fees") Relating to Utility Service Accounts – Second Reading

Council Member Jenkins made a motion to approve the Ordinance on second reading. Council Member James seconded the motion which was unanimously approved by roll call vote. Mayor Partin told the assembly that the City is getting a new bill format and no longer using the postcard format. The new format gives the City the opportunity to include messages to residents and customers on the bills.

- C. Approval of Ordinance Amending the Amount of the Fee for Residential Sanitation Service – Second Reading

Council Member Almond made a motion to approve the Ordinance amending the amount of the fee for residential sanitation service. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

- D. Approval of Ordinance to Rezone Cayce Grammar School Property from PDD to RS-3 Single Family, Small Lot – Second Reading

Council Member James made a motion to approve the Ordinance to rezone the Cayce Grammar School property. Council Member Almond seconded the motion. Mr. Greenwood stated the Planning Commission and staff recommends moving forward with the rezoning and feels this is the best use for the property. The motion passed unanimously by roll call vote.

- E. Approval of Ordinance to Amend the Development Agreement with Lexington School District II for Land Use Development of Brookland Cayce High School – First Reading

Council Member James made a motion to approve the Ordinance to amend the Development Agreement between the City of Cayce and Lexington County School District II for land use development of Brookland-Cayce High School on first reading. Council Member Almond seconded the motion. Mayor Partin asked Mr. Greenwood if the word on-site is in the language of the agreement or is it assumed. Mr. Greenwood stated it is part of the language of the overall agreement; on-site parking refers to the 965 minimum required parking spaces. The motion passed unanimously by roll call vote.

- F. Approval of Ordinance to Amend Section 10-31 to Adopt the Most Recent Technical Codes – First Reading

Council Member Almond made a motion to approve the Ordinance to amend section 10-31 to adopt the most recent technical codes. Council Member Corley seconded the motion. Mr. Greenwood explained the Building Codes Council of the state has adopted new codes and by law the City has to adopt the latest codes and cannot change them unless the Building Codes Council gives their approval. Council Member Jenkins asked if the Building Code Official will receive training on the new codes. Mr. Greenwood explained that in previous years the training budget for the Building Official was cut but these funds have been put back in the budget. He explained this position is very technical and staff felt that training was a necessity. The motion was unanimously approved by roll call vote.

- G. Discussion and Approval of Funding for Engineering for Riverwalk Phase IV

Mr. Greenwood stated that Grants Coordinator Tara Yates recently attended a meeting with SC PRT to discuss the next round of grants. SC PRT now requires that the City shows progress in the next phase of the Riverwalk to ensure eligibility for grant funds. The project needs to be "shovel ready" by December 2013 in order to be considered for the next round of Parks Recreation and Tourism funds.

Mr. Greenwood explained the required services will include Landscape Architectural Design and Construction Management once the project is underway. In addition, a FEMA No Impact Study must be conducted since Phase IV will require some small bridges. Staff is asking Council to give approval to use up to \$65,000 in TIF funds for engineering services for Phase IV of the Riverwalk.

Council Member Jenkins made a motion to give staff approval to use up to \$65,000 in TIF funds for engineering services for Phase IV of the Riverwalk. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Mr. Greenwood stated the new water bills are currently at the printers and will go out on the next billing cycle. He stated that one of the City's utility department employees, Scott Miller, competed in the local Backhoe Rodeo contest and won First Place and will next compete in the state competition. Mr. Greenwood explained staff has been meeting with software companies and has scheduled demo days so all departments can evaluate the software. He stated the history research project the Museum is working on is going well and currently an oral history is being taken from Mr. Leo Redmond the Director of the Cayce Historical Museum. The final Master Plan for Knox Abbott Drive is awaiting the City Manager's signature and then strategic planning sessions will be scheduled to get citizen's input.

Committee Matters

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

Council Member Almond made a motion to approve entering the following Committee minutes into the City's official record:

Planning Commission – March 18, 2013
Events Committee – April 4, 2013
Board of Zoning Appeals – April 15, 2013

Council Member James seconded the motion which was unanimously approved by roll call vote.

- B. Committee Appointments/Reappointments

Cayce Beautification Foundation – One Position

Mr. George Caulder's term expired in May and the Beautification Foundation recommends his re-appointment. Council Member Almond made a motion to reappoint Mr. Caulder to the Foundation. Council Member James seconded the motion which was unanimously approved by roll call vote. Council Member Corley stated that on the Committee Matters white paper it states April Blake's letter of resignation from the

Beautification Board is attached but it was not in her agenda packet. Ms. Corder apologized and stated she forgot to take that item off from the last Council Meeting.

Executive Session

- A. Receipt of legal advice relating to a claim and potential claim by the City
And other matters covered by the attorney-client privilege
- B. Discussion of negotiations incident to proposed contractual arrangements
Regarding proposed redevelopment of 800 Lexington Avenue (Cayce
Grammar School)
- C. Discussion of negotiations incident to purchase of property for new City
Hall
- D. Discussion of contractual matters as it relates to sewer service
- E. Discussion of negotiations incident to proposed contractual arrangements
for animal services
- F. Discussion of negotiations incident to a contractual arrangement with SC
DOT for interchange improvements
- G. Discussion of negotiations incident to a contractual arrangement with
SCANA for interchange improvements

Council Member James made a motion to move into Executive Session to discuss the matters above. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote. Council Member James thanked Lexington County Council Member Bill Banning for taking the time to attend the Council Meeting.

Reconvene

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

Council Member James made a motion to approve and authorize the City Manager to proceed with the property at 800 Holland Avenue as discussed in Executive Session. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

Council Member Almond made a motion to approve and authorize the City Manager to proceed as discussed with the contractual arrangements with SC DOT and SCANA with the interchange agreements for the I-77 Interchange. Council Member Corley seconded the motion which was unanimously approved by roll call vote.


There being no further business, Council Member James made a motion to adjourn the meeting. Council Member Almond seconded the motion which was unanimously approved by roll call vote. The meeting adjourned at 8:15 p.m.

Elise Partin, Mayor

ATTEST:

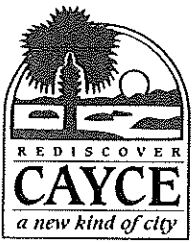
Mendy C. Corder, Municipal Clerk

Cayce Calendar Contest Winners 2013-14

Name	Title of Photo	Month
Mike Adams	Wings Spread for Spring in Cayce	July
Mendy Corder	Bridge to Cayce	August
Kirsten Davis	Learning from the Best	September
Leo Redmond	Peeping In...Looking Back	October
Tara Yates	The Local Grocer	November
Kay Hutchinson	Bearcat Christmas	December
Mike Adams	Winter Beauty	January
Kay Hutchinson	Please Take Me Home	February
Leo Redmond	It's Good to Beeze in Cayce	March
Leo Redmond	Good Morning	April
Leo Redmond	Pretty on Frink	May
 Tara Yates	Wishing for Swimming Trunks	Cover/June

Tara Yates, the grand prize winner, receives a \$100.00 check and her winning photo will be featured on the cover of the calendar as well as the photo for the month of June.

All other contestants receive a *Reflections of Cayce* poster and a Cayce t-shirt



CITY OF CAYCE

ITEM II. B.

MAYOR
ELISE PARTIN

MAYOR PRO-TEM
JAMES E. JENKINS

COUNCIL MEMBERS
TARA S. ALMOND
EVA CORLEY
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SHAUN M. GREENWOOD

PROCLAMATION

DECLARING JUNE AS COMMUNICATIONS MONTH IN THE CITY OF CAYCE AND DESIGNATING JUNE 1, 2013 AS "SAY SOMETHING NICE DAY"

WHEREAS, June is designated Communications Month in the United States, as communication is the most important skill we possess as individuals; and

WHEREAS, Tens of millions of workers in the United States are disengaged in their jobs due to poor communication, effecting the economy in excess of an estimated \$200 billion per year; and

WHEREAS, Sixty percent of workers do not receive compliments on the job, leading to worker dissatisfaction; and

WHEREAS, The City of Cayce has long believed in the importance of effective communication within its workforce; and

WHEREAS, The City of Cayce promotes sense of community with all of its employees and citizens by encouraging better communications; and

WHEREAS, The City of Cayce is committed to maintaining a friendly atmosphere for our employees, citizens, businesses, and visitors.

NOW, THEREFORE, be it resolved that I, Elise Partin, Mayor of Cayce and on behalf of Council, do hereby proclaim June 2013 as

COMMUNICATIONS MONTH and further proclaim June 1, 2013 as **SAY SOMETHING NICE DAY**

in the City of Cayce, and urge all citizens of our great City to participate wholeheartedly in their observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Cayce, in the County of Lexington and the State of South Carolina, to be affixed hereto this 2nd day of July, 2013.

Elise Partin, Mayor

Memorandum

To: Mayor and Council

From: Rebecca V. Rhodes
Chief Charles McNair

Date: June 25, 2013

Subject: Resolution approving a Mutual Aid Agreement with the
Richland County Sheriff's Department

ISSUE

Consideration of a resolution approving a Mutual Aid Agreement between the City of Cayce and the Richland County Sheriff's Department.

BACKGROUND/DISCUSSION

S.C. Code section 23-20-50 was amended and requires that an agreement entered into pursuant to Title 23 on behalf of a law enforcement authority must be approved by the appropriate state, county or local law enforcement authority's chief executive officer, and by the governing body of each jurisdiction.

Council has already approved similar Resolutions ratifying Mutual Aid and Task Force Agreements with several entities. Council's approval of the resolution ratifies and meets the new requirement for these types of agreements.

RECOMMENDATION

Staff recommends Council approve a resolution approving a Mutual Aid Agreement between the City of Cayce and the Richland County Sheriff's Department and authorize the Mayor to sign the agreement on behalf of the City.



Richland County Sheriff's Department
5623 Two Notch Road • Columbia, South Carolina 29223
Office: (803) 576-3000
WWW.RCSD.NET • SHERIFF@RCSD.NET

May 15, 2013

Chief Charlie McNair
Cayce Police Department
1800 12th St. Extension
Cayce, South Carolina 29033

Dear Chief McNair:

A handwritten signature in cursive script, appearing to read "Charlie McNair".

Please find the enclosed two original copies of our proposed Mutual Aid Agreement. This agreement has been approved by the Richland County Council and conforms with current South Carolina law.

Please sign both copies of the Mutual Aid Agreement and return one of them to my agency so that we will both maintain an original copy. Further, please have the agreement approved by your appropriate government authority. Upon approval our Mutual Aid Agreement will be in effect.

If I can be of any assistance to you or your agency, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Leon Lott".

Leon Lott
Sheriff

LL:swp

Enclosure

STATE OF SOUTH CAROLINA)	RESOLUTION
)	Approving Law Enforcement Mutual Aid
COUNTY OF LEXINGTON)	Agreement with Richland County Sheriff's
)	Department
CITY OF CAYCE)	

WHEREAS, the need for law enforcement agencies to enter into agreements with other law enforcement agencies for mutual aid and support and for multi-jurisdictional task forces is recognized in Chapter 20 ("Law Enforcement Assistance and Support Act") of Title 23 ("Law Enforcement and Public Safety") of the South Carolina Code of Laws, and in S. C. Code sections 23-1-210 and 23-1-215; and

WHEREAS, S. C. Code section 23-20-50, which is a part of Chapter 20 of Title 23 of the State Code, provides that an agreement entered into pursuant to that chapter on behalf of a law enforcement authority must be approved by the appropriate state, county or local law enforcement authority's chief executive officer, and by the governing body of the local jurisdiction; and

WHEREAS, S.C. Code sections 23-1-210 and 23-1-215 also require or may be construed by the Courts to require the approval of the Council in multi-jurisdictional agreements entered into pursuant to those sections; and

WHEREAS, the Council wishes to clarify and confirm the process by which it approves such mutual aid agreements and task force agreements as are entered into between the law enforcement agency of the City of Cayce and the law enforcement agencies of other political subdivisions of the State; and

WHEREAS, the Council has determined that it is in the interests of the City and the State that the City enter into a mutual aid agreement for law enforcement with the Richland County Sheriff's Department,

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

The City Council hereby ratifies or approves the City of Cayce and its Department of Public Safety entering into a mutual aid agreement for law enforcement services, in the written form attached or in substantially similar written form, with the Richland County Sheriff's Department. The City Manager and the Director of the Cayce Department of Public Safety are authorized to sign the agreement on behalf of the City and its Department of Public Safety.

ADOPTED this ____ day of July, 2013.

Elise Partin, Mayor

ATTEST:

Mendy C. Corder, Municipal Clerk

First Reading and adoption: July _____, 2013

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

- a. Emergency situations
- b. Riot or disorder
- c. Natural disaster
- d. Mass processing of arrests
- e. Transporting prisoners
- f. Operating temporary detention facilities
- g. Vehicular pursuits
- h. Service of process (including warrants)

3. Primary Responsibility. It is agreed and understood that the primary responsibility of the parties hereto is to provide law enforcement services within the geographical boundaries of their respective jurisdictions. Therefore, it is agreed that the law enforcement agency whose assistance is requested shall be the sole judge as to whether or not it can respond and to what extent it can comply with the request for assistance.

4. Procedure for Requesting Mutual Aid.

a. Request. A request for assistance shall only be made by the Sheriff or Chief of Police, if available, and otherwise by the senior duty officer of the law enforcement agency requiring such assistance. The request shall include a description of the situation creating the need for assistance, the number of law enforcement officers requested, the location to which the personnel are to be dispatched, and the officer in charge at such location.

b. Reply. A reply to any request for assistance shall only be made by the Sheriff or Chief of Police, if available, and otherwise by the senior duty officer of the law enforcement agency whose assistance is requested. If the request is granted, the requesting law enforcement agency shall be immediately informed of the number of law enforcement officers to be furnished.

c. Officer-In-Charge. The personnel temporarily transferred or assigned by the assisting law enforcement agency shall report to the Officer-In-Charge of the requesting law enforcement agency at the designated location or by way of radio contact and shall be subject to the orders and commands of that official. The assisting law enforcement officers shall exert their best efforts to cooperate with and aid the requesting law enforcement agency.

d. Release. The law enforcement officers temporarily transferred or assigned shall be released by the Officer-In-Charge when their services are no longer required or when they are needed to respond to a situation within the geographical boundaries of their own jurisdiction; provided, however, the assisting law enforcement officers shall use their best efforts to complete the requested service prior to being released.

5. Vesting of Authority and Jurisdiction. To the fullest extent permitted by the Constitution and statutes of this state, officers assigned under this agreement shall be vested with all authority, jurisdiction, rights, immunities and privileges within the requesting jurisdiction for the purposes

of investigation, arrest, or any other activity related to the purpose for which they were requested. Local ordinances adopted by a sending agency shall not be deemed extended into areas which are outside the territorial limits of the sending jurisdiction.

6. Radio Communication. Radio communication between the requesting law enforcement agency and the assisting law enforcement officers shall be maintained by use of the State regional radio channel system, unless a radio channel that is mutually shared by the parties hereto is otherwise available.

7. Compensation and Reimbursement. The temporary transfer or assignment of law enforcement officers made pursuant to this Agreement shall in no manner affect or reduce the compensation, pension or retirement rights of such transferred or assigned officers, and such officers shall continue to be paid by the agency where they are permanently employed.

The parties agree that compensation and/or reimbursement for services provided hereunder shall be limited to the reciprocal provision of services of like kind, to include the ancillary benefits of increased investigation and prevention of narcotics and related offenses in their respective jurisdictions. Any other agreement for reimbursement between the parties must be written and executed in the same manner as this agreement.

8. Equipment and Facilities. Each party shall supply the equipment for its law enforcement officers and shall bear the risk of its damage or loss; provided, however, that if the equipment is damaged by the acts or omissions of employees of the other party, then the other party shall reimburse the damaged party for its loss. The host agency will provide the facilities for law enforcement operations and will designate its location at the time assistance is requested.

9. Records. The requesting law enforcement agency shall be primarily responsible to maintain records relating to the incident for which assistance has been requested. However, each law enforcement agency shall maintain records of the activities of its personnel that would generate records in its own jurisdiction including, but not limited to, incident reports, records of the application or execution of an arrest or search warrant, incident reports for arrests made by its personnel, uniform traffic tickets issued, and defensive action forms.

10. Insurance and Bond. It is agreed and understood that the parties hereto shall be solely responsible for maintaining such insurance protection and workers compensation coverage on its employees as may be required by law or deemed advisable by the party. The bond, if any, for any officers operating under this agreement, shall include coverage for their activity in the other jurisdiction covered by this agreement in the same manner and to the same extent provided by the bonds of regularly employed officers of that county or municipality.

11. Employment Status. Nothing herein contained shall be construed or interpreted to imply that the law enforcement officers temporarily transferred or assigned in accordance with this Agreement shall be employees of the law enforcement agency requesting such assistance.

12. Legal Contingencies. Neither party shall be responsible for defending any legal action brought against the other party or its employees arising out of circumstances in which assistance was requested or provided, nor shall it be responsible to pay any fees, costs, damages or verdicts incurred by the other party in such a legal action.

13. No Indemnification or Third-Party Rights. The parties shall be solely responsible for the acts and omissions of their respective employees, officers and officials. No right of

indemnification is created by this agreement and the parties expressly disclaim such a right. The provisions of this agreement shall not be deemed to give rise to or vest any rights or obligations in favor of any person or entity not a party to this agreement.

14. Other Agreements and Investigations. This Agreement shall not repeal or supersede any existing agreements between the parties hereto nor does it restrict in any way the normal, cooperation between law enforcement agencies concerning ongoing criminal investigations.

15. Modification. This Agreement shall not be modified, amended or changed in any manner except upon the express written consent of the parties hereto.

16. Duration. This Agreement will continue in effect until terminated by one of the parties.

17. Termination. This Agreement may be terminated by either party by providing written notice to the other party. Such notice becomes effective upon receipt of the notice by the other party.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the dates shown below.

WITNESSES:

James Pincney
Gay King

By: [Signature]
Richland County Sheriff
Date: 5/16/13

By: _____
Cayce Police Chief Cayce Dept. of Public Safety
Date: _____

By: _____
City of Cayce

Date: _____

Memorandum

To: Mayor and Council

From: Rebecca V. Rhodes, City Manager

Date: June 25, 2013

Subject: Department of Juvenile Justice Memorandum of Agreement for FY 2013-2014

ISSUE

The Department of Juvenile Justice has requested that the City of Cayce execute a new/revised memorandum of agreement for FY 2013-2014 for juvenile detention services.

BACKGROUND/DISCUSSION

Again this year the DJJ has submitted a Memorandum of Agreement for FY2013-2014. This agreement maintains the per diem rate of \$50.00 as last year. The City Attorney recommends making modifications to the agreement, deleting the disclaimer of financial responsibility by DJJ for medical costs and inserting the transport clause that has been included in past agreements. The proposed paragraphs again states that *"DJJ shall not be financially responsible for the cost of medical care provided to a juvenile detained in its juvenile detention center for any injury, illness, condition, or medical need that pre-existed the juvenile's admission to its Detention Center"*.

On page two, the paragraph stating *"local law enforcement agency having jurisdiction where the offense was committed shall be responsible for transporting all juveniles to and from DJJ's Juvenile Detention Center"* has been replaced by an alternate paragraph as recommended by the City Attorney stating *"DJJ shall be responsible for transporting juveniles to and from its Juvenile Detention Center in Columbia and any staff secure or community residence placement to which is assigns a juvenile detainee."* This is the same language included initially in the FY2003-2004 agreement and carried forward each year.

RECOMMENDATION

It is recommended that Council approve the revised Memorandum of Agreement with the Department of Juvenile Justice, and that the agreement contains a strikethrough which deletes the paragraph in question on medical expense and that the paragraph on transportation issues also be changed as per the City Attorney's recommendation. It is also recommended that the City Manager be authorized to execute the agreement.



P.O. Box 21069
Columbia, SC 29221-1069

www.state.sc.us/djj



Nikki R. Haley
Governor
State of South Carolina

South Carolina
DEPARTMENT OF
JUVENILE JUSTICE

Margaret H. Barber, Director

July 1, 2013

JUN 10 2013

City of Cayce
Administrator
P. O. Box 2004
Cayce, South Carolina 29171-2004

Dear Administrator:

Enclosed please find a Memorandum of Agreement (MOA) for the provision of secure detention services with the Department of Juvenile Justice's (DJJ) Detention Center for fiscal year 2013 - 2014. All substantive terms and conditions contained in this agreement are the same as those contained in last year's agreement. The per diem rate is **\$50.00 per day** for any juvenile housed at our detention facility.

This agreement will not obligate you in any way unless your agency/department chooses to, or is ordered by a court to, detain a juvenile awaiting trial or sentencing. Should you anticipate the need to use our facility anytime during the 2013 - 2014 fiscal year, please sign the enclosed contract within 30 days of receipt and return to: Department of Juvenile Justice, Attention: Sherri C. Hill Facility Administrator, Juvenile Detention Center, 1725 Shivers Road, Columbia, South Carolina 29210.

In addition, in lieu of detaining juveniles in DJJ's secure detention center, the Department has contracted with a number of therapeutic foster care providers located in your area. This program identifies responsible adults/ foster parents who will accept into their homes juveniles charged with non-violent crimes. This Jail Removal Home (JRH) option is being made available to you and to all local governmental entities in your county by the Department, in lieu of secure detention, at **no cost**. We would encourage you to make all public safety or local law enforcement in your jurisdiction aware of this option to secure detention and ask that you encourage their utilization of this "no cost" option, whenever they determine such to be appropriate. Additional information about this option to secure detention can be obtained by contacting your local DJJ County Director or by calling DJJ's state coordinator for this service, Mr. Tom Foley, at (803) 896-9349.

Should you have any questions, please contact Kenneth L. Moses, Deputy Director of Rehabilitative Services at (803) 896-9797. Your timely response is appreciated.

Sincerely,

Margaret H. Barber
Director

MHB/fkb

Enclosure

cc: Sherri C. Hill, Facility Administrator of DJJ Detention Center
Kenneth L. Moses, Deputy Director of Rehabilitative Services

**MEMORANDUM
OF
AGREEMENT
FOR THE DETENTION OF JUVENILES**

THIS AGREEMENT is made this 1 day of July , 2013, by and between the South Carolina Department of Juvenile Justice (DJJ) by and through its duly authorized employee and the governing body of City of Cayce, hereinafter referred to as City of Cayce, by and through its duly authorized official and/or employee;

WHEREAS, the Juvenile Detention Act of 1990, in compliance with the Juvenile Justice and Delinquency Prevention Act of 1974, mandates, in effect, that juveniles who are held in detention be confined in separate and distinct facilities from adults similarly confined; and

WHEREAS, City of Cayce does not operate or manage its own detention facility for juveniles, or otherwise have such a facility available to it for the detention of juveniles; and

WHEREAS, DJJ operates a facility for the detention of juveniles, along with an array of other residential placements for juveniles, who are awaiting their return to another jurisdiction or state, or awaiting their adjudication and/or dispositional hearings in the Family or General Sessions Courts of this State, which have passed all necessary state inspections or approvals, and are suitable for the detention of juveniles; and

WHEREAS, the General Assembly has mandated that “the governing body of the law enforcement agency having original jurisdiction (over) where the offense occurred” be responsible for paying a portion of the costs of the detention services for juveniles provided by DJJ, who are charged with committing crimes within the governing body’s jurisdictional limits;

NOW THEREFORE, in consideration of the mutual promises contained herein, it is agreed as follows:

DJJ will admit into its Juvenile Detention Center in Columbia, and detain such juveniles in this Center, subject to its design/operational capacity and any limitations set forth in Section 63-19-830 (A), those juveniles who are charged with committing criminal/status offenses within the jurisdictional limits of the above listed entity and who have been/are:

1. qualified to be placed in secure detention (as determined by Section 63-19-820 (B)), which the local law enforcement entity wishes to have detained prior to a detention hearing before the Family Court; or
2. ordered to be taken into custody and detained by the Family Court or other lawful authority; or

MEMORANDUM OF AGREEMENT
PAGE 2

3. pending waiver or juveniles (16 and below) who have been waived to the Court of General Sessions to be tried as adults; or
4. 16 years old and charged as an adult with committing a Category A-D felony.

Acceptance and retention of detainees in its Juvenile Detention Center will be on a space available basis and will be in accordance with admission and detention criteria established by DJJ. However, City of Cayce agrees to remove any detainees accepted and detained under paragraph 4 above, on or within one week after that detainee's 17th birthday.

City of Cayce agrees to assign an open Purchase Order Number N/A, to be effective from July 1, 2013 to June 30, 2014.

The per diem rate for detention which is to be paid by "the governing body of the law enforcement agency having original jurisdiction where the offense occurred," is \$50.00 per 24-hour day. (Detention periods of between from 1 to 23 hours shall be charged as a ½ day charge of \$25.). Payments to DJJ are to be made on a monthly basis as the costs accrue.

DJJ agrees to bill City of Cayce on a monthly basis; said bills to be sent on or before the 15th day of the month after the month where the costs are incurred, with payment to be made on or before the first (1st) day of the following month. Additionally, DJJ agrees to periodically provide City of Cayce with a report on City of Cayce's use of the DJJ Detention Facility. This report will reflect the status of juveniles being detained for periods greater than 30 days.

The "local law enforcement agency having jurisdiction where the offense was committed" shall be responsible for transporting all juveniles to and from DJJ's Juvenile Detention Center. However, a local law enforcement entity may enter into agreements with other local law enforcement agencies or other entities for transporting of a juvenile to and from DJJ's Juvenile Detention Center and the fact that a particular local law enforcement agency or entity transports a juvenile to or from DJJ shall not be determinative as to which law enforcement agency has jurisdiction over the offense committed or necessarily obligate the governing board of the transporting entity to pay for the cost of that juvenile's detention. (Insert Copy A Below)

In accordance with Act #571 of 1990, relating to Juvenile Detention and consistent with the criteria outlined in DJJ Community Services Policies and Procedures (24-Hour Detention/Release; Policy Number 380.01), no juvenile shall be placed in and/or transported to, a DJJ detention facility until law enforcement has notified DJJ and DJJ has conducted a detention screening, or until a Family Court Judge or other judicial official, has determined that placement in secure detention is appropriate.

Copy A - DJJ shall be responsible for transporting Juveniles to and from its Juvenile Detention Center in Columbia and any staff secure or community residence placement to which it assigns a juvenile detainee.

MEMORANDUM OF AGREEMENT

PAGE 3

City of Cayce shall provide the DJJ Juvenile Detention Center with all relevant information pertaining to the juvenile, including medical history/limitations/pre-existing conditions, known psychological and psychiatric problems, charges pending before the court, and completed screening or detention forms if such records or information are in the possession of, or otherwise known to, the transporting law enforcement agency.

DJJ's Juvenile Detention Center shall have the right to refuse admission when a juvenile is presented for placement without an appropriate detention order signed by the Court or detention referral papers, completed and signed by a DJJ employee or screening agent. DJJ's Juvenile Detention Center shall also have the right to refuse admission when a juvenile is deemed inappropriate by the Center for placement due to psychological/psychiatric problems, age, history, not meeting referral/admissions criteria, indications of alcohol or other drug intoxication, medical condition which requires emergency or immediate medical care or treatment or for any other reason which puts the Center at risk, should such a juvenile be accepted.

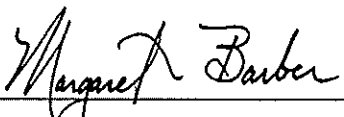
~~DJJ shall not be financially responsible for the cost of medical care provided to a juvenile detained in its juvenile detention center for any injury, illness, condition, or medical need that pre-existed the juvenile's admission to its Detention Center.~~

Detention services provided by DJJ shall commence upon execution of this contract and terminate, unless this contract is reauthorized and renewed, on July 1, 2013. Either party may cancel this agreement upon thirty (30) days' written notice.

Sums paid or payable under this contract shall not exceed \$ 4,000.00 for fiscal year 2013-2014 as determined by both parties. However, if juveniles continue to be presented for secure detention by City of Cayce once the above budgeted amount has been reached, City of Cayce agrees to pay for the cost of any additional detainees as provided for in the paragraph addressing detention rates.

APPROVED:

Administrator/Manager
(or other Authorized Official)



Margaret H. Barber, Director
South Carolina Department of
Juvenile Justice

Date

July 1, 2013
Date

Memorandum

To: Mayor and Council

From: Rebecca V. Rhodes, City Manager

Date: June 26, 2013

Subject: First Reading of an Ordinance to clarify the use of the Residential Sanitation Fee

Issue

Council Approval is needed for the First Reading of an Ordinance to clarify the use of the Residential Sanitation Fee.

Background/Discussion

When the original \$1.50 sanitation fee was created in 1999, it was intended to just be utilized for "the replacement of Sanitation equipment as required by State law." This intent was discussed during the Council meeting when the fee was adopted but was not explicitly outlined or required in the actual Ordinance that was adopted. To this point, the sanitation fee has been placed in a separate account and only used for the purchase of capital equipment for the sanitation department.

With the adoption of the 2013-2014 Budget it is Council's intent to use the sanitation fee to pay for the operation of the Sanitation department, as well as, the purchase of capital equipment. Even though the current Ordinance does not prohibit this, staff feels that a new Ordinance should be adopted to clarify the use of this fee so as to avoid any confusion for future Councils or staff.

Recommendation:

Staff recommends approval of First Reading of this Ordinance.

Memorandum

To: Mayor and Council

From: Rebecca Rhodes, City Manager
Shaun Greenwood, Asst. City Manager
Monique Ocean, Zoning Tech.

Date: June 25, 2013

Subject: First Reading of an ordinance to amend several sections of the zoning ordinance in reference to communication towers.

ISSUE

Council approval is needed for the First Reading of an ordinance to amend Article 2 ("Definitions"), Section 6.5 Table 1 ("Schedule of uses and off-street parking requirements for Residential Districts"), Section 6.5 Table 2 ("Schedule of uses and off-street parking requirements for Commercial, Industrial & Development Districts) and Section 7.8 ("Communication Towers and Antennas") of the Zoning Ordinance of the City of Cayce.

BACKGROUND/DISCUSSION

In January, members of the telecommunication industry made a presentation to Council in which they requested that the City consider relaxing some of the zoning ordinances governing the placement of cell towers and antennas. Council directed staff to research other cities around the midlands and to report back the findings. Staff researched the issue and found that the City's Zoning Ordinance was more restrictive in many areas. At Council's direction, staff has revised the ordinance to be more in line with neighboring municipalities. A summary of staff's recommended changes and a copy of the redline version of the changes are attached for your consideration.

The Planning Commission met on June 17th, 2013 to hear Public Comment about the suggested changes. No members of the public were present at the meeting. The Planning Commission voted unanimously to recommend the amendment.

RECOMMENDATION

The Planning Commission recommends Council approve First Reading of an ordinance to amend Article 2 ("Definitions"), Section 6.5 Table 1 ("Schedule of uses and off-street parking requirements for Residential Districts"), Section 6.5 Table 2 ("Schedule of uses and off-street parking requirements for Commercial, Industrial & Development Districts) and Section 7.8 ("Communication Towers and Antennas") of the Zoning Ordinance of the City of Cayce.

SUMMARY OF CHANGES TO COMMUNICATION TOWER ORDINANCE

1. Section 2 ("Definitions")
 - Definitions for different items pertaining to communication towers added
2. Section 6.5 Table 1 ("Schedule of Uses and Off-Street Parking Requirements for Residential Districts")
 - Communication towers changed from not permitted to become permitted as a special exception in Single Family Residential and General Residential districts
3. Section 6.5 Table 2 ("Schedule of Uses & Off-Street Parking Requirements for Commercial, Industrial & Development Districts")
 - Communication towers changed from not permitted to become permitted as conditional use in C-1 districts
 - Communication towers changed from permitted as a conditional use to become permitted as a special exception in D-1 districts
4. Section 7.8 ("Communication Towers and Antennas")
 - Table added to indicate zoning district requirements for maximum height of and type of communication towers
5. Section 7.8-1 ("Conditions")
 - Conditions added to indicate appearance of new communication towers
 - Conditions added to indicate type of permitted sign for communication towers
 - Conditions added to indicate setback for new towers based on height and proximity to residential dwellings or residentially zoned districts
 - Conditions added to indicate buffer for lattice towers
6. Section 7.8-2 ("Special Exceptions")
 - Requirements added for special exception criteria
7. Section 7.8-3 ("Permit Requirements")
 - Requirement for registered engineering certification added for new towers
 - Requirements added for co-location antennas

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)
CITY OF CAYCE)

ORDINANCE
Amending Article 2 (“Definitions”),
Section 6.5 Table 1 (“Schedule of
uses and off-street parking
requirements for Residential
Districts”), Section 6.5 Table 2
(“Schedule of uses and off-street
parking requirements for
Commercial, Industrial &
Development Districts) and Section
7.8 (“Communication Towers and
Antennas”) of the Zoning Ordinance
of the City of Cayce

WHEREAS, the Council has determined that it is in the interest of the public in understanding the provisions of the Zoning Ordinance, and in the interest of the City in administering and enforcing the Zoning Ordinance, to amend Article 2 (“Definitions”) of the Zoning Ordinance to substitute or add definitions; and

WHEREAS, the Council also has determined that it is in the interest of the public to amend Section 6.5 Table 1 of the Zoning Ordinance of the City relating to communication towers and antennas; and

WHEREAS, the Council also has determined that it is in the interest of the public to amend Section 6.5 Table 2 of the Zoning Ordinance of the City relating to communication towers and antennas; and

WHEREAS, the Council also has determined that it is in the interest of the public to amend Section 7.8 (“Communication Towers and Antennas”) of the Zoning Ordinance of the City to substitute or add conditions and special exception criteria,

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

1. Article 2 (“Definitions”) of the Zoning Ordinance of the City of Cayce is hereby amended to substitute or add thereto, in the appropriate alphabetical order within the current Article 2, the following definitions:

“Antenna” – A device, dish, or array used to transmit or receive telecommunication signals.

“Communication tower or wireless communication facility” - A facility used for transmitting, receiving, and relaying voice and data signals from wireless communication devices.

“Communication Tower- Co-location” – The placement of two or more providers’ wireless communication antenna upon the same wireless communication facility.

“Communication Tower - Fall Zone” – The area on the ground within a prescribed radius from the base of a wireless communication facility- within which there is a potential hazard from falling debris or collapsing material.

“Communication Tower – Lattice” – A wireless communication ground-mounted structure consisting of many legs along with joined structural members to support wireless communication antennas.

“Communication Tower – Monopole” – A wireless communication self-supporting structure consisting of a single pole to support wireless communication antennas.

“Communication Tower – Stealth” – A structure designed in a manner to mask its appearance as a wireless communication tower.

“FCC” – The Federal Communications Commission (FCC) regulates interstate and international communications by radio, television, wire, satellite and cable.

2. Section 6.5 Table 1 (“Schedule of uses and off-street parking requirements for Residential Districts”) of the Zoning Ordinance of the City of Cayce is hereby amended under Support Uses (“Utilities”) to indicate Communication towers & antennas NAICS Code 51332 as permitted as a special exception in RS-1, RS-2, RS-3, RS-4, RG-1 and RG-2 districts.

3. Section 6.5 Table 2 (“Schedule of uses and off-street parking requirements for Commercial, Industrial & Development Districts”) of the Zoning Ordinance of the City of Cayce is hereby amended under Sector 51 (“Information”) to indicate Communication towers & antennas NAICS Code 5151 as permitted as a conditional use in C-1 districts and as permitted as a special exception in D-1 districts.

4. Section 7.8 (“Communication Towers and Antennas”) of the Zoning Ordinance of the City of Cayce (including Sections 7.8-1, 7.8-2, and 7.8-3) is hereby amended to delete, in its entirety, the current Section 7.8 and to substitute therefore the chart and text as attached to this Ordinance.

This Ordinance shall be effective from the date of second reading approval by Council.

DONE IN MEETING DULY ASSEMBLED, this _____ day of _____ 2013.

Elise Partin, Mayor

Attest:

Mendy Corder, CMC, Municipal Clerk

First Reading: _____

Second Reading and Adoption: _____

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

ARTICLE 2 DEFINITIONS

Words not defined herein shall have the meanings stated in the International Building Code, Plumbing Code, Gas Code, or Fire Prevention Code. Words not defined in these Codes shall have the meanings in Webster's Ninth New Collegiate Dictionary, as revised.

Words in the present tense include the future tense. Words used in the singular include the plural, and words used in the plural include the singular.

The word "shall" is always mandatory.

The word "may" is permissive.

The word "lot" includes the word "plot" or "parcel."

The word "person" includes a firm, association, organization, partnership, trust company, or corporation, as well as an individual.

The word "used" or "occupied" as applied to any land or building shall be construed to imply that said land or building is in actual use or occupancy and shall be construed to include the words "intended," "arranged," or "designed to be used or occupied."

The word "map" or "zoning map" shall mean the Official Zoning Map(s) of the City of Cayce.

The term "Planning Commission" refers to the Cayce City Planning Commission.

The term "Council" refers to the Cayce governing council.

The term "Zoning Board of Appeals" refers to the Cayce Zoning Board of Appeals. Other words and terms defined herein are as follows:

Abutting - Sharing a common border; physically touching for at least 10 feet.

Antenna – A device, dish, or array used to transmit or receive telecommunication signals.

Area of Shallow Flooding - A designated AO or VO Zone shown on Flood Insurance Rate Maps (FIRM) with base flood depths of one to three feet, where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Co-location - The placement of two or more provider's wireless communication antenna upon the same wireless communication facility.

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Communication tower or wireless communication facility - FCC licensedA facility used for transmitting, receiving, and relaying voice and data signals from wireless communication devices.

Conditional Use - A use of land or structure which is permitted in a district under conditions specified in the zoning ordinance.

Condominium - A unit in a multi-unit structure owned by individuals partnerships, corporations, or other business entities or entities which has use of all common areas associated with that structure.

Day Care Services - Day care services shall mean and include any home, center, agency, or place, however styled, where children, elderly, and other persons not related to the operator are received for custodial care, apart from their parents, whether for compensation, reward, or otherwise during part or all of the day or any number of successive days.

Density - The number of dwelling units per acre of land developed or used for residential purposes. Density requirements in this Ordinance are expressed in dwelling units per gross acre; that is, per acre of land devoted to residential use is based on the total land area within a development tract or subdivision, excluding floodway areas.

Developer - An individual, partnership, or corporation (or agent therefore) that undertakes the activities covered by these regulations.

Development - Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

DHEC - South Carolina Department of Health and Environmental Control.

Domestic Animal Shelter - A pen, shelter, or structure for small domestic animals, not to include horses, cows, goats, swine including pot bellied pigs, sheep, ponies, grazing animals, and fowl of any kind.

Dwelling - A building or portion of a building arranged or designed exclusively for human habitation.

Dwelling, Apartment - (See dwelling, multi-unit)

Dwelling, Detached - A single dwelling unit, surrounded by open space or yards and which is not attached to any other dwelling by any means.

Dwelling Unit - A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Dwelling, Zero Lot Line - A zero lot line dwelling is a single family detached unit which instead of being centered on a lot, is placed against at least one of the side lot lines. The term is synonymous with patio homes.

Easement - A right-of-way granted to another party for specific limited use.

Elevated Building - A non-basement building constructed to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, (post and piers), shear walls, or breakaway walls.

Evergreen Tree - A coniferous or deciduous tree that remains green throughout the year.

FCC- Federal Communications Commission.

Fall Zone - The area on the ground within a prescribed radius from the base of a wireless communications facility within which there is a potential hazard from falling debris or collapsing material.

Family - One or more persons related by blood, marriage, adoption, or guardianship, and not more than three (3) persons not so related, except that mentally and physically handicapped persons for whom care is provided on a 24-hour basis shall be construed to be a family, in accord with the provisions of 6-7-830 of the South Carolina Code of Laws.

Federal Manufactured Home Construction and Safety Standards - Regulations promulgated by the Department of Housing and Urban Development (HUD) governing the design and construction, strength and durability, transportability, fire resistance, energy efficiency, and quality of manufactured housing. These standards also set performance requirements for heating, plumbing, air conditions, thermal, and electrical systems.

Flood - A general and temporary condition of partial or complete inundation of normally dry land areas.

Flood Hazard Boundary Map (FHBM) - An official map issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard are defined.

Flood Insurance Rate Map (FIRM) - An official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones.

Flood Insurance Study - An official study provided by the Federal Emergency Management Agency.

Flood-resistant Material - Any building material capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage which requires more than low-cost cosmetic repair.

Floodway - The channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor - The top surface of an enclosed area in a building (including basement), i.e. top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include floor of a garage used solely for parking vehicles.

Garage, Private - A structure that is accessory to a single- or two-family dwelling, is used for the parking and storage of vehicles owned and operated by the residents thereof, and is not a separate commercial enterprise available to the general public.

Garage, Public - A structure or portion thereof, other than a private customer and employee garage or private residential garage, used primarily for the parking and storage of vehicles and available to the general public.

Gross Floor Area (GFA) - The sum of the floor area for each of a building's stories measured from the exterior limits of the faces of the structure, including basement floor area. It does not include unenclosed porches or any floor space in an accessory building or in the principal building which is designed for parking of motor vehicles.

Height - The vertical distance of a structure or vegetation.

Home Occupation - Any occupation within a dwelling, including a hobby and clearly incidental thereto, carried on by a member or members of the family residing on the premises. A "home occupation" shall not include a body piercing facility or a tattoo facility.

Improvement - Any man-made immovable item which becomes part of, placed upon, or is affixed to real estate.

Lattice communication tower- A wireless communication ground-mounted structure consisting of many legs along with joined structural members to support wireless communication antennas.

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Manufactured Home Park Space - A plot or ground within a manufactured home park designed for the accommodation of one unit.

Mini-warehouse - A building or group of buildings in a controlled-access and fenced compound that contains individual, compartmentalized and controlled-access stalls or lockers for the storage of customer's goods or wares.

Mixed Occupancy - Any building that is used for two or more occupancies classified by different occupancy use groups.

Modular Building Unit or Modular Structure - Any building of closed construction, regardless of type of construction or occupancy classification, other than a mobile or manufactured home, constructed off-site in accordance with the applicable codes, and transported to the point of use for installation or erection. When meeting the requirements of the Modular Building's Construction Act (23-43-10 of the S. C. Code of Laws), said building unit or structure may be located in any zoning district.

Monopole communication tower – A wireless communication self-supporting structure consisting of a single pole to support wireless communication antennas.

Nonconformity – A nonconformity is any lot of record, use, building, structure or vegetation in existence prior to the effective date of this Ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the Ordinance.

Non-residential Use - A principal use of land for other than residential purposes, i.e. commercial, industrial, institutional.

Open Space Ratio - The open space ratio is a measure of the intensity of land use. It is arrived at by dividing the total amount of open space within the site by the Total Site Area.

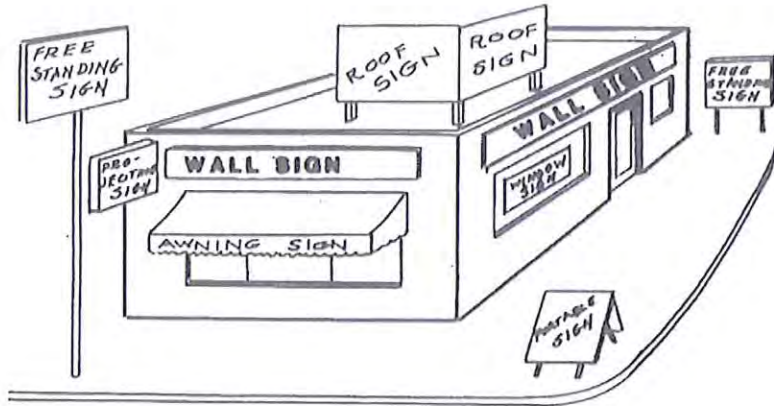
Parcel - A land area bounded by property lines that is recognized as such by the County Assessor's Office.

Park - A public facility open for recreation, with commercial activities for recreational uses only, open space and public gardens.

Premises - A lot, plot, or parcel of land including the buildings or structures thereon, under control by the same owner or operator together with all adjacent land.

Sexually Oriented Business - For purposes of this Ordinance, sexually oriented business operations shall mean and include the following:

Adult Arcade means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically



SIGN TYPES

Sign, Window - A sign that is applied or attached to the exterior or interior of a window or located in such manner within a building that it can be seen from the exterior of the structure through a window.

South Carolina Manufactured Housing Board - Is authorized by State Statute to regulate the construction, repair, modification, installation, tie-down, hook-up, and sale of manufactured homes in South Carolina, which Board has adopted for regulation of manufactured homes the Federal Manufactured Housing Construction and Safety Standards, promulgated by HUD, and contained in the Board's Manufactured Housing Regulations, May 26, 1990.

Stealth communication tower - A structure designed in a manner to mask its appearance as a wireless communication tower.

Street - Any thoroughfare (drive, avenue, boulevard) or space more than 18 feet in right-of-way width which has been dedicated, deeded or designated for vehicular traffic, public or private.

Street, Major - Includes all state primary and federal aid highways and streets that serve to circulate traffic, having signals at important intersections, and stop signs on side streets and/or having controlled access and channelized intersections.

Street, Minor - A street designed principally to collect traffic from subdivisions and provide access to abutting property.

Street, Private - A street not dedicated for public use or maintenance.

Structure - That which is built or constructed.

	NAICS	RS-1	RS-2	RS-3 RS-4	RG-1	RG-2	Off -Street Parking Requirements
Home Occupation (Sec. 7.7)	NA	C	C	C	C	C	None
Horticulture, gardening	NA	P	P	P	P	P	None
Signs - See Article V							
Support Uses							
Recreational							
Public parks, playgrounds, & community centers	71394	P	P	P	P	P	1.0 per 250 GFA activity buildings, 1% land area to parks
Golf courses, public & private	71391	P	P	P	P	P	5.0 spaces for each hole
Swimming & tennis clubs	71394	P	P	P	P	P	1.0 space for each 200 s.f. GFA
Educational							
Elementary schools	6111	P	P	P	P	P	1.5 spaces per classroom, plus 5.0 admin. spaces
Secondary schools	6111	P	P	P	P	P	5.0 spaces per classroom, plus 10 admin. spaces
Social							
Nursing & residential care facilities	623	N	N	N	P	P	0.4 per bed, plus 1.0 space per 500 s.f. GFA
Day care services	62441	N	N	N	P	P	1.0 space per 200 s.f. GFA
Religious organizations	81311	P	P	P	P	P	0.3 spaces per seat, main seating
Utilities							
Communication transmission only, except towers/antennas	5133	P	P	P	P	P	None
Communication towers & antennas (Sec. 7.8)	51332	N SE	N SE	N SE	N SE	N SE	None
Electric, gas, transmission only	221121	P	P	P	P	P	None
Sewerage treatment facilities	22132	P	P	P	P	P	None
Water supply & irrigation systems	22131	P	P	P	P	P	None
Public Order & Safety	00000	P	P	P	P	P	1.0 space per 350 s.f. GFA
Fire Protection	92216	P	P	P	P	P	4.0 spaces per bay
Temporary Uses							
Temporary Uses (Sec. 7.5)		C	C	C	C	C	By individual review

	NAICS	C-1	C-2	C-3	C-4	M-1	M-2	D-1	Required off-Street Parking Space(s)
Support Activities for Transportation	488	N	N	N	P	P	P	N	1.0 per 500 s.f. GFA
U.S. Postal Service	491	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA
Couriers & Messengers	492	P	P	P	P	P	P	N	1.0 per 500 s.f. GFA
Warehousing & Storage	493	N	N	N	N	P	P	N	1.0 per 1,000 s.f. GFA
Sector 51: Information									
Publishing industries	511	N	P	P	P	P	P	N	1.0 per 500 s.f. GFA
Motion pictures & Sound Industries	512	N	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Motion picture theaters	512131	N	P	P	P	P	N	N	1.0 per 5 seats
Broadcasting & Telecommunications	515	N	P	P	P	P	P	N	1.0 per 350 s.f. GFA
Communication Tower & Ant.(Sec.7.8)	5151	N C	C	C	C	C	C	CSE	None
Internet publishing & broadcasting	516	P	P	P	P	P	P	N	1.0 per 500 s.f. GFA
Telecommunications	517	N	P	P	P	P	P	N	1.0 per 500 s.f. GFA
ISPs, search portals, & Data processing	518	P	P	P	P	P	P	N	1.0 per 500 s.f. GFA
Info. Services & Data Processing	519	P	P	P	P	P	P	N	1.0 per 350 s.f. GFA
Libraries	51912	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Sector 52: Finance & Insurance									
Banks	521	P	P	P	P	P	P	N	1.0 per 350 s.f. GFA
Credit Intermediation except check cashing services	522	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Pawn shops & consumer cash lending secured by personal property	522298	N	N	N	P	P	N	N	1.0 per 350 s.f. GFA
Check Cashing Services	522390	N	N	N	P	P	N	N	1.0 per 350 s.f. GFA
Security & commodity contracts, & financial investments	523	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Insurance Carriers & related activities	524	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Funds, Trust, & other financial vehicles	525	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA
Sector 53: Real Estate & Rental & Leasing									
Real Estate	531	P	P	P	P	P	N	N	1.0 per 350 s.f. GFA

Section 7.8 Communication Towers and Antennas

The requirements set forth in this Section shall be applicable to all communication towers and its accessory structures.

Communication towers are allowed according to the following table:

Section 7.8 Table 1

Zoning District	Permitted Height Stealth or Monopole Tower
Single Family Residential (RS)	Stealth tower with maximum height of 80100 feet is permitted as a special exception
General Residential (RG)	Stealth tower with maximum height of 80100 feet is permitted as a special exception
Office and Institutional (C-1)	Stealth tower or Monopole tower with maximum height of 100120 feet is permitted as a conditional use
Neighborhood Commercial (C-2)	Stealth tower or Monopole tower with maximum height of 400120 feet is a permitted as a conditional use
Central Commercial (C-3) Highway Commercial (C-4)	Stealth tower or Monopole tower with maximum height of 200 feet is permitted as a conditional use
Light Industrial (M-1) Heavy Industrial (M-2)	Stealth or Monopole or Lattice tower with maximum height of 200 feet is permitted as a conditional use
Development (D-1)	Stealth tower with maximum height of 200 feet is permitted as a special exception
Design Overlay (DO)	NOT PERMITTED
Development Agreement (DAD)	Tower with height specified in approved plan is permitted under conditions set forth in plan
Planned Development (PDD)	Tower with height specified in approved plan is permitted under conditions set forth in plan

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Section 7.8-1 Conditions

Where conditionally permitted as a principal use by Section 6.6 Table 2, and not accessory to an educational use, communication towers and antennas shall adhere to the following regulations.

- (1) All new towers shall be designed to accommodate additional antennas equal in number to the applicant's present and future requirements.
- (2) All applicable safety code requirements shall be met.
- (3) ~~Unless required by agencies of the state or federal government, towers must be~~ All towers shall utilize a galvanized steel finish unless required by state or federal guidelines to paint the tower. Where zoning requires a or

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stealth type tower, the finish shall be appropriate to blend in to the surrounding area.s (where required by zoning);

(2)(4) One sign, 2 square feet or less in size shall be located on or near the tower and shall identify tower owner, owner's identification used for the tower, street address of the tower, and emergency contact numbers.No signage shall be permitted, except as required by standard industry practice for the purpose of warning, identification, or emergency contact.

(3) Towers or antennas shall not be painted or illuminated unless otherwise required by state or federal regulations.

(4) No tower or antenna shall be located within 1,000 feet of an existing tower or antenna, except where the applicant certifies that the existing tower does not meet the applicant's structural specifications and applicant's technical design requirements, or that a co-location agreement could not be obtained.

(5) Towers or antennas in excess of 40 feet in height shall setback from the required setback lines for the district within which it is to be located one additional foot for each one foot in height over 40 feet.

(6) New towers shall setback 25% of tower height or district setbacks, whichever is greater. Towers within 200 feet of any residential dwelling, shall setback, from the property line, 1 foot for every 1 foot in tower height.

(7) No lattice type tower shall be located within 1000 feet of a residential dwelling or residentially zoned district.

Section 7.8-2 Special Exceptions

Where permitted as a special exception by Section 6.5 Table 1 or Section 6.6 Table 2, and not accessory to an educational use, communication towers and antennas (in addition to conditions in Section 7.8-1) shall adhere to the following regulations:

(1) An application for a permit in a residential district must show that the area cannot be adequately served by a facility placed in a nonresidential district for valid technical reasons.

(2) Where the proposed tower is to be located within an RS, RG, or D-1 zoning district, the applicant shall conduct a public information meeting 14 days before the public hearing held by the Board of Zoning Appeals. The applicants shall inform, by certified letter, all property owners within a 500 feet radius of the date, time, location and topic of the meeting.

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(3) The proposed stealth tower located within RS or RG zoning districts shall emulate an architectural or landscape feature typical of or appropriate to the surrounding area.

Section 7.8-3 Permit Requirements

(5)

(6)(1) Permit requirements for the erection or placement of a tower or antenna shall be accompanied by the following:

- (a) One copy of typical specifications for proposed structures and ~~antennae~~antennas, including description of design characteristics and material.
- (b) A site plan drawn to scale showing property boundaries, tower location, tower height, ~~guy-wires and anchors,~~ existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, ~~buffer and~~ landscape plan, and existing land uses on adjacent property; [site plan not required if antenna is to be mounted on an approved existing structure].
- (c) A current map or update of an existing map on file, showing locations of applicant's antenna, facilities, existing towers, and proposed towers which are reflected in public records, serving any property.
- (d) Identification of the owners of all ~~antennae~~antenna and equipment to be located on the site.
- (e) Written authorization from the site owner for the application.
- (f) Evidence that a valid FCC license for the proposed activity has been issued.
- (g) A line of sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts.
- (h) A written agreement to remove the tower and/or antenna within 180 days after cessation of use.
- (i) A certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, together with written indemnification of the affected government and proof of liability insurance or financial ability to respond to claims up to \$1,000,000 in the aggregate which may arise from operation of the facility during its life, at no cost to the affected government.

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~~(j) A letter from a registered engineer providing certification that adequate setbacks are established on all sides to prevent the tower's fall zone from encroaching onto adjoining properties.~~

~~(2) Permit requirements for co-location of antenna on existing wireless communication tower shall be accompanied by the following:~~

~~(i)-~~

~~(a) (a) Evidence that the tower can accept the additional loading created by the co-location.~~

~~(j) (b) Evidence that any modification made to an existing tower to accommodate co-location of additional antenna shall comply with Section 7.8 Table 1.~~

~~(b)~~

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Section 7.9 Refuse Systems

Due to environmental concerns and consideration for public health and safety, refuse systems where conditionally permitted as a principal use by Table 2 shall be limited to the following and shall comply with the supplemental development standards of this Section.

Sanitary Landfills
Inert Landfills
Recycling Drop-Off Stations

1. Sanitary Landfills

- a. Sanitary landfills shall be located no closer than 1,000 feet to any existing residential, recreational, religious, educational, medical, or public use (measured in a straight line).
- b. A geotechnical engineering firm licensed in the State of South Carolina shall render a written opinion that, to the best professional judgment, the formations being used to contain the waste are impermeable and that surrounding ground water sources will not be contaminated.
- c. A drainage and sedimentation plan shall accompany the request, showing all off-site run off.
- d. The facility shall be enclosed by an opaque fence or wall structure illustrated by Section 10.1-9 on all sides visible from the street serving the facility and an opaque cyclone fence on the remaining unexposed boundaries.

Memorandum

To: Mayor and Council

From: Rebecca Rhodes, City Manager
Shaun Greenwood, Director P & D
Steve Martin, Building Official

Date: May 29, 2013

Subject: Second Reading of an ordinance amending Section 10-31 of the City of Cayce Code of Ordinances relating to Technical Codes.

ISSUE

Council approval is needed for the Second and Final Reading of an Ordinance amending Section 10-31 to adopt the most recently approved Technical Codes.

BACKGROUND/DISCUSSION

The South Carolina Building Codes Council formally adopts new construction related technical codes when changes are needed. It is mandatory that all municipalities and counties enforce these codes. The City currently enforces the Codes that were previously adopted by the Building Codes Council. The SC Building Codes Council has formally adopted a number of new technical codes and the effective date is July 1, 2013. No revisions or modifications are permitted to the codes without prior approval of the Building Codes Council.

Due to this mandate, the City needs to adopt the new versions of the codes by reference through an ordinance.

RECOMMENDATION

Staff recommends that Council approve Second and Final Reading of an Ordinance amending the City of Cayce Code of Ordinances to adopt the Technical Codes as listed in the Ordinance.

This Ordinance shall be effective from the date of second and final reading, but no earlier than July 1, 2013.

DONE IN MEETING DULY ASSEMBLED, this ____ day of _____, 2013.

Elise Partin, Mayor

ATTEST:

Mendy C. Corder
Mendy C. Corder, Municipal Clerk

First reading: 6-4-13

Second reading and adoption: _____

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

Building Codes in Effect for South Carolina

Every municipality and county in South Carolina that does not legally "Opt out" of the Code Enforcement Program, must enforce the mandatory building codes referenced in Section 6-9-50 of the South Carolina Code of Laws, 1976 as Amended (SC Code), after they are reviewed and adopted by the Building Codes Council (Council). Municipalities and counties are restricted from promulgating their own building codes, in whole or in part or adopting and enforcing building codes other than those referenced in Section 6- 9-50 of the SC Code. Unless modified by the Council, all chapters (except the Administrative Chapter) of all codes must be enforced in their entirety.

Only the mandatory building codes listed below are adopted by the Council and enforced at the local level. Any code used to regulate the construction or alteration of buildings or structures, including their systems or components, not listed below are not valid and cannot be legally promulgated, adopted or enforced by a local jurisdiction.

On November 28, 2007, the Council updated the mandatory building codes to be used within South Carolina. The Council established the implementation date for local jurisdictions as July 1, 2008 for all codes. The implementation date for the International Residential Code, however, was reestablished as July 1, 2009 by 2008/2009 budget proviso 182 (65.10). All local jurisdictions must enforce the mandatory codes, and may adopt and enforce the permissive codes.

Mandatory Building Codes adopted for current use in South Carolina and which must be enforced by all municipalities and counties include the:

2006 International Building Code with SC modifications;
2006 International Residential Code with SC modifications;
2006 International Fire Code with SC modifications;
2006 International Plumbing Code;
2006 International Mechanical Code;
2009 International Energy Conservation Code;
2006 International Fuel Gas Code with SC modifications; and,
2008 National Electrical Code.

The latest edition of ICC/ANSI A117.1, Accessible and Useable Buildings and Facilities, is adopted by the Accessibility Act and mandatory for use in all municipalities and counties within the state. Although other standards for building accessibility exist, the latest published edition of the ICC/ANSI A117.1 is the only accessibility document required by state law to be enforced by the local building officials. All plan reviews and inspections conducted by local Building Inspection Departments, therefore, will be based on ICC/ANSI A117.1. It is important to note, however, that other accessibility documents are also law and cannot be ignored. Legal action can be taken against a building owner, manager or any person involved in design or construction/renovation of a building or structure requiring accessibility, under any of the accessibility laws. Therefore, before construction or renovation of a building or structure that requires accessibility, all applicable accessibility laws should be considered.

Additional accessibility laws that must be considered and their enforcement entities include the:
Americans With Disabilities Act (ADA) published and enforced by the US Department of Justice (DOJ);
Fair Housing Act Amendments of 1988, published and enforced by the US Department of Housing and Urban Development (HUD), and,
South Carolina Fair Housing Law published and enforced by the SC Human Affairs Commission.

The Building Energy Efficiency Standards Act is adopted by statute and mandatory for use in all jurisdictions within the state.

The codes are to be used in conjunction with the latest code modifications authorized by the Council. Only the modifications authorized and listed on this website are valid for use in the state. Building code modifications that have not received prior approval by the Council are invalid and cannot be adopted, employed or enforced by local jurisdictions.

As permitted by Section 6-9-60 of the SC Code, "permissive codes" may be used as needed by a local jurisdiction, but the codes must first be adopted by ordinance before enforcement can begin. The permissive codes are the latest editions of the International Property Maintenance Code; International Existing Building Code; International Performance Code for Buildings and Facilities; and, International Swimming Pool Code.

Adoption of the mandatory and permissive codes does not include the chapters, sections or provisions addressing administrative policies or procedures. Administrative policies and procedures are the sole responsibility of each local jurisdiction. If the governing body of a local jurisdiction desires to use the administrative provisions in one or more of the adopted building codes, it must first adopt the chapters or sections by ordinance. In lieu of adopting the administrative provisions contained in the adopted building codes, the governing body of a local jurisdiction may develop specific administrative policies and procedures for the operation of its Building Inspection Department. If administrative policies and procedures are developed at the local level, they must be adopted by ordinance before they can take effect.

Appendixes to the mandatory codes may not be used at the local level unless specifically adopted or authorized as a local modification, by the Building Codes Council. Currently, no appendixes are adopted for use statewide. Greenville County was authorized a local modification to use Appendix F in the 2009 International Residential Code. No other jurisdictions are authorized to use appendixes to the mandatory codes.

Order copies of the International Codes, the National Electrical Code or the ICC/ANSI A117.1 document.

Jurisdiction that are currently, legally opted out of the code enforcement program:

None.

Code Adoption History:

The following information is provided for research purposes and may used to verify the official dates for which local jurisdictions were or are required to enforce certain editions of the mandatory building codes.

The International Code Series was developed as a joint project by the Southern Building Code Congress, International, the International Conference of Building Officials and the Building Officials and Code Administrators, International (referred to as model code organizations) and replaced the Standard, National and Uniform Building Code Series. The 1997 Editions of the Standard, National and Uniform Codes (which were regional), and the 1995 Edition of the CABO One and Two Family Dwelling Code (which was national) were the last to be published. The International Building Code Series replaced those documents and provided a single set of National Codes. Simultaneously, the three model code organizations merged and created the International Code Council. All codes training and Code Enforcement Officer Certification examinations for the State of South Carolina are now based on the International Code series.

Prior to June 13, 1997, local jurisdictions that desired to adopt building codes were permitted to do so by local ordinance. If a jurisdiction did adopt building codes, it was required to adopt only the codes authorized by the Building Codes Act. Once adopted, the jurisdiction was obligated to continue adoption of each new edition within one year after it was made available by the publisher. The implementation date for enforcement was established by the local jurisdiction.

Starting July 13, 1997, all local jurisdictions that did not legally "opt out" of the mandatory building code program were required to adopt building codes by local ordinance, after they were authorized by the Council. The Council was also required to establish the date of implementation for each of the adopted codes.

Starting July 2, 2003, the Council was charged with the responsibility for adopting all mandatory building codes and establishing the date of implementation for the local jurisdictions.

Starting with the 2006 code adoption cycle, the Council local jurisdictions no longer adopt appendices.

Building codes authorized or adopted by the Building Codes Council, and their corresponding implementation dates, starting with the current codes and going back to the 2000 International Code Series include the following.

Codes Adopted	Adoption Date	Implementation Date
2012 International Residential Code	August 29, 2012	July 1, 2013
2012 International Building Code	August 29, 2012	July 1, 2013
2012 International Fire Code	August 29, 2012	July 1, 2013
2012 International Plumbing Code	August 29, 2012	July 1, 2013
2012 International Mechanical Code	August 29, 2012	July 1, 2013
2012 International Fuel Gas Code	August 29, 2012	July 1, 2013
2009 International Energy Conservation Code ¹	April 2, 2012	January 1, 2013
2011 National Electrical Code ²	August 29, 2012	July 1, 2013
2009 International Residential Code	March 22, 2010	Not Implemented ³
2009 International Building Code	March 22, 2010	Not Implemented ³
2009 International Fire Code	March 22, 2010	Not Implemented ³
2009 International Plumbing Code	March 22, 2010	Not Implemented ³
2009 International Mechanical Code	March 22, 2010	Not Implemented ³
2009 International Fuel Gas Code	March 22, 2010	Not Implemented ³
2008 National Electrical Code	March 30, 2009	July 1, 2009
2006 International Residential Code ⁴	November 28, 2007	July 1, 2009
2006 International Building Code	November 28, 2007	July 1, 2008
2006 International Fire Code	November 28, 2007	July 1, 2008
2006 International Plumbing Code	November 28, 2007	July 1, 2008
2006 International Mechanical Code	November 28, 2007	July 1, 2008
2006 International Fuel Gas Code	November 28, 2007	July 1, 2008
2006 International Energy Conservation Code ¹	November 28, 2007	July 1, 2008
2005 National Electrical Code	February 22, 2006	July 1, 2007
2003 International Residential Code	May 26, 2004	July 1, 2005
2003 International Fuel Gas Code	May 26, 2004	July 1, 2005
2003 International Building Code	May 26, 2004	January 1, 2005
2003 International Fire Code	May 26, 2004	January 1, 2005
2003 International Plumbing Code	May 26, 2004	January 1, 2005
2003 International Mechanical Code	May 26, 2004	January 1, 2005
2003 International Energy Conservation Code	May 26, 2004	January 1, 2005
2002 National Electrical Code	May 22, 2002	July 1, 2002
2000 International Residential Code	May 24, 2000	July 1, 2002
2000 International Energy Conservation Code	May 24, 2000	July 1, 2001
2000 International Building Code	May 24, 2000	July 1, 2001
2000 International Fire Code	May 24, 2000	July 1, 2001
2000 International Plumbing Code	May 24, 2000	July 1, 2001
2000 International Mechanical Code	May 24, 2000	July 1, 2001
2000 International Fuel Gas Code	May 24, 2000	July 1, 2001

Footnotes:

¹ The 2006 International Energy Conservation Code (IECC) was adopted by the SC Legislature as the minimum standard for compliance with the State Energy Standard, thus removing it from the normal adoption process. The legislature updated the IECC to the 2009 Edition during the 2012 legislative session (Act 143) with an effective date of January 1, 2013. Future updated versions must also be adopted by statutory amendment.

² The Building Codes Council included the adoption of the National Electrical Code with the International Code Series, starting with the 2012 Code Adoption Cycle.

³ The 2009 International Code Series was formally adopted by the Building Codes Council May 10, 2010. Implementation did not occur, however, due to a request to remove the regulations from the administrative procedures process by the South Carolina House Labor, Commerce and Industry Committee.

⁴ The implementation date for the International Residential Code was delayed until July 1, 2009 by 2008/2009 budget proviso 182 (65.10).

History of the SC Energy Standards

The SC Energy Standards started as House Bill 2863 (Act 156) and became effective 7/6/79. The standards were adopted as state law and were applicable and mandatory in every municipality and county in South Carolina.

In 1979, the state standard referenced "the current addition of Appendix J Energy Conservation' of the 1979 edition of the Standard Building Code, which in turn referenced the "Code for Energy Conservation in New Buildings" (published jointly by the Southern Building Code Congress, International Conference of Building Officials and Building Officials, Code Administrators International and National Conference of States for Building Codes and Standards) and "ASHRAE Standard 90" as methods of compliance with state law.

In 1982, the state standard automatically updated to reference Appendix J of the 1982 edition of the Standard Building Code, which referenced the "Code for Energy Conservation in New Buildings" and "ASHRAE Standards 90A and 90B" as methods of compliance.

In 1985, the state standard automatically updated to reference Appendix J of the 1985 edition of the Standard Building Code, which referenced the "CABO Model Energy Code" (published by the Council of American Building Officials) and "ASHRAE Standards 90A and 90B" as methods of compliance.

In 1988, the state standard automatically updated to reference Appendix J of the 1988 edition of the Standard Building Code, which referenced the "CABO Model Energy Code" and "ASHRAE Standards 90A and 90B" as methods of compliance.

In the 1991 edition of the Standard Building Code, the Energy Conservation provisions were moved from Appendix J to Appendix E. The state standard, however, continued to reference Appendix J of the Standard Building Code. Appendix E referenced the "CABO Model Energy Code" and "ASHRAE Standards 90.1" as methods of compliance.

In the 1994 edition of the Standard Building Code, the Energy Conservation provisions remained in Appendix E. The state standard continued to reference Appendix J of the Standard Building Code. Appendix E referenced the "CABO Model Energy Code" and "ASHRAE Standards 90.1" as methods of compliance.

In the 1997 edition of the Standard Building Code, the Energy Conservation provisions remained in Appendix E. The state standard continued to reference Appendix J of the Standard Building Code. Appendix E referenced the "CABO Model Energy Code" and "ASHRAE Standards 90.1" as methods of compliance.

On July 1, 2001 the state implemented the 2000 edition of the International Building Code and on July 1, 2002; the state implemented the 2000 edition of the International Residential Code. The state standard, however, continued to reference Appendix J of the Standard Building Code.

In 2005, the state implemented the 2003 editions of the International Building and Residential Codes. The state standard continued to reference Appendix J of the Standard Building Code.

In 2008 the state implemented the 2006 edition of the International Building Code and in 2009; the state implemented the 2006 edition of the International Residential Code. The state standard, however, continued to reference Appendix J of the Standard Building Code.

On July 1, 2009, by Act 46 (H3550) The SC Energy Standard was updated to the 2006 International Energy Conservation Code for all commercial and residential buildings.

On April 2, 2012, by Act 143 (H4639) The SC Energy Standard was updated to the 2009 International Energy Conservation Code for all commercial and residential buildings.

10/27/2006 [http://staging.llr_net.local/POL/BCC/GENERAL_CodesInEffect%20\(backup\).htm](http://staging.llr_net.local/POL/BCC/GENERAL_CodesInEffect%20(backup).htm)

Memorandum

To: Mayor and Council

From: Rebecca Rhodes, City Manager
Shaun Greenwood, Asst. City Manager

Date: June 25, 2013

Subject: Second Reading of an Ordinance to amend the Development Agreement between the City of Cayce and Lexington County School District II for Land Use Development of Brookland-Cayce High School

ISSUE

Council approval is needed for the Second and Final Reading of an Ordinance to amend the Development Agreement with Lexington County School District II for Land Use Development of Brookland-Cayce High School.

BACKGROUND/DISCUSSION

In January, City Council and the School District entered into a Development Agreement. This agreement dictates the terms under which BCHS can facilitate further development. The issue of special event "overflow" parking is specifically addressed in the agreement. The District is required to have a minimum of 965 on-site/off-street parking spaces. In order to accommodate that number, it was agreed that parking will be allowed on the various fields on the campus. The language in the agreement sets specific parking numbers for each field and internal parking area. The most recent site analysis from the engineer requires these numbers to be altered. With the new parking layout, the District will be able to accommodate the required 965 spaces. The specific language in the ordinance does create a need to amend the agreement.

The required changes are minor administrative adjustments to the language in the agreement. The amendment will adopt a new Exhibit C, Site Analysis prepared by Jumper Carter Sease. The amendment will also change the wording of subsection 'g' (Parking and Loading) to eliminate the specific number of parking spaces required in each designated internal parking area. Staff does not believe the language is necessary as long as the minimum number of 965 spaces is achieved.

RECOMMENDATION

Staff recommends Council approve Second and Final Reading of an Ordinance to amend the Development Agreement with Lexington County School District II for Land Use Development of Brookland-Cayce High School.

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)
CITY OF CAYCE)
)

ORDINANCE

**Approving Amendments to the
Development Agreement with Lexington
County School District Two for Land Use
Development of Brookland-Cayce High
School**

WHEREAS, Lexington County School District Two ("the School District"), the owner of the real property comprising the campus of Brookland-Cayce High School, applied for and received from the City a rezoning of the property in 2012 to a Development Agreement District (DAD) zoning designation with certain specified features of future development; and

WHEREAS, the School District and the City followed the process and procedures required by the South Carolina Local Government Development Agreement Act (S.C. Code section 6-31-10 et seq.) for a development agreement between the School District and the City; and

WHEREAS, the City approved the Development Agreement by Ordinance adopted on February 5, 2013, and the School District and the City subsequently executed the Development Agreement; and

WHEREAS, the School District has requested two minor amendments to the Development Agreement to accommodate its latest construction plans and the Council believes that the proposed amendments to the Development Agreement are sound and in the public interest and the interest of the School District and the City and are appropriate for approval and execution by the City,

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

1. The Brookland-Cayce High School Development Agreement between Lexington County School District Two and the City of Cayce is amended, and amendment is approved, as follows:

(a) Exhibit C is amended by substituting a new Site Analysis Plat of Brookland-Cayce High School prepared by Jumper Carter Sease Architects dated _____.

(b) The seventh sentence of Subsection "g" ("Parking and Loading") of Section 8 ("Permitted Uses") of the Development Agreement is amended to read: "These spaces shall be as shown on the attached Exhibit C."

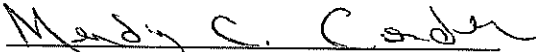
2. The Mayor is authorized to sign an amended Development Agreement on behalf of the City.

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

DONE IN MEETING DULY ASSEMBLED, this ____ day of _____, 2013.

Elise Partin, Mayor

ATTEST:



Mendy C. Corder, Municipal Clerk

First reading: 6-4-13

Second reading and adoption: _____

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

Memorandum

To: Mayor and Council

From: Rebecca Rhodes, City Manager
Shaun Greenwood, Assistant City Manager

Date: June 25, 2013

Subject: Evaluation of the Temporary Sign Ordinance as it pertains to the Cayce Farmers Market.

ISSUE

Council's guidance is needed in regards to the enforcement of the Temporary Sign Ordinance.

BACKGROUND/DISCUSSION

Last summer, during the enforcement of the temporary sign ordinance, the Cayce Farmers Market was notified that they were in violation. The owner of the market asked his patrons to sign a petition to encourage the City to allow him to continue using his current signage. Before the issue could come before Council, some personal issues required the owner to abandon his efforts. During the off season, the sign issue was nonexistent.

Recent enforcement efforts have resurrected this issue. In their current form, the temporary signs at the Market violate the zoning ordinance. The only way for the property to be in compliance is for the signs to be removed or for the ordinance to be amended. Under current regulations, the only way for the Market to have signs that can be changed to accommodate seasonal products is to install some type of permanent reader board.

RECOMMENDATION

Staff recommends Council give guidance on how they would like this issue addressed. Enforcing the ordinance as written will require the owner to remove his temporary signage.

THE HOUSING AUTHORITY OF THE CITY OF CAYCE, S.C.
December 18, 2012

The Board of Commissioners of The Housing Authority of the City of Cayce, S.C. convened at 5:05 p.m., Tuesday, October 16th, 2012 at Cayce City Hall.

The Chairman called the meeting to order and upon roll call, those present and absent were as follows:

Present: Jack L. Slightler, Jr., Chairman
Brenda Kegler, Commissioner
Mr. Bruce Smith, Vice-Chair
Ms. Silvia Sullivan, Commissioner
Gilbert Walker, Executive Director

Staff: Howard Thomas, Beverly Malone, Willie Bennett, Lee McRoberts, Nancy Stoudenmire

Mr. Smith opened with a prayer.

The Chairman asked the members to review the minutes of the regular meeting held October 16th, 2012. Upon motion by Mr. Smith, seconded by Ms. Sullivan, the minutes were unanimously approved.

Mr. Walker requested approval for a Resolution honoring Xen Motsinger's service to the Board. If approved, the Resolution can be presented during a City Council meeting after the first of the year. Upon motion of Mr. Smith, seconded by Ms. Sullivan it was unanimously approved. The Resolution will be known as Resolution 135:

RESOLUTION HONORING XEN MOTSINGER'S SERVICE

Ms. Malone presented the Operations Report for November and December. She stated that 1 account was sent to the Magistrate in November; none in December. There were no accounts more than 30 days old. 21 work orders were received in November and 3 in December. 24 work orders were completed in November and 3 were completed in December. There were no outstanding work orders and there were no Emergency work orders in either month.

Mr. Walker requested approval to move the meeting in April from the 16th to the 9th in order to accommodate the Public Hearing for the Annual Plan. Upon motion of Mr. Smith, seconded by Mrs. Kegler it was unanimously approved.

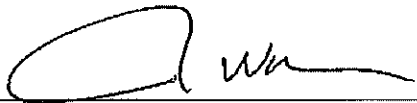
Mr. Walker said that no incident reports were taken since the last meeting. Mr. Walker asked Nancy to brief the Board on the possibility of the Cayce Housing Authority partnering with Lexington County to develop some additional affordable units in the area. Funds from Lexington County's Community Development Department could be used to either build or buy market rate units; while they would not collect any subsidy the units should make enough to self sufficient. Mr. Walker said that he wanted to get conceptual approval before moving any further.

Mrs. Stoudenmire said that Cayce currently has forty one units of public housing and that based on HUD regulations it does not appear as though that number can be increased as the number is capped and neither Capital Funds nor subsidy can be used to acquire new units. The new Cayce Community Development Director recently approached staff about the possibility of doing an affordable housing project in conjunction with the County. Mrs. Stoudenmire said that Lexington County is interested in the Authority applying again for Community Development funds and that there are several other potential sources of funds that might be able to be used for this sort of project; HOME funds from the State and funds from the Midlands Housing Trust Fund are possibilities.

Mr. Sightler said that he would like to meet with the Cayce Community Development Director to find out additional details on what the project might look like, Mr. Smith said that it sounds like an option worth exploring further. Mr. Sightler suggested inviting the Director to a meeting in the spring and discussing it with her in more detail. Mrs. Stoudenmire said that there are a variety of ways the project could come together. Mr. Sightler said he looked forward to hearing more and that after polling the Board, conceptual approval to explore the proposal further was granted.

There was a general discussion regarding the seat vacated by Mr. Motsinger's resignation. A potential candidate may have been identified, Lee will keep the Board updated.

There being no further business, the meeting adjourned at 5:39 p.m.


Secretary

APPROVED: 

THE HOUSING AUTHORITY OF THE CITY OF CAYCE, S.C.

December 18, 2012

ANNUAL MEETING

The Board of Commissioners of The Housing Authority of the City of Cayce, S.C. convened at 5:39 P.M., Tuesday, December 18, 2012 in the Cayce City Hall.

The Chairman called the meeting to order and upon roll call, those present and absent were as follows:


PRESENT: Mr. Jack L. Sightler, Jr., Chairman
Mr. Bruce Smith, Vice-Chairman
Mrs. Brenda Kegler, Commissioner
Ms. Silvia Sullivan, Commissioner
Gilbert Walker, Executive Director

STAFF: Beverly Malone, Lee McRoberts, Willie Bennett, Howard Thomas, Nancy Stoudenmire

The Chair stated that the purpose of the Annual Meeting is to elect Officers for the upcoming year.

The floor was opened to nominations for Chair and Vice Chair. Ms. Sullivan moved that the current officers remain in their positions and serve in their capacities during 2013; seconded by Mrs. Kegler it was unanimously approved.

There being no further business, the meeting adjourned at 5:45 p.m.


Secretary

APPROVED: 
Chairman

THE HOUSING AUTHORITY OF THE CITY OF CAYCE, S.C.

April 9, 2013

The Board of Commissioners of The Housing Authority of the City of Cayce, S.C. convened at 5:20 P.M., Tuesday, April 9, 2013 in Council Chambers at Cayce City Hall.

The Chairman called the meeting to order and upon roll call, those present and absent were as follows:

PRESENT: Jack L. Sightler, Jr., Chairman
Mr. Bruce Smith, Chair-Elect

STAFF: Howard Thomas, Lee McRoberts, Angel Cruz, Nancy Stoudenmire, Don Frierson, Gloria Warner

Mr. Smith opened with a prayer.

Mrs. Stoudenmire presented the 2013 – 2014 Agency Plan. Approximately 1,879 applications are currently on file for Cayce, which is up from 1,672 applications last year. Two bedroom units are the most requested and 98% of the applicants are making less than 30% of the area's median income. One hundred and six applications are for elderly housing and 217 for disabled.

Cayce received a good audit for 2012 and is operating on a budget of \$238,797 annually. Several changes were made to the admissions and continued occupancy plan; required postings, income verification, sex offender guidelines, foster care specifications.. There were no increases to the flat rents or minimum rents.

Several residents in Cayce have achieved homeownership and staff is currently working with other families who wish to purchase homes. All certifications required to be submitted with the plan have been completed.

No major renovation projects have been identified in Cayce, but all windows are going to be replaced beginning later this year. Sequestration is causing uncertainty regarding future funding for Capital Improvements. There were no new policies.

Mr. Sightler thanked Mrs. Stoudenmire for her presentation and work on the Annual Plan. The annual plan was unanimously approved by those in attendance.

Mr. Walker gave a briefing on sequestration and its affect on the budget. Staff is unclear at this point how it may impact Cayce but cost saving measures are being reviewed. Columbia is beginning to see direct results now Mr. Sightler asked if there was a way to generate funds through other means. Mrs. Stoudenmire said that market rate rentals would accomplish that.


Mrs. Malone gave the Operations Report for March. She stated that 4 accounts were sent to the Magistrate, there were no accounts over thirty days old, 9 work orders were received, 7 work orders were completed, 7, no emergency work orders were received. Two work orders remained and no applications were taken from the drop box.

Chief Cruz reported that five incidents had been written up since the last meeting; a breach of trust, a civil disturbance, a criminal domestic violence, a fight and a vandalism incident. There was a general discussion regarding what type of incidents can result in eviction. Mr. Walker said that major felonies involving drugs and guns are always possibilities and that staff deals with each situation individually.

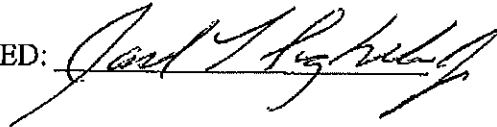
Mr. Thomas said that staff is putting together the request for proposals to replace all 400 windows in all units in Cayce and that it should be ready for bid soon.

Mr. Walker said that the 2012 audit will be presented at the next meeting.

There being no additional business, the meeting adjourned at 6:05 pm.


Secretary

APPROVED:



**MINUTES OF EVENTS COMMITTEE
CITY OF CAYCE
May 9, 2013**

Present: Dr. Pete Cassidy, Brenda Cole, Mendy Corder (City Representative), Julie Isom, Ellen Mancke, Cindy Pedersen, and Rachel Scurry

Absent, Excused: Danny Creamer, Frankie Newman, and Jay Thompson

Chairperson Julie Isom called the meeting to order. The minutes of the April 4, 2013, meeting were reviewed and approved as written. The agenda for today's meeting was amended to delete item V.

GUIDED NATURE TOURS

Dr. Rudy Mancke led two nature tours on Saturday, April 13, 2013, in Cayce Riverwalk Park. Ms. Isom and Ms. Mancke represented the Committee for the morning tour. Ms. Davis and Ms. Pedersen represented the Committee for the afternoon session. Attendance was lower this year than in the past. However, everyone enjoyed the event. Water and children's giveaway items were available for attendees.

CONGAREE BLUEGRASS FESTIVAL

Ms. Corder explained that Mr. Creamer was unable to attend the meeting due to work obligations. However, Mr. Creamer has been working on the details of the event.

Grasstowne will be the headliner band. Mr. Creamer expects that the festival will feature four bands this year.

The winner of the band competition will be awarded a \$100 prize. The winning band will automatically be booked for the 2014 Congaree Bluegrass Festival. Competing bands must be a legitimate band. Each competing band will present a minimum of two songs but no more than four songs.

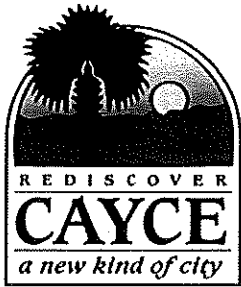
Two vendors are committed at this time: Daley's and Bruster's Ice Cream.

Ms. Corder and Ms. Davis will review and expand the potential sponsor list. Then, they will prepare and mail letters to the potential sponsors. They plan to follow-up in August with potential sponsors.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Rachel R. Scurry, Secretary



**City of Cayce
South Carolina**

**APPROVED MINUTES
PLANNING COMMISSION
Monday May 20, 2013
City of Cayce Council Chambers
6:00 p.m.**

I. CALL TO ORDER

Chair Ed Fuson called the meeting to order at 6:00 pm. Members present were R. Power, L. Mitchell, J. Raley, E. Fuson and C. Kueny. Mr. Broehm and Mr. Kelly were absent excused. Staff present was Shaun Greenwood, Teddy Luckadoo, Monique Ocean and Michelle Paulchel.

II. APPROVAL OF MINUTES

Mr. Mitchell made a motion to approve the minutes from the March 18, 2013, meeting. Mr. Raley seconded the motion. The vote passed unanimously.

III. STATEMENT OF NOTIFICATION

Chair Ed Fuson asked if the public and media had been duly notified of the meeting. Michelle Paulchel stated everyone had been notified.

IV. OPEN PUBLIC HEARING – MA002-13

Chair Ed Fuson opened the public hearing: A request by David Bryant for a zoning change from PDD - Planned Development District to RS-3 - Single Family Residential. The property is located at 800 Lexington Ave (TMS# 005759-04-001).

Chair Ed Fuson asked Mr. Greenwood to open the hearing with a brief overview. Mr. Greenwood provided the committee with a detailed description of the differences between PDD and RS-3.

Mr. Scott Morrison, business partner of David Bryant, spoke in favor of the zoning change. He explained that the change will allow 16 single family detached homes to be built on this property. Mr. Fuson asked why the owner decided against building townhomes. Mr. Morrison explained the concept of townhomes was not selling. Mr. Fuson inquired if the development would be a gated community. Mr. Morrison stated no, the houses will face outward with access coming from four different roads.

Mr. Mike Pazery, resident of 829 Lexington Avenue, spoke in favor of the development.

Mr. Tim Kell, resident of 734 Lexington Avenue, inquired if the zoning in surrounding areas would be affected after re-zoning was approved. Mr. Greenwood stated the re-zoning would only apply to the applicants' tax map number and would not affect parcels in the surrounding area. Mr. Kell was in favor of the development.

V. CLOSE PUBLIC HEARING – MA002-13

Chair Ed Fuson closed the public hearing.

VI. MOTION – MA002-13

Mr. Raley made a motion to recommend, to council, approval of the zoning change from Planned Development District (PDD) to Single Family Residential (RS-3). Mr. Mitchell seconded the motion. The motion was unanimously approved.

VII. OTHER BUSINESS

Ms. Ocean presented a draft of proposed changes to the zoning ordinance pertaining to communication towers. Ms. Ocean informed the Commission that after the last meeting, the draft ordinance was forwarded to a company who could give further feedback on the ordinance changes. Ms. Ocean informed the Commission that the company representative responded with the following suggestions:

- The maximum height limits should be increased.
- The requirements for a specific type of tower may not be a necessity in certain zoning districts.
- The definitions for items pertaining to communication towers in Article 2 should be revised.
- The condition regulating signage should be revised.

The Commission requested that changes, based on the opinions of the company representative, be evaluated and included in the draft ordinance. The Commission also requested Staff to invite a professional from the industry to appear at the next meeting to give more information.

Teddy Luckadoo led a discussion on of the section of the Ordinance pertaining to building and wall signs. Mr. Luckadoo discussed the following points:

- The definition of wall area is too vague.
- The maximum allowable size of a building or wall sign is currently too restrictive.
- The maximum number of signs allowed on a single wall is proving to be impractical.
- The Common Signage Plan requirement for buildings with multiple tenants is currently unenforceable.

Mr. Luckadoo compared Cayce's sign regulations to other municipalities and inquired if the Commission saw fit to make any changes to the current Ordinance. The Commission agreed to further discuss staff recommended changes at the next meeting on June 17, 2013.

VIII. ADJOURNMENT

Mr. Raley made a motion to adjourn. Mr. Mitchell seconded the motion. All were in favor.

**City of Cayce
Committee Appointments/Reappointments
July 2, 2013**

All open positions will be advertised on the City's website and Facebook page.

BEAUTIFICATION FOUNDATION – ONE (1) POSITION

Ms. Kim Wells' term expired in June. Ms. Wells would like to serve again and the Foundation has recommended her for reappointment. Her reappointment application is attached for Council's review.

BEAUTIFICATION BOARD – TWO (2) POSITIONS

Ms. Ashley Batson, Ms. Morgan Gauthreaux, Ms. Pat Burton and Ms. April Blake have advised that they will no longer be able to serve on the Board. Ms. Katie Bauld and Mr. John Winn are interested in serving. The Board has met with them both and recommends them for appointment. Their applications are attached for Council's review.

CAYCE MUNICIPAL ELECTION COMMISSION – ONE (1) POSITION

There is currently one open position on the Election Commission. Mr. David Bornemann has submitted his potential membership application for Council's review. It is recommended that he be appointed to the Commission.

NO COUNCIL ACTION REQUIRED

The following positions have been postponed by Council until receipt of potential member applications.

ACCOMMODATIONS TAX COMMITTEE – ONE (1) POSITION

Ms. Cherelle Davis is no longer employed with the Country Inn & Suites. This position must be filled by someone from the motel industry in Cayce. The staff liaison is currently speaking with motel managers regarding this position.

BEAUTIFICATION BOARD – TWO (2) POSITIONS

There are two recommendations at this time which still leaves two open positions on the Board.

CAYCE HOUSING AUTHORITY – ONE (1) POSITION

Mr. Xen Motsinger's term expired August, 2012 and he has resigned from the Authority. There is no recommendation at this time.

CONSOLIDATED BOARD OF APPEALS – THREE (3) POSITIONS

Mr. Ron Lawson's term has expired. We have been unable to reach Mr. Lawson by phone. A letter has been sent to Mr. Lawson to inquire about his interest in serving on this Board. No response to the City's letter has been received. Mr. Frank Strange and Mr. Lemuel Knight both passed away recently. There are no recommendations at this time.

PUBLIC SAFETY FOUNDATION – FOUR (4) POSITIONS

Mr. Pound's and Ms. Spires' terms have expired and Council has already postponed these two positions. In checking with all the members of the foundation, Mr. Brice Corbitt has advised he will be unable to serve. Ms. Joan Hoffman's term expired in May and she is unable to serve again at this time.

In summary, we have the following open positions:

District 3 – two positions

Mayor – two positions

Mayor and Council Members in these districts will need to submit potential members for Council review and approval.



CITY OF CAYCE BEAUTIFICATION FOUNDATION RE-APPOINTMENT APPLICATION

Name: Kim Wells

Home Address: 420 Jackson Ave City, State, Zip Columbia, SC 29203

Telephone: 803-360-9868 E-Mail Address kim.wells@cmc.com

Cell Phone: _____

Resident of Cayce: Yes No Number of Years _____

Business Located in Cayce: Yes No Number of Years 60 years

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: CMC Steel SC Position Director of Business Analysis, CMCA East Region

Address: 310 New State Road

City, State, Zip Cayce, SC 29033 Telephone: 803-227-7850

Fax: _____ E-Mail _____

Work Experience: CMC for 17 years, Controller of CMCA East Region 2010-2012, Controller CMC Steel SC 2009-2010, Controller CMC Joist & Deck 2005-2009, CMC Texas 1996-2004

Educational Background: MBA - University of SC 2010, Bachelor of Accounting - Texas State University 1989

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

USC Alumni, CMC Investment Committee, Cayce Beautification Foundation 2010-2013

Volunteer Work: _____

Hobbies: Kayaking, exercising, reading and traveling

Return to:

Mendy Corder, Municipal Clerk
mcorder@cityofcayce-sc.gov

City of Cayce, P.O. Box 2004, Cayce, SC 29171-2004
Telephone: 803-550-9557 • Fax: 803-796-9072

CITY OF CAYCE
POTENTIAL COMMITTEE MEMBER APPLICATION APR - 2013



Name: Katie Bauld
Home Address: 434 L Ave City, State, Zip Cayce, SC 29033
Telephone: (804) 650-3185 E-Mail Address kbauld@gmail.com
Resident of Cayce: Yes No Number of Years AS of Feb, 2013!

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

- Accommodations Tax Committee
- Beautification Board
- Events Committee
- Cayce Housing Authority
- Museum Commission
- Planning Commission
- Housing/Constr Board of Appeals
- 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: University of SC Position Admin for office of Special Events

Address: 1305 Greene Street Access
City, State, Zip Columbia, SC 29208 Telephone: (803) 777-3235

Fax: (803) 777-5359 E-Mail kbauld@sc.edu

Work Experience: Worked with the University since Fall 2006 as a student and hired full time after graduation.

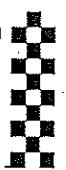
Educational Background: Bachelor of Science May 2009 from the University of SC Majors: Business Management & Marketing

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

Volunteer Work: Member of volunteers in action for the Palmetto Health Foundation

Hobbies: I love attending different festivals and events around the area. (Recently won 2nd place at HCF's Great Columbia Quest! :))

Return to:
Tammy Barkley, Asst. City Manager/Clerk
City of Cayce, P.O. Box 2004, Cayce, SC 29171-2004





CITY OF CAYCE POTENTIAL COMMITTEE MEMBER APPLICATION

Name: JOHN WINN
Home Address: 135 Walton Ct City, State, Zip Cayce SC 29033
Telephone: 803.441.3390 E-Mail Address hwinn@scana.com
Resident of Cayce: Yes No Number of Years 5+

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

- Accommodations Tax Committee
- Beautification Board
- Events Committee
- Cayce Housing Authority
- Museum Commission
- Planning Commission
- Housing/Constr Board of Appeals
- 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: SCANA Corporation Position Advisor
Address: 220 Operation Way
City, State, Zip Cayce, SC 29033 Telephone: 803.211.9528

Fax: _____ E-Mail hwinn@scana.com

Work Experience: One year w/ SC State Board of Financial Institutions (Bank Examiner)
Six (6) years with SCANA as Internal Auditor

Educational Background: B.S. from Bob Jones University (Greenville, SC)
Currently in school at North Greenville University for MBA (Tigerville, SC)

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

Member of IFA (Institute of Internal Auditors)

Volunteer Work: Adopt-A-Highway (12th St. Exit), Wood Way, SORE, Habitat for Humanity

Hobbies: Outdoor activities, Golf

Return to:
Tammy Barkley, Asst. City Manager/Clerk
City of Cayce, P.O. Box 2004, Cayce, SC 29171-2004

CITY OF CAYCE
POTENTIAL COMMITTEE MEMBER APPLICATION

MAY 14 2013



Name: David M. Bornemann

Home Address: 271 Naples Ave City, State, Zip Cayce, SC 29033

Telephone: 803-256-4645 E-Mail Address dbornemann@mckayfirm.com

Resident of Cayce: Yes No Number of Years 7

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

- Accommodations Tax Committee Beautification Board Event Committee
 Cayce Housing Authority Museum Commission Planning Commission
 Housing/Constr Board of Appeals Board of Zoning Appeals Municipal Elections Committee

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: McKay, Cauthen, Settana & Stubbley Position Attorney

Address: 1303 Blandung St.

City, State, Zip Columbia, SC 29201 Telephone: 803-256-4645

Fax: 803-765-1839 E-Mail dbornemann@mckayfirm.com

Work Experience: McKay, Cauthen, Settana & Stubbley - 1 year,
McAngus, Gouldelock & Coukie - 3 years

Educational Background: USC Honors College graduate (2003), USC Law

School graduate (2006), John Belton O'Neal Inn of Court, Student Bar

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

Leadership Columbia, Midlands Young Professional Alliance Board Member

Volunteer Work: Palladium Society, Contemporaries of Columbia,

Precinct Chair for Cayce II

Hobbies: Reading, sports

Return to:

Mendy Corder, Municipal Clerk

City of Cayce, P.O. Box 2004, Cayce, SC 29171-2004

Telephone: 803-550-9557 • Fax: 803-796-9072

see attached
bio



David M. Bornemann

Associate

803-256-4645

dbornemann@mckayfirm.com

1303 Blanding Street, Columbia, SC 29202

David Bornemann, a South Carolina native, practices in the area of workers' compensation defense, subrogation and workers' compensation appeals. Prior to practicing law, David was a law clerk for the Honorable Paul M. Burch. The McKay Firm was selected for the 2011 and the 2012 edition of the Recommended Insurance Attorney Directory published by A.M. Best, Inc. In 2011 and 2012 The McKay Firm was included in *U.S. News & World Report's* Best Lawyers in America®. In 2012, David was named as a member of the Midlands Legal Elite for Workers' Compensation Defense.

Admitted

2006, South Carolina

Education

University of South Carolina (J.D., 2006)
Student Bar Association, *Former President*
John Belton O'Neal Inn of Court
Law School Advocates Program, *Chairman and Co-founder*

University of South Carolina - Honors College (B.S., 2001)
Omicron Delta Kappa, *Former President*
Steven N. Swanger Award, 2003
Who's Who Among American Universities and Colleges

Leadership and Professional Organizations

South Carolina Bar Association, *Leadership Academy, Class of 2010; Young Lawyers Division, Publications Committee, Professional Development Committee*
American Bar Association
Richland County Bar Association
South Carolina Workers' Compensation Educational Association
Leadership Columbia, *Class of 2012*
University of South Carolina Alumni Association, *Young Alumni Board Member*
SC Bar Association Leadership Academy, *Class of 2010*

Published Articles

Lies and the Lying Liars Who Tell Them: An Examination of Fraud in the Application, The Defense Line
(Fall 2010 - The magazine of the SC Defense Trial Attorneys Association)

Dedication to Community Improvement

Contemporaries of the Columbia Art Museum
Columbia Historical Foundation, *Palladium Society*
Columbia Habitat for Humanity Young Professionals
Precinct Chair for Cayce District 1