

Mayor Elise Partin	Mayor Pro-Tem Tim James	Council Members Phil Carter Hunter Sox Byron Thomas	City Manager Tracy Hegler	Deputy City Manager Jim Crosland Assistant City Manager Michael Conley
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**City of Cayce  
Regular Council Meeting  
Tuesday, December 5, 2023**

The December 5, 2023, Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Mayor Pro Tem Tim James and Council Members Phil Carter, Hunter Sox and Byron Thomas. City Manager Tracy Hegler, Deputy City Manager Jim Crosland, Assistant City Manager Michael Conley, Municipal Clerk Mendy Corder, Police Chief Chris Cowan, Fire Chief Steven Bullard, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley and Utility Director Betsy Catchings were also in attendance.

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

**Call to Order**

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

**Approval of Minutes**

Mayor Pro Tem James made a motion to approve the November 15, 2023 Regular Council Meeting minutes as written. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

**Public Comment Regarding Items on the Agenda**

No one signed up for Public Comment.

**Presentations**

**A. Presentation of Cayce Calendar Contest Winners**

Mayor Partin stated that every year the City had a photo contest for the Cayce Calendar that was given to all residents. She stated that Ms. Amanda Bundrick's photo of her dog Elliot was chosen as the 2024 winner and was featured on the cover of the calendar. She stated that the grand prize winner was awarded \$200 and the other winners were awarded \$100. She thanked everyone for their participation and advised that calendars were available to be picked up at City Hall.

## B. Presentation of Whole Sole Award

Mayor Partin asked the City's School Resource Officers to join her at the podium. Officers Andrew Lopez, Daniel Green, Eddie Lowry, Eddie West, Jarvis Riley, Justin Smith, Mandy Fournier, Neville Richardson, Sidai Cochrane and Terrell Thailand joined her in front of the assembly. Mayor Partin stated that the Police Community Services Division hosted their second annual Cayce Character Camp this past summer for 33 local children. During the two (2) weeks the children interacted with the City's police team and local leaders while learning theme character traits. This year's theme was designed to help the children succeed through practicing patience, motivation, honesty, dependability, and thoughtfulness. The police team orchestrated several field trips that included the Summit Trampoline Park, the South Carolina Fire Academy and the Cayce Wastewater Treatment Plant. Through the camp, the kids were able to see the human side of the City's amazing officers and their desire to see the campers succeed. By being creative, flexible, compassionate, and empathetic as they always were, the City's officers were able to form relationships with the children and the community. Mayor Partin stated that while not normally seen as a routine part of a Police Officer's job, the team made the character camp such an overwhelming success that they were already planning next year's camp.

Mayor Partin stated that two (2) staff members at the City's Wastewater Treatment Plant went above and beyond there to make the field trip fun and informative for the children. Administrative Coordinator Lindsay Reynolds and Lab Director Denis Bergeron's contribution to the event was creative and special. She stated that they decided to take the field trip to a completely different level and to make it a memorable experience for the attendees. They immediately began to plan how to make the visit not only educational, but fun as well. They spent hours brainstorming and coming up with creative ways to explain Wastewater Treatment at a level the children could relate to and understand. Their planning resulted in making a mini desktop version of the Wastewater Treatment Plant where one could visually see how solids go through the plant and get treated. After the demonstration and a brief talk about wastewater treatment basics the kids were able to participate in fun and educational activities such as a toilet paper toss, having their picture taken in a poop emoji photo stand and a water squirting toilet game. All these things were designed and built because of the brainstorming between Lindsay and Dennis. Mayor Partin stated that Lindsay and Dennis's exceptional creativity, hard work and efforts towards teaching children the importance of wastewater treatment were commendable and helped to turn a field trip tour into an event that the kids would not soon forget. She stated that they went the extra mile and were very deserving of the Whole Sole Award.

## **Resolution**

**A. Consideration and Approval of Resolution Recognizing the Greater Cayce West Columbia Chamber of Commerce for Being Awarded the Carolinas Outstanding Chamber of the Year**

Mayor Pro Tem James recused himself from this item. His recusal statement is attached. Council Member Thomas made a motion to approve a Resolution recognizing the Greater Cayce West Columbia Chamber of Commerce for being Awarded the Carolinas Outstanding Chamber of the Year. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

**Ordinance**

**A. Discussion and Approval of Ordinance 2023-13 Adopting a Revised Business License Ordinance in Accordance with the Business License Standardization Act (2020 Act No. 176) – Second Reading**

Ms. Hegler stated that there has been a slight change to the Ordinance from First Reading. She stated that the change was an amendment to ensure that what was being proposed by the State did not conflict with the City's existing Ordinances. She stated that the City Attorney drafted the amendment.

Councilmember Sox made a motion to amend the proposed Ordinance and it's exhibit as to conform to the version in the agenda packet by adding exhibit A, heading. Two, adding the indicated language to sub section 22 Utilities and adding sub section 2211 Electric Power and sub section 2212 Natural Gas with language for each as indicated. Mayor Pro Tem James seconded the motion which was unanimously approved by roll call vote.

Council Member Sox made a motion to approve Ordinance 2023-13 as amended. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

**Items for Discussion and Possible Approval**

**A. Discussion and Approval of 2024 Council Meeting Dates**

Ms. Hegler stated that she had the opportunity to speak to Council Members Sox and Thomas that day and would like to work with the rest of Council over the next few weeks to discuss adopting a new format for Council Meetings. She stated that it would require an Ordinance amendment since the current Ordinance established how Council meets. She stated that she would like to present the amended Ordinance to Council in January. Ms. Hegler stated that it was very likely that the dates would change based on how they worked on a meeting format to incorporate work sessions and less business meetings.

Council Member Carter made a motion to approve the 2024 Council Meeting dates. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

**B. Discussion and Approval of a Grant Award from the Rural Infrastructure Authority for Six Mile Creek Sewer Interceptor**

Ms. Hegler stated that the Six Mile Creek Sewer Interceptor was the City's largest transmission line and consisted of a 30-inch and a 36-inch gravity sewer lines that served the western half of the City surface area and the areas surrounding the Six Mile Creek drainage basin. She stated that this area was around the Moss Creek Neighborhood. She stated that the flow of this line was transmitted to Pump Station One with the pipe material since the majority of the interceptor was concrete. She stated that over the years sewer gases had caused severe deterioration of the concrete pipe, resulting in unfortunate failures of the interceptor. Ms. Hegler stated that the most recent failure occurred in 2022 and the failures had resulted in emergency repairs and significant expenses to the City. She stated that supply chain issues had further complicated repair since a large diameter line as this size pipe was difficult to find.

Ms. Hegler stated that as the need increased to mitigate future failures it was the goal of the Utility Department to rehabilitate the remaining sections of the interceptor. She stated that the entire length for this interceptor was nearly four (4) miles long, thus making it a very expensive and monumental task. She stated that the Utility Department proposed to break it down into more manageable phases. She stated that staff had the opportunity over the last few months to apply for and were looking to receive a million dollars in grant funding from the Rural Infrastructure Authority for the first phase of the project. Ms. Hegler stated that the proposed project would include the rehabilitation which was the lining of approximate 1,200 feet of a 30-inch gravity sewer, and 1,430 feet of a 36-inch gravity sewer. She stated that in addition, approximately 20 manholes would be rehabilitated under this proposed project. She stated that the total construction cost of that phase was estimated to be \$1.4 million and the engineering support for this project would be provided by the City's Utility staff. Ms. Hegler stated that the City would be required to pay a minimum of 25% of the total construction costs and anything in excess of that amount thus it was estimated that the City would be responsible for approximately \$408,000. She stated that the final amount would be determined after the engineering design was finished and staff got some quotes.

Council Member Sox made a motion to approve the award letter from the South Carolina Rural Infrastructure Authority for a million dollar grant for the rehabilitation of the Six Mile Creek sewer interceptor phase one, authorize the City Manager to execute the grant agreement and approve the match and the additional funding required to complete this phase of the project not to exceed \$408,000 and use Utility Capital Reserves funds for that. Council Member Thomas seconded the motion. Council

Member Sox asked Ms. Hegler how much money was in that account. She stated approximately \$1.3 million was in the account. Mayor Partin called the question which was unanimously approved by roll call vote.

#### C. Discussion and Approval for Purchase of a Sewer Camera

Ms. Hegler stated that in September 2006 Council approved the purchase of a sewer camera and since that purchase City staff had used the camera on a regular basis for the examination of City sewer lines. She stated that the camera had been extremely helpful in locating sewer main blockages, locating sewer taps for customers that did not have cleanouts and locating sewer manholes that had been buried. She stated that the camera was also used to visually inspect the condition of sewer laterals, assess sewer main pipe material and condition, inspect for inflow and infiltration and to perform final inspections on newly installed sewer lines and veins. Ms. Hegler stated that the camera had reached the end of its useful life and had become unreliable. She stated that it had been sent off for repair several times and the repairs only provided a temporary fix.

Ms. Hegler stated that the Utilities Field Operation staff was currently using a loaner camera while the City's camera was again being evaluated for repairs that would likely only provide a temporary solution. She stated that a replacement camera would cost approximately \$27,500 without tax and that price included trading in the aged camera. She stated that an Aries camera was proposed and was compatible with the existing tracker system that was used to transport the camera within the lines and was compatible with the software that the City already had. She stated that staff was asking Council to waive the informal bid procedure so staff could purchase this particular camera. Ms. Hegler stated that per City Ordinance Council could waive the informal and formal procedures when it was to the advantage for the City to acquire goods and or services on a most convenient source basis or sole source basis in situations of prolonged supply chain delays, or on the basis of a previously awarded vendor contract which this would fall under. She stated that since this item was unbudgeted, staff was requesting it be funded through the Utilities Capital Reserves.

Council Member Sox made a motion to waive the formal bid process and allow staff to purchase a new Aries sewer camera at a cost not to exceed \$27,500 plus tax. Council Member Thomas seconded the motion. Council Member Sox asked how much the City was being credited for turning in the current camera. Ms. Catchings stated approximately \$6,000. Mayor Partin called the question which was unanimously approved by roll call vote.

#### D. Discussion and Approval to Purchase a Replacement Wastewater Collections Vehicle

Ms. Hegler stated that the City's Wastewater Collections Department had a 2015 Chevrolet Silverado 1500 Crew Cab that had suffered a major engine failure. She

stated that this vehicle was primarily used for the repair and maintenance of the City's pump stations throughout its large service area. She stated that a replacement motor for this vehicle had been estimated to cost approximately \$7,400 and the current replacement schedule for these trucks was five (5) years or 400,000 miles, so it was already on the replacement schedule for the upcoming year. Ms. Hegler stated that the total cost to replace the vehicle was \$48,768 which included the vehicle delivery and all associated equipment. She stated that staff was requesting to use Utility funds from the Utility fund balance for this unexpected and unbudgeted purchase. She stated that the vehicle was currently available at Love Chevrolet on a State contract.

Council Member Sox made a motion to approve the purchase of one (1) 2024 Chevrolet Silverado Crew Cab for the Utility Department to replace the current truck in the amount of \$48,768, utilizing Utility fund balance. Council Member Thomas seconded the motion. Council Member Carter stated that the Utility Budget had really taken a beating that night. He asked what was the normal increase in the fund balance from year to year. Ms. Hegler stated that this was just one (1) of the Utility fund balances that the City had that was a capital reserve account. She stated there was a variety of them and that funding was meant to be used for unexpected expenses. Mayor Partin called the question which was unanimously approved by roll call vote.

### **Committee Matters**

- A. Approval to Enter the following Committee Approved Minutes into the City's Record  
Events Committee – October 12, 2023

Council Member Sox made a motion to enter the October 12, 2023 Events Committee meeting minutes into the City's record. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

- B. Appointments and Reappointments  
Beautification Foundation – Two (2) Positions  
Municipal Election Commission – One (1) Position

Mayor Partin stated that Ms. Colleen Bradley and Ms. Kelly King's terms on the Beautification Foundation expired in December and they both would like to serve again. Council Member Sox made a motion to reappoint Ms. Bradley and Ms. King to the Beautification Foundation. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Mayor Partin stated that the City had received a potential member application from Ms. Fonda Wilkins for the Cayce Municipal Election Commission. Council Member

Carter made a motion to approve Ms. Wilkins' appointment. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

### **City Manager's Report**

Ms. Hegler stated that staff was very disappointed in having to cancel two (2) of the Christmas in Cayce events the past weekend due to forecasted inclement weather. She stated that staff closely watched the weather forecast all week and had to make the call for the safety of staff and visitors. She stated that the Museum was planning to hold a smaller version of its event that Sunday from 2pm to 5pm. She encouraged everyone to attend the event and thanked staff for all the work that went into planning these events for the community and visitors. She stated that it was a lot more work than people realized and so canceling an event was very disappointing to staff.

Ms. Hegler stated that the treasured Greater Cayce West Columbia Chamber of Commerce Parade of Lights was being held that Saturday. She stated that Council might have seen posts online or received calls about Lumos fiber optics being in the community. She stated that the City did not regulate them and they were actually permitted by SC DOT to work in public rights of way and utility easements. She stated that staff had been advising citizens of that and if they had concerns to contact the Lumos customer support line, or the Public Service Commission which regulated those issues.

Ms. Hegler stated that the City's Police Department rolled out a new initiative focused on the safety of the elderly and aging population in the City. She stated that the initiative was called CASE, Cayce assisting seniors and elderly. She stated that it was geared towards serving and advocating for those in the advanced years of life and the Police Department was launching the new initiative to reduce crime and protect the vulnerable population in the community. She stated that specifically, this initiative was being unveiled during the holidays as a reminder that this was a time of year when criminals often target the senior and elderly populations. Ms. Hegler stated that CASE was going to work with partnerships around the City to identify potentially vulnerable, elderly citizens in the population so staff could keep them on file and check on them regularly to ensure they were being cared for and not being victimized and also to check to see if they needed any added support. She stated that also through those partnerships and identification of those that needed support the Police Department would be providing free training opportunities to enable them to connect with resources that they might need. Ms. Hegler stated kudos to the City's Police Department for rolling out such a unique and necessary tool for the City's citizens.

Ms. Hegler stated that she was extremely proud of Ms. McMullen and the City's finance team for being awarded two (2) awards. She stated that the first award was a Certificate of Achievement for Excellence in Financial Reporting for the fiscal year 2021/2022. She stated that this report prepared by the finance team had been judged by an impartial panel to ensure it met the highest standards of the program to include demonstrating constructive spirit of full disclosure to clearly communicate its financial story and motivate potential users and user groups to read the report. She stated that the City was also awarded for the first time ever GFOA's Distinguished Budget Presentation award. Ms. Hegler stated that it was not common to win this award. She stated that it represented a significant achievement by the City and reflected the commitment of the governing body and staff to meet the highest principles of governmental budgeting and was totally initiated by Ms. McMullen to propel and highlight the City's budgeting process. She stated that this process would lead to a smoother format for sending regular budget updates to Council. She stated that this was an awesome job of the City's finance team not only for their continued excellence in financial reporting, but for going after first-ever awards. She stated that she would like to bring the finance team to a future meeting to do a formal presentation. Ms. Hegler stated that she wanted to recognize that the City's attorney, Mr. Danny Crowe, was starting his 25th year of work for the City.

### **Council Comments**

Mayor Pro Tem James asked if there was any licensing required by the City for fiber optic companies that did work in the right-of-way. Ms. Hegler stated that those businesses were permitted by the DOT to be in the public right of way and they were heavily protected by State law. She stated that the City of Columbia shut them down recently because they hit some gas lines causing leaks. She stated that there were obviously some safety concerns but otherwise, the City was preempted. Mayor Partin stated that it was a preemption by State law of municipalities stopping them from being able to make those decisions themselves. Mayor Pro Tem James stated that there were several people in the community being negatively impacted by the project. Ms. Hegler stated that she had seen where there were issues with AT&T lines being cut but that was an issue between AT&T and Lumos. Mayor Pro Tem James stated that the work crews were driving up in people's yards and digging up people's driveways. Council Member Sox asked if the City coordinated with Lumos on marking lines. Ms. Catchings stated that Lumos only had to submit a utility linking request. Council Member Thomas asked if there was any way that citizens could take pictures and report damaged yards. He stated that he had watched the work crews destroy his and his neighbor's yard. Ms. Hegler stated that she would encourage residents to do that and call the Lumos customer support line. Mayor Pro Tem James asked if the City could publicize the customer service line on its social media so it did not appear as though the City just turned a blind eye to it. Ms. Hegler stated that she could talk to the City's Public Relations Consultant about proactively planning something. Council Member Carter asked if Lumos and Spectrum fell under some sort of general franchise



agreement. Ms. Hegler stated that they did. Council Member Carter asked if the City could potentially not enter into a new agreement with them. Ms. Hegler stated that the City was currently negotiating with them but they could not charge them the way they did other utilities. She stated that they were preempted from that as well. Council Member Sox stated that they only had to pay approximately \$700. Ms. Hegler stated that State law was supportive of trying to put in fiberoptic and the companies were given carte blanche to do that. Mayor Partin stated that she did not want the City to be in the position of making blanket statements about a business not being a good partner. Mayor Pro Tem James stated that he did want the City to say anything derogatory about a business but just tell the City's residents how to report any issues.

Council Member Thomas stated he wanted to thank Lieutenant West and Corporal Lopez for all they had been doing in the community. He stated that he really appreciated seeing them in the community. He stated that he literally met Lieutenant West that day when he stopped by while he was having a tour with Dominion. He stated that he really appreciated Lt. West coming by and giving him his opinion on what they were talking about. He stated that he was very nice and very classy and he could not wait to meet more Police Officers out in the community. Council Member Thomas stated that over the Thanksgiving break, he had the honor of giving food with the Cayce Action Group in the Pocomo community and it was a blessing to see so many beautiful elderly people in the community feel so appreciated and loved to receive those meals. He stated that he also wanted to thank everyone that was involved with the Cayce Christmas tree lighting ceremony, especially to witness Cayce collecting canned goods for those in need. He stated that the C in Cayce definitely meant community. He stated that he was very, very proud of the City. He stated that sadly some Christmas in Cayce events were canceled due to potential inclement weather, which was out of the City's control. Council Member Thomas stated that looking forward, he would love to look for ways for the City to be proactive in the event of weather. He stated that he knew the City committees worked very hard to put together amazing programs and they wanted people that did not live in Cayce to come and take advantage of what was being offered. He stated that these events brought families of all walks of life together and a beautiful Christmas feel to the City as well as visitors shopping and dining in the City after the events were over.

### **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. Personnel Matter – City Manager's annual evaluation and salary review
- C. Discussion of appointment of City Attorney

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

### **Reconvene**

After the Executive Session was concluded, Council Member Sox made a motion to reconvene the Regular meeting. Mayor Pro Tem James seconded the motion which was unanimously approved by roll call vote. Mayor Partin announced that no vote was taken in Executive Session other than to adjourn and resume the Regular meeting.

### **Possible actions in follow up to Executive Session**

Council Member Sox made a motion to approve the City Manager's salary as discussed in executive session with possible further action on a benefits package in January. Mayor Pro Tem James seconded the motion. Mayor Partin stated that she would like to say how awesome Ms. Hegler was and thanked her for all the good work that she did for the City and for Council. She called the question which was unanimously approved by roll call vote.

Mayor Pro Tem James stated that on behalf of the rest of Council, it gave him great privilege to make a motion to reappoint Mr. Danny Crowe as the City Attorney. He stated that Mr. Crowe had done a wonderful job for the City for a quarter of a century. He stated that also on behalf of Council he would like to ask the City Clerk to prepare a Resolution that celebrated Mr. Crowe's 25 years of being the City Attorney. Council Member Thomas seconded the motion. Mayor Partin thanked Mr. Crowe for all the awesome work he did for the City. She stated that Mr. Crowe was one of the foremost municipal attorneys in the entire state of South Carolina. Mayor Partin called the question which was unanimously approved by roll call vote.

Mayor Partin stated that Council had to go back into Executive Session for the items that did not need any other further action, but just some discussion. Council Member Carter made a motion to move into Executive Session for receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney client privilege. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

### **Adjourn**

Mayor Pro Tem James made a motion to adjourn the meeting. Council Member Carter seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 9:23pm.

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Elise Partin, Mayor

ATTEST:

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Mendy Corder, CMC, Municipal Clerk



# RECUSAL STATEMENT

Member Name: Timothy James

Meeting Date: Dec. 5, 2023

Agenda Item: Section IV Number A

Topic: Resolution for CWC CHAMBER

*The Ethics Act, SC Code §8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37). A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.*

Justification to Recuse:

- Professionally employed by or under contract with principal
- Owns or has vested interest in principal or property
- Other: \_\_\_\_\_

Dec 5, 2023  
Date

Timothy James  
Member Signature

Approved by Parliamentarian: \_\_\_\_\_