

Mayor
Elise Partin

Mayor Pro-Tem
James E. Jenkins

Council Members
Tara S. Almond
Phil Carter
Eva Corley

Interim City Manager
Rachelle Moody



CITY OF CAYCE
Regular Council Meeting
May 1, 2018

The May Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Council Members Tara Almond, Phil Carter, Eva Corley and James Jenkins. Interim City Manager Rachelle Moody, Municipal Clerk Mendy Corder, Municipal Treasurer Garry Huddle, City Attorney Danny Crowe, Planning and Development Director Carroll Williamson and Director of Public Safety Byron Snellgrove 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.

Call to Order

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

Approval of Minutes

Council Member Almond made a motion to approve the April 10, 2018 Regular Council Meeting minutes and the April 18, 2018 Special Council Meeting minutes as written. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

No one signed up for Public Comment.

Proclamations and Resolutions

A. Approval of Proclamation – Midlands Gives Giving Day

Council Member Jenkins made a motion to approve a Proclamation proclaiming May 1, 2018 as Midlands Gives Giving Day in the City of Cayce. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

B. Approval of Proclamation – Building Safety Month

Council Member Corley made a motion to approve a Proclamation proclaiming May 2018 as Building Safety Month. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

**C. Consideration and Approval of Resolution Declaring May 6 – May 12
Municipal Clerk's Week**

Council Member Almond made a motion to proclaim May 6 – 12, 2018 as Municipal Clerks Week in Cayce to recognize and honor the contributions that Ms. Corder makes to the City. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

Ordinances and Other

A. Discussion and Approval of Ordinance 2018-05 Amending the City's Noise Ordinance (Section 28-81 of the City Code) - First Reading

Ms. Moody stated that the City has received numerous complaints regarding loud music being played at night. Currently the beginning time of the focus period indicated in the City's Noise Ordinance is 11pm. Staff researched the surrounding municipalities' noise ordinances and the focus times of their Ordinances. West Columbia is 9:00 p.m. – 7:00 a.m., the Town of Lexington is 9:00 p.m. – 7:00 a.m. and Columbia is 10:00 p.m. – 7:00 a.m. She stated that staff feels that it is the best interest of the City and its residents to alter the beginning time of the focus period indicated in the City's Noise Ordinance from 11:00 p.m. to 10:00 p.m.

Council Member Jenkins asked how Public Safety staff measures noise to indicate that it is unreasonable and violating the City's Noise Ordinance. Chief Snellgrove stated that the City currently does not have an instrument to measure decibels. He stated that the violations are complaint driven. Ms. Moody stated that the Ordinance states that an unreasonably loud, excessive or disturbing noise is defined as any sound regulated by the Ordinance, which is plainly audible at a distance of 50 feet from its source. Council Member Jenkins thanked her for the clarification.

Council Member Almond made a motion to approve Ordinance 2018-05 on First Reading. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

B. Discussion and Approval of School Resource Officer Agreement and Memorandum of Understanding

Ms. Moody stated that currently the Cayce Department of Public Safety has three School Resource Officers (SRO's) in two middle schools and one elementary school within its jurisdiction. At this time Public Safety does not have officers in the two high schools. She stated that starting in school year 2018 – 2019, the Lexington County Sheriff's Department will no longer provide deputies to serve as SRO's in the high schools located within Cayce city limits. Lexington School District Two has requested that Cayce Department of Public Safety provide Public Safety Officers to serve as the SRO's beginning next school year. She stated that the School District has requested an agreement with the City that provides five SRO's and the District would be responsible for a cost share of 75% of salary, benefits, equipment, and vehicles. These five officers would be located in the following schools: Brookland Cayce High School, Airport High School, Cayce Elementary, Busbee Middle and Fulmer Middle.

Council Member Jenkins asked if a School Resource Officer position is a full time position. Ms. Moody stated that it is a full time position. The SRO's are utilized for additional duties in the summer and they have the option to work special events. Council Member Carter asked if there was an unwritten agreement stating that certain prosecutors would have to recuse themselves from prosecuting students from a certain high school. Mr. Crowe stated that the School District requested that one of the City's prosecutors not prosecute their cases. Council Member Carter asked if the City was setting a bad example by letting the School District handpick their prosecutors. Mr. Crowe stated that it seemed to be a simple and straight forward request. Council Member Carter stated that he was not comfortable with the request. Council Member Almond stated that she did not know anything about the issue that Council Member Carter was concerned about. She asked if it needed to be tabled and discussed in Executive Session. Council Member Carter stated that he was told that the School District contacted Mr. Crowe and requested that a certain City prosecutor recuse himself from any cases involving Brookland Cayce High School. Mr. Crowe stated that they did not ask that the prosecutor recuse himself. The School District asked that the prosecutor not be assigned to any cases involving Brookland Cayce High School. Council Member Carter asked if Mr. Crowe or Judge Henderson assigns cases to the prosecutors. Mr. Crowe stated that the City currently has two prosecutors and they decide when they will work depending on their schedule. He stated that the City prosecutors are hired by Council and by Ordinance the City Attorney is their supervisor.

Council Member Carter asked if the City prosecutors are included in the Ordinance that allows Council to waive the informal and formal bid procedures when it is to the advantage of the City to acquire goods and/or services on the basis of a previously awarded bid or contract, and for professional services when the person employed is customarily employed on a fee basis rather than by competitive bidding. Mr. Crowe stated that when there is an opening for a City prosecutor the opening is advertised and open to any applicants. The candidates are screened and then qualified

candidates appear before Council to be interviewed. He stated that the prosecutors do not have contracts with the City and are viewed as any other at will employee. He stated that in this case he has not been asked to not prosecute certain cases. He has only been asked to assign another prosecutor to cases involving Brookland Cayce High School.

Council Member Jenkins expressed concern regarding approving the School Resource Agreement if this issue was taking place. Mayor Partin stated that the issue did not have anything to do with the agreement before Council. Council Member Carter apologized for bringing the issue up and stated that Council could discuss it at a future Council Meeting in Executive Session when the issue is on the agenda.

Council Member Corley made a motion to authorize the City Manager to sign a contract with Lexington School District Two to provide two additional School Resource Officers. One in Airport High school and one in Brookland Cayce High school for a total of five SROs with a 75/25% cost share. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

C. Discussion of Proposed FY2018/2019 Utility Fund and General Fund Budget

Ms. Moody stated that Utility Fund Revenues are projected at \$15,700,164 and includes:

- \$15,122,220 transfer from the Gross Revenue Fund.
- \$438,750 in grants.

She stated that the Utility Fund Expenditures are projected at \$15,295,517. This budget currently includes:

- Increased revenues from the Town of Lexington for the Carolina Water Service's Plant.
- Capital Expenditures totaling \$907,848.
- One new position: Administrative Assistant for Septage and Grease.
- 15% debt coverage for the City's utility fund debt.
- \$1,800,000 transfer to General Fund for Indirect Costs.
- New health insurance coverage costs as result of the City joining PEBA. Costs include the City's required employer contribution plus the employee's individual contribution.

Ms. Moody stated that the Utility Budget does not include:

- Any COLA raises for the Utility employees (a 2% COLA would increase the budget by \$90,752).
- A 1.5% rate increase as required by the terms of the SRF Loan. Once the budget has been balanced, staff will need to send it to the Auditor to perform a rate analysis to determine if a rate increase is still needed.

Ms. Moody stated that any City vehicle with over a 100,000 miles was recommended to be replaced in the proposed Utility Fund budget. Council Member Jenkins stated that in the past he has asked to see the maintenance records for all vehicles with over 100,000 miles that are proposed to be replaced. He stated that vehicles can run fine with well over 100,000 miles. Ms. Moody stated that staff would have that information for Council at the next Council Meeting.

Ms. Moody stated that General Fund Revenues are projected at \$13,206,832 and includes:

- \$800,000 in Hospitality Tax Revenue.
- \$1,800,000 transfer from the Utility Fund for Indirect Costs.

Ms. Moody stated that the General Fund Expenditures are projected at \$13,646,433. This budget currently includes:

- \$565,457 in Capital Expenditures.
- Funding for 10 new employees, including:
 - Three firefighters to continue the four-year plan to add 12 firefighters in four years. Only six firefighters have been hired as part of this plan.
 - Three new Public Safety Officers (two of which are SROs for the High Schools in the City with 75% cost share from the School District)
 - One new Public Safety Lieutenant for expanding the Community Outreach Unit.
 - One Public Safety IT Technician to apprentice under the current Public Safety IT employee that is retiring.
 - One Events Manager/Communications position for the Administration Department, as discussed in the City's Strategic Planning Session.
 - One IT Technician to support the IT Director with City-wide IT needs.
- Expenditures associated with the City's Recycling Program. The City was notified this spring that Sunoco will no longer recycle our comingled trash for free.
- New health insurance coverage costs as result of the City joining PEBA. Costs include the City's required employer contribution plus the employee's individual contribution.

Ms. Moody stated that the current General Fund expenditures do not include a COLA for employees. Council Member Almond asked what the amount would be for a 2% COLA for employees. Ms. Moody stated that it would be \$180,829.

Council Member Jenkins asked where the proposed new positions would be located since both Public Safety and City Hall have outgrown their buildings. Ms. Moody stated that the Fire Fighters would be housed in the Fire Department, the SRO's are based primarily in the schools and the PSO would mainly be on the road and would not need an office. She stated that IT currently has an office at Public Safety and the IT Director has a large office that would accommodate 2 people. She stated that staff is still researching where the Special Events/Public Information Officer would be located. Council Member Jenkins stated that in the past he also requested to see justifications for each new position requested and would like that information as well.

Mayor Partin asked if it was possible to bid out the recycling to another business. Mr. White stated that Sunoco was currently the only business that handles single stream recycling. Council Member Jenkins asked how many residents actually recycle. Mr. White stated that the residents with recycle roll carts instead of small bins statistically recycle more. He stated that he thinks everyone would recycle more if they had larger containers. Council Member Carter asked how many businesses other than Sunoco handle recycling. Mr. White stated that there are quite a few but they are so far away that the City would pay more in fuel costs and wear and tear on the trucks.

Council Member Carter asked how the Events Committee would be affected if the City hired an Events Manager. He asked how that position would interact and communicate with the Committee. Mayor Partin stated they would interact with the Committee the same way Ms. Corder does now. Ms. Moody stated that the Events Manager would be the staff liaison for the Committee the same way Ms. Corder and Ms. Taylor are currently. Council Member Carter asked if having the new position would usurp or take away the Committee's authority. Ms. Moody stated that the proposed new position would work with the Events Committee and handle anything that the Committee needed.

Council Member Carter asked how much involvement the Events Committee had with the Soiree on State event. Ms. Corder stated that the Soiree was created as an event where staff could unveil the City's new brand to residents. She stated that the City's Public Relations Consultant was in charge of the 2017 Soiree on State and used her own staff for the event. She stated that some of the Events Committee did voice their displeasure in not being asked to be involved in the Soiree. She stated that she invited the Events Committee to volunteer at the 2018 Soiree but only two of the members volunteered.

Council Member Carter stated that the proposed new position is also tasked with being the City's Public Information Officer and asked what that entailed. Ms. Moody stated that the position would handle communications for all the City's departments. She stated that staff had created a job description detailing all the responsibilities the position would have. She stated she would forward the job description to Council for their review.

Council Member Carter stated that he would like staff to create a line item for all the City's encumbered funds so he would know that the funds are not actually General Fund fund balance but are earmarked for specific projects or items. Mr. Huddle stated that those funds were already reserved in a cash flow account. Ms. Moody stated that she and Mr. Huddle would discuss this item in more detail. She stated that the FEMA funding that Council Member Carter referred to is approximately \$720,000 owed to the City as reimbursement for repairs made to the Riverwalk. The City used fund balance monies for the repairs and the reimbursement will go into the fund balance.

City Manager's Report

Ms. Moody stated that AOS is currently working on Knox Abbott Drive to put everything back together that was dug up during the waterline replacement project. She stated that SCE&G just started placing new power poles as part of the Knox Abbott Drive Traffic Calming and Pedestrian Safety Project. She stated that SCE&G started at the river and there will be paired poles until the power transfer is made from the current poles to the new poles. She stated that the City is receiving \$6,300 as a reimbursable grant as part of the City's expenses related to Hurricane Irma. Staff received notice that the City will be receiving a \$180,000 grant from DOT for sidewalks along Frink Street. The Public Safety Foundation was part of Midlands Gives and had received approximately \$200 at the time of the Council Meeting. Ms. Moody stated that a portion of Phase 2 of the Riverwalk was closed due to issues with the boardwalk. She stated that staff was meeting the next day at the Riverwalk to access the situation and discuss how best to repair the issue.

Committee Matters

- A. Approval to enter the following Committee approved Minutes into the City's Record
 - Planning Commission – December 18, 2017
 - Events Committee – February 8, 2018
 - Cayce Housing Authority – February 20, 2018
 - Museum Commission – March 7, 2018

Council Member Almond made a motion to enter the approved Committee meeting minutes into the record. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

**B. Appointments and Reappointments
Public Safety Foundation – One (1) Position**

Council Member Almond made a motion to appoint Mr. Karl Radley to the Cayce Public Safety Foundation. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

Council Comments

There were not any Council comments.

Executive Session

- A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege
- B. Discussion of Employment for City Manager Position
- C. Discussion of negotiations incident to proposed contractual arrangements relating to the City's waterline replacement project
- D. Discussion of negotiations incident to proposed contractual arrangements relating to the Knox Abbott Drive Pedestrian Safety and Traffic Calming Project
- E. Discussion of negotiations incident to proposed contractual arrangements relating to the Brickworks Apartments Project

Council Member Carter made a motion to move into Executive Session. Council Member Almond seconded the motion which was unanimously approved by roll call vote. Mayor Partin stated that there was not any new information relating to Items VIII. B. and VIII. C. therefore Council would not be discussing those items in Executive Session. Council Member Carter amended his motion to reflect not discussing Items VIII. B. and C.

Reconvene

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

There were no actions taken after Executive Session.

Adjourn

There being no further business, Council Member Almond made a motion to adjourn the meeting. Council Member Corley seconded the motion which was unanimously approved by roll call vote. The meeting adjourned at 8:24 p.m.

Elise Partin, Mayor

ATTEST:

Mendy C. Corder, CMC, Municipal Clerk

