



Mayor
Elise Partin

Mayor Pro-Tem
James E. Jenkins

Council Members
Phil Carter
Tim James
Hunter Sox

City Manager
Tracy Hegler

Assistant City Manager
James E. Crosland

**City of Cayce
Regular Council Meeting
May 18, 2022**

The May Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Mayor Pro Tem James Jenkins and Council Members Phil Carter, Tim James and Hunter Sox. City Manager Tracy Hegler, Assistant City Manager Jim Crosland, Municipal Clerk Mendy Corder, IT Director Jamie Beckham and City Attorney Danny Crowe were also in attendance.

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

Call to Order

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

Public Comment Regarding Items on the Agenda

No one signed up for Public Comment.

Presentations

- A. Presentation by Mr. Guillermo Espinosa, Principal Environmental Planner with Central Midlands Council of Governments, re the 2021 Update to the Central Midlands Hazard Mitigation Plan

Mr. Espinosa stated that he was there to talk about the City of Cayce's Hazard Mitigation Plan. He stated that his PowerPoint presentation was titled the Central Midlands Hazard Mitigation Plan but in practice it was a regional planning process that involved all the member organizations jurisdictions within the circle of eligibility of service to include Fairfield, Lexington, Newberry and Richland counties. He stated that he communicated with the City of Cayce staff to get some updated information in terms of natural hazard emergency management. He stated that he wanted to give a brief summary of how the planning process worked and the information that could be found in it and answer any questions Council might have. He stated that when it came to the plan, purpose and organization, Central Midlands Council of Governments was involved because they are the steward of the regional planning process, specifically the Disaster Mitigation Act of 2000. He stated that the process was really a proactive process since the purpose of the document was to specifically do something before something horrible happens. He stated that proactive action saved lives. Mr. Espinosa stated that according to the COVID 19 national report on Hazard Mitigation grant funding every \$1 invested in federal housing, education, or opportunity saves \$6 down the line, and that depends on the actions taken. He stated that something as simple as something in

building codes to be able to protect against natural hazards can save \$11 for \$1 invested. He stated that another requirement was that when applying for asset mitigation grant funds a Hazard Mitigation Plan was required. He stated that local governments were eligible for these grant opportunities.

Mr. Espinosa stated that there were five (5) basic requirements to have a hazard mitigation plan. He stated that one of the requirements was to have a historical record. He stated that in this case, they had one from 1960 to about 2018 with different natural hazards. He stated that the plan must be jurisdictional specific and the plan must be updated every five years. He stated that areas of high risk and vulnerability had to be determined and actions had to be recommended to mitigate impacts. Mr. Espinosa stated that something new in the plan was that FEMA recently shared a nationwide dataset on how these grants had been utilized throughout the whole nation. He stated that most grant applications when it comes to FEMA grant opportunities, Hazard Mitigation Assistance, are usually done after a disaster strikes.

Resolutions and Proclamations

A. Consideration and Approval of Resolution Adopting the All Natural Hazard Risks Assessment and Mitigation Plan for the Central Midlands Region of South Carolina

Ms. Hegler stated that Council just received a great presentation from Mr. Espinosa explaining what the All Natural Hazard Risks Assessment and Mitigation Plan for the Central Midlands Region of South Carolina was and why it existed. She stated that it was necessary for the City to be a part of it, not only for the health and safety of its citizens but to be proactive in planning for these hazards. She stated that it also enabled the City to go after grant funding with FEMA being the prime source. She stated that the City had received grants from FEMA for items such as emergency backup generators to make sure that the City's water and wastewater plants continued to function. She stated that those were proactive grants. She stated that the City had also consistently gone after Hazard Mitigation grants to help address areas of the City that continuously flood. She stated that the City had gone after that for stormwater in the Avenues every opportunity it could to assist their partners, State and Federal, to help address stormwater in the Avenues. She stated that was one of the reasons it was so important, as well as the health and safety of the City's citizens.

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

B. Approval of Proclamation – National Safe Boating Week May 21 – 27, 2022

Council Member James made a motion to approve the Proclamation. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Ordinances

- A. Discussion and Approval of Ordinance 2022-07 Amending the Zoning Map and Rezoning Property Located at 2222 Taylor Road (Tax Map Number 005759-07-005) from C-2 to RS-3 – Second Reading

Council Member James made a motion to approve Ordinance 2022-07 on Second Reading. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

Items for Discussion and Possible Approval

- A. Bid Award – Construction of a Sidewalk at the Intersection of Frink and State Street

Ms. Hegler stated that the existing sidewalk ended at the area where Railroad Street and State Street crossed up to Frink Street, mostly in front of the Martin Marietta property. She stated that the City had secured \$50,000 towards the sidewalk project from Lexington County and its CTC transportation funds. She stated that \$50,000 was the maximum award they gave. She stated that staff had used the City's on-call landscape architecture consultant, Land Plan Group, to do the design. She stated that they put the bid documents together and reviewed them. Ms. Hegler stated that AOS, Bullock General Contracting and 3D Dirt Works responded to the bid. She stated that the use of C funds required that the City select the lowest, most responsible and responsive bidder, which was AOS. She stated that staff recommended that Council approve the project with AOS as the most responsive contractor for the amount of \$33,720 with funding for the project being reimbursable through the County's C funding program.

Council Member James made a motion to approve the project with AOS for the amount of \$33,720. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Committee Matters

- A. Reappointments
 - Beautification Foundation – Four (4) Positions
 - Museum Commission – One (1) Position
 - Planning Commission – One (1) Position
 - Zoning Board of Appeals - One (1) Position

Mayor Partin stated that there were several appointments and reappointments. She stated that there were four (4) open positions on the Beautification Foundation. She stated that Ms. Joyce Coleman's term on the Beautification Foundation expired in April and she had served on the Foundation since 2010 and consistently attended meetings. She stated that Council had her reappointment application for review. She stated that Mr. Butch Kelly's term on the Beautification Foundation expired in May and he had served on the Foundation since 2010. She stated that he had missed six (6) out of the last 12 meetings. She stated that Mr. Ross Shealy's term on the Beautification Foundation expired in May and he had served on the Foundation since 2010 and consistently attended the meetings. She stated that Council had his reappointment application for review. She stated that Ms. Kim Wells' term on the Beautification Foundation expired in April and she had served on the Foundation since 2010. She stated that she had missed eight (8) out of the last 12 meetings. She stated that Council had her reappointment application for review. Mayor Partin stated that the City had received three (3) new potential member applications for the Beautification Foundation – Ms. Barbara Lawson, Ms. Allison Johns and Mr. Alex Bybee.

Council Member Carter made a motion to appoint Ms. Barbara Lawson to one (1) of the open positions on the Beautification Foundation. Council Member James seconded the motion which was unanimously approved by roll call vote.

Council Member James made a motion to reappoint Ms. Joyce Coleman since she had served on the Foundation since 2010 and consistently attended the meetings and had requested reappointment. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

Council Member James made a motion to reappoint Mr. Ross Shealy since he had served consistently since 2010 and attended meetings and he had requested to be reappointed by submitting his application. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

Council Member Sox made a motion to appoint Ms. Allison Johns to the Beautification Foundation as her application was next in line that was received. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

Mayor Partin stated that Mr. Garrett Creasman's term on the Museum Commission expired in May and he had served on the Commission since 2021, fulfilling an unexpired term. She stated that he consistently attended meetings and Council had his reappointment application for review. She stated that the City had also received a new potential member application from Mr. Miles Fisher. Council Member James made a motion to reappoint Mr. Garrett Creasman as he requested reappointment and served an unexpired term since 2021 and consistently attended meetings. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

Mayor Partin stated that Mr. Robert Powers' term on the Planning Commission expired in April and he had served on the Commission since 2009 and consistently attended meetings. She stated that Council had his reappointment application for review. She stated that the City had also received a new potential member application from Ms. Patty Foy. Council Member Carter made a motion to reappoint Mr. Powers to the Planning Commission. Council Member James seconded the motion and stated that it was great that there were additional people wishing to serve. He stated that hopefully positions would become available for them. Mayor Partin called the question which was unanimously approved by roll call vote.

Mayor Partin stated that Mr. Jason Simpson's term on the Board of Zoning Appeals expired in April. She stated that he had served on the Board since 2013 and consistently attended the meetings. She stated that Council had his reappointment application for review. Council Member James stated that for the aforementioned reasons he would make a motion to reappoint Mr. Jason Simpson. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that first and foremost, she would like to introduce Assistant City Manager Michael Conley to the group. She stated that he was less than a week in and had definitely hit the ground running. She stated that they really appreciated having him on board. She stated that he came from Kershaw County and other cities before that and he had a wealth of local government management experience. She stated that the Employee Appreciation lunch was that day and was thankful that staff could attend and really thankful to Lynn and Beth in Human Resources for putting it on. She stated that she thought it was really nice to show staff how much they are appreciated and they did a great job every day. She stated that they really truly could not thank staff enough and she appreciated every chance to do so. She stated that staff had received a lot of calls and emails lately about the Planning Commission meeting that was held that Monday night and that was related to the F Avenue rezoning request. She stated that she definitely wanted to relay a few things to Council and the public that hopefully would clear up some incorrect assumptions that she had seen. She stated that it was important to explain the deferral itself. She stated that the applicant reached out to staff the morning of the meeting asking to defer the item. She stated that it was so close to the meeting time that staff advised the applicant that it had to go before the Planning Commission since they needed to be able to act on that. She stated that in the past and in other situations, if there was time for staff to administratively do so, such as being able to make notes on the signs, being able to not publish an agenda and make it clear to the public that the meeting was not going to occur, they did so but the day of the meeting, they could not. She stated that they advised the applicant it would have to go before the Planning Commission and they would have to either approve or reject the deferral. She stated that she understood that the applicant was not comfortable

attending the meeting but it appeared he did attend the meeting that night. She stated that it was shocking to staff that he was there and he did in fact even sign up to speak, but was never asked to, so there was no opportunity to be called upon. She stated that she wanted to note that the Planning Commissioners were not meeting with developers so they did not know what the applicant looked like and they did not know he was in the room which was a good thing. She stated that City staff might have seen him once or twice but did not know that he had entered the room so there was no way for staff to know or to advise the Planning Commission that he was there. Ms. Hegler stated that the signup sheet that he had signed up on never got to the level of being looked at so there was never a point at which staff knew he was in the room. She stated that she received a question about a Planning Commissioner who had an expired term being at that meeting. She stated that Council had just reappointed him that evening and the City's Ordinance clearly states that a member can stay appointed on a board or commission or foundation until they are either reappointed or replaced so that is not a concern of staffs. Ms. Hegler stated that there was some conversation that occurred amongst the Planning Commissioners and that certainly was made public that she did not find appropriate. She stated that she was not saying it was illegal or wrong but certainly wasn't necessary and probably could have helped staff avoid a couple of the questions that they have encountered. She stated a lot of the anger towards staff to the Planning Commissioners and to the developer could have been avoided had that conversation not occurred which it didn't need to for deferral. She stated that she thought it set in motion a few things that otherwise could have simply been avoided by acting on the deferral or acting on the item and moving on. She stated that she had an opportunity the next week to speak with Chairman Fuson about that and the City Attorney was going to attend the meeting with her to make sure that staff is giving the Commissioners the best tools to run a meeting as well as they can. Ms. Hegler stated that she had a really exciting announcement regarding something Mayor Partin had wanted for over a decade. She stated that she was pleased to announce that the City had been awarded its first ever EPA Brownfield Grant. She stated that the City got a brownfield assessment grant which provides funding for Brownfield Inventories planning, environmental assessments and community outreach. She stated that the City had received a \$500,000 community wide assessment grant which was appropriate when a specific site was not identified. She stated that staff had often gone after site specific grants and never won them so knowing that they did not know where the sites were, staff would like to spend the funds to identify them, to research them, survey them and do the appropriate studies needed to do for them and get the sites on a list. Ms. Hegler stated that this grant would help staff assess those sites for any contamination and get them on a list for cleanup. She stated that it was the first time staff had applied for this specific type of grant and it was massive kudos since only 227 were awarded across the country. She stated that staff had three (3) years to do the project and had a contractor helping with that. Ms. Hegler stated that she had one staff kudo to present. A gentleman wrote Chief Cowan through the police department's new website. He said that he was riding his bicycle on the Cayce Riverwalk and swerved to avoid some joggers and lost control of his bike, resulting in having to be transported by ambulance

to Lexington Hospital for stitches. He wrote ... "please note that Officer Strum went above and beyond being helpful when he offered to maintain control of my bike until I was able to contact him and then later retrieve my bike. He got my cell phone number and confirmed that I had his info upon release from the hospital, I contacted him and got the address of where I parked my van enabling me to tell the taxi where I needed to go. He delivered the bike back to me in that parking lot. And assisted me in loading the bike into my van his courtesy and assistance is greatly appreciated." Ms. Hegler stated that she really appreciated it when people took the time to applaud and celebrate the City's really hard working staff. She stated that it was easy to complain and it took a lot for people to take time out of their busy days to let staff know they did a good job. She stated that the City received more good comments than bad.

Council Comments

Council Member James stated that Chief Cowan put on the Blossoms and Bows Prom for some local students recently and the kids made Chief Cowan and the department a card to say thank you. He stated that he thought it was so special that he wanted Council to have a copy as well. Chief Cowan stated that some of the parents teared up seeing how happy their kids were. Mayor Partin stated that one of the comments in the card said that they loved dancing with the Police Officers because they were their favorites.

Council Member Carter stated he wanted to apologize to staff for missing the Employee Appreciation lunch. He stated that he had something that was supposed to happen the prior day get moved to that day. He stated that he always looked forward to having fun with staff with the door prizes.

Mayor Pro Tem Jenkins thanked Council and staff for their support during the passing of his sister and showing their support by attending her funeral. He stated that it meant a lot and went a long way so he really wanted to thank them for showing their love.

Executive Session

- A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege
- B. Discussion of Dominion's proposed Franchise Agreement

There were not any items to discuss in Executive Session.

Adjourn

Council Member Carter made a motion to adjourn the meeting. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 6:31 p.m.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk

