



Mayor
Elise Partin

Mayor Pro-Tem
James E. Jenkins

Council Members
Phil Carter
Tim James
Hunter Sox

City Manager
Tracy Hegler

Deputy City Manager
Jim Crosland
Assistant City Manager
Michael Conley

**City of Cayce
Regular Council Meeting
Tuesday, March 7, 2023**

The March 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 Michael Conley, Municipal Clerk Mendy Corder, Police Chief Chris Cowan, Fire Chief Steven Bullard, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley, Utility Director Betsy Catchings, 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 Carter gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

Approval of Minutes

Council Member Carter made a motion to approve the February 7, 2023 and February 22, 2023 Regular Council Meetings as written. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

Ms. Mary Winter Teaster – Item IV. A. Ms. Teaster stated that she had lived in Cayce for almost eight (8) years. She stated that she was a Commercial Realtor with Colliers International and had been in the business about 24 years and prior to that spent 20 years in banking. She stated that she was speaking in favor of the proposed fee. She stated that it was very important that some type of fee be implemented to create some type of movement on properties that were neglected and unoccupied long term. Ms. Teaster stated that these properties were a blight. She stated that in the business she was in she was certainly pro development and the right type of uses for properties and tenants and neighbors. She stated that what was best for the constituency and the entire community needed to be done.

Ms. Teaster stated that the proposed \$100 a year fee was not something that should be pervasive, or an impediment to someone like a developer who, if she understood the proposed Ordinance correctly, that fee would be refunded to them if they then went forward with a construction project. She stated that sometimes it took six (6) to 12 months to get everything put together for a project. She stated that it was a

timely process but it was important that a quality job was done with that. Ms. Teaster stated that the proposed \$100 fee broke down to \$1.92 a week to put it in perspective. She stated that it was far less a price to pay than to have the City's Police Officers patrol an area that could be unsafe. She stated that visitors would take up residence when there's not any activity on a property. She stated that the fee was a small price to pay when someone did take up residence in an empty building and throws bricks through windows or destroys the property or unfortunately, on some occasions start a fire to stay warm. Ms. Teaster stated that she was a big advocate for homeless individuals that were looking for help and she had been involved with the Mental Illness Recovery Center for 25 years. She stated that she was all about helping those that need to be helped and felt that was what Christians were called to do but she did not support letting people destroy property and be very disrespectful of someone else's property. She stated that the proposed fee was a small price to pay, was refundable and it was not in place to penalize someone that was going to do something positive with a property but more to try to create a catalyst so that someone would sell the property or upgrade it and keep it clean and maintained.

Presentation

A. Presentation of a Check to the Special Olympics SC by the Cayce Public Safety Foundation

Ms. Pamme Eades, President of the Public Safety Foundation, stated that the Cayce Public Safety Foundation's role was to help support Cayce Police and Fire Departments with items and programs that might not be in the City's budget. She stated that the City's Officers had big hearts and were always looking for ways to support other local and state organizations. She stated that in those cases it was the Foundation's role to help facilitate that support. She stated that one of the Cayce Police Department's favorite organizations to help was the Special Olympics of South Carolina. Ms. Eades stated that every year Cayce Police Officers participated in events such as Cops and Lobsters, and Cops on The Coop. She stated that in fact, the Foundation had \$205 in tip money, donations from this year's Cops and Lobsters, that they were also giving the Special Olympics.

Ms. Eades stated that in 2022 the Police Department wanted to do something unique. She stated that Police Chief Cowan put together a pickleball team that consisted of Captain Jason Merrill, Edwin Gerace, who is a pickleball representative and Mike Still with the Special Olympics South Carolina to create the first pickleball tournament, the Pickleball Challenge in South Carolina. She stated that the Cayce Police Department hosted the first event that not only benefited Special Olympics, but also included the unified athletes of Special Olympics versus law enforcement in a match on May 1, 2022, at the Cayce Tennis and Fitness Center. She stated that during the Pickleball Challenge, there were 42 pickleball players, plus six (6) unified athletes in Special Olympics and six (6) Police Officers that participated in the event.

Ms. Eades stated that the Special Olympics unified athletes were awarded a custom design pickleball paddle with the Cayce Police Department, Special Olympics South Carolina and City of Cayce logos on them. She stated that medals were awarded for the advanced matches for the top three (3) finishers in each division. She stated that the event provided community engagement with the City, Cayce Police Officers and further enhanced the bond between Cayce Police and the Special Olympics. She stated that City Manager Tracy Hegler, Police Chief Cowan and Deputy Police Chief Grant also enjoyed picking up a paddle and getting in the game. She stated that Captain Merrill and Officer Jeffcoat cooked hamburgers and hotdogs and other foods and drinks were provided by the Foundation. She stated that Freddy's Frozen Custard and Steamburgers provided frozen yogurt and Highway 55 provided the hot dogs. Ms. Eades stated that WLTX did a remote from there as well. She stated that the Foundation was pleased to present \$3,123.17 to Special Olympics South Carolina to assist athletes with equipment and travel to their events.

Special Olympics athlete Travis stated that he wanted to speak from his heart and that what the Public Safety Foundation and Chief Cowan and his Officers did for Special Olympics and for him was so special and he wanted to thank them very much for doing that. He stated that each and every person was a huge help to athletes of all different ages and it showed that each one of them cared for the athletes. Travis stated that each one of them were the heroes of Special Olympics of South Carolina. He stated that each person had been nice and each person was special to him.

Mr. Mike Still, with Special Olympics South Carolina, thanked the Foundation, and Ms. Kay Hutchinson and Mr. Edwin Gerace for all their help with the pickleball tournament. He stated that the mission of the Law Enforcement Torch Run for Special Olympics was to raise funds and raise awareness for Special Olympics. He stated that Special Olympics South Carolina served 30,707 athletes in South Carolina. He stated that the really special thing about the Law Enforcement Torch Run was that when they raised money for Special Olympics, every penny went to the athletes. He stated that Police Chief Cowan and the Cayce Police Department deserved all the credit.

Mr. Still stated that he wanted to tell Council how special Chief Cowan was. He stated that he and Chief Cowan were at the Cops on the Coop shortly after Chief Cowan started with the City and he went up to him and told him that he would love to get Cayce Police more involved. He stated that Chief Cowan stated that he had an idea and wanted to do something special. Mr. Still stated that Chief Cowan brought up a pickleball tournament. He stated that what was so special that day was that Chief Cowan and his Officers played with the Special Olympic athletes. He stated that fostered inclusion and acceptance of people with intellectual disabilities and made a very special day for them and they made friends for life.

Ordinances

A. Discussion and Approval of Ordinance 2022-17 Amending Chapter 10 (“Buildings and Building Regulations”) of the Cayce City Code to Add a New Article V (“Vacant Commercial and Industrial Building Registration”) – Second Reading

Ms. Hegler stated that the proposed Ordinance had been before Council before but as a reminder for the public, over the last few years, the City and staff had worked to revitalize areas in the City and address community issues related to vacant properties. She stated specifically the empty and underutilized commercial and industrial buildings that often led to blight. She stated that staff researched best practices and received advice on this issue from industry experts and what resulted was the recommendation to adopt a registration program that could help the City to better address these types of properties. She stated that Council gave First Reading to this item at the November 16, 2022, Council Meeting and asked staff to defer Second Reading for two (2) months. Ms. Hegler stated that staff held multiple meetings, reached out to those vacant properties that staff knew of several times and tried to certainly engage the community in understanding what the proposed Ordinance would do.

Ms. Hegler stated that at the January 25, 2023, Council Meeting Council did take up the Second Reading and at that time deferred to clarify a few things and to make sure all questions were addressed which brought this item before Council at the March 7, 2023 Council Meeting. She stated that the staff recommendation in Council's agenda packet was actually a repeat from the last time so the first sentence needed to be disregarded. She stated that at this point staff recommended Council give Second Reading approval to the version that was in their packet.

Mayor Pro Tem Jenkins made a motion to accept staff's recommendation. Council Member James seconded the motion. Council Member Sox stated that he appreciated staff's work on the proposed Ordinance over the past few months and did not want to see any of it go to waste. He stated that he did not think that anything good came fast or easy. He stated that he thought based on some conversations, it had been tough for staff to gauge where all of Council was on this matter over such a large period of time and incorporate all of that without stepping on each other's toes. Council Member Sox stated that he moved to table Second Reading until after an unscheduled work session on the item and for that work session to occur no later than April 4, 2023. Mayor Partin stated that there was already a motion on the table. Council Member Sox stated that then Council would vote on that unless anyone had anything to say. Council Member Carter stated that they had to take a vote before they could act. Mayor Partin asked if there was discussion on motion. Council Member Carter stated that there was discussion. He stated that he certainly appreciated staff and everyone's interest and that the proposed Ordinance was a great initiative to address vacant commercial buildings and properties. He stated that he thought Council was so far apart on the issue. He stated that he thought the objective was the same but how one got there was the challenge along with the issues that Council had. Council Member Carter stated

that considering what he had heard up until that moment he still really believed it was more of a code enforcement issue than a new Ordinance issue. He stated that the effort to dispose and address properties was sound and valid and he wanted to continue. He stated that the way the proposed Ordinance was written with a punitive nature of fines and timeframes involved, he personally would not be able to support it. He thanked staff for their effort and stated that he did not want the issue to die that night and he wanted to move forward with some sort of City initiative to address the properties in question.

Mayor Pro Tem Jenkins stated he appreciated what staff had done. He told Council Members Sox and Carter that he would like to know what they really wanted and needed in the Ordinance. He stated that Council had discussed the proposed Ordinance three (3) separate times. He suggested that Council just give the proposed Ordinance a try. He stated that he did not see any other way of doing it. He stated that the Ordinance would die that night if Council did not take an action. He stated Council sent it back to staff without giving them direction on what they wanted done with it. He stated that Council should tell staff what they wanted done with the Ordinance since they had constantly been going over it for going on three (3) months. Mayor Partin stated that the discussions started in November so it had been five (5) months.

Council Member James stated that he thought what was important for those who attended the Council Meeting that night about this issue was to not think that these things are done in a vacuum. He stated that there had been a lot of work and a lot of discussions about this issue. He stated that it was probably one of the Ordinances that he had heard the most from his constituency on. He stated that when you do hear a great deal from people, pro and con, you have to make sure that you're getting it right when you move forward with it. He stated that to his colleagues point about staff, Council never wanted to waste staff's time and he did not think their time had been wasted in the fact that Mayor Pro Tem Jenkins just made a comment about telling staff what you wanted. He stated that he had communicated a great deal with the City Manager, but it really put her in a pickle too, because she could not put in an Ordinance for proposal what he thought. He stated that City Manager Hegler could not just create an Ordinance for him, and one for Mayor Pro Tem Jenkins and one for Council Member Carter.

Council Member James stated that he agreed with Council Member Carter that they were moving in the right direction to strike something good but it was not there currently. He stated that he spoke to Mayor Partin earlier and told her he was not there that night about this particular Ordinance. He stated that he thought the proposed Ordinance had some merit to it for what Council needed to do within the community. He stated that he did not think the Ordinance strikes what he believed that the constituency had spoken to him needs to be done. Council Member James stated that he did not want to see the Ordinance die either. He stated that he thought it had some good

pieces to it. He stated that he would say do not let it die, but go back and have some type of work session to where each Council Member could be heard.

Mayor Partin stated that the Council Meeting was their work session so Council needed to talk about it. She stated that was what Council was charged with from the citizens of the City of Cayce. She stated that the proposed Ordinance had been discussed in three (3) separate Council Meetings. She suggested Council talk through it and start from the top. She stated that she knew Council Member Carter was philosophically opposed altogether to the Ordinance but stated for him to jump into the discussion where he wanted to.

Council Member James stated that he was adamantly opposed to 120 days and had been from the onset. Mayor Partin asked if he meant 120 days for the vacancy. Council Member James stated vacant commercial or industrial building meant a commercial or industrial building that was not occupied by its owner, lessee or other person in lawful possession, or at which, for more than 120 days. He stated that it was so hard to occupy a building right now and you did not need to be in that type business to recognize that was a quick turnaround. He stated that he knew the proposed Ordinance did give leeway in that if you get it going one would get their money back. Council Member James stated that Cayce was not that kind of City. He stated that Cayce wants to help you to move forward with what's going on, not at 120 days when the violation begins. Mayor Partin asked him what his proposal was. He stated a year. She asked Council Member Sox what his opinion was on the vacancy issue. He stated that he did not understand why it was necessary to impose fines that were so minute. He stated that he did not think there should be any fines or fee imposed on this. He stated that he agreed with Council Member James that the vacancy should be more than 120 days.

Council Member James stated that the proposed Ordinance listed categories and when it came to a category one or two it stated no code violations in Category One, and minimal code violations in Category Two. He stated that he was concerned of an overreach of government in the fact of if there were no code violations in a building and it was not dilapidated why would the City become involved. Mayor Partin stated that her suggestion would be to take out the categories altogether. She said that the categories came after meeting with Council Member James' Chamber Board. She stated that it was one of their suggestions. She stated that the proposed Ordinance was about vacant buildings, not about code enforcement. She stated that the City had other ways to address code enforcement.

Council Member Sox asked if just the first two (2) categories were being taken out of the Ordinance. Mayor Partin stated all three (3) categories were being taken out. She stated that she was never really on board with the categories and they were not in the Ordinance in the beginning. She stated that they wanted property owners to have fun and to make money. She stated that there were small businesses interested in

vacant buildings that could not get people to return their phone call when they called about the building. She stated that there were commercial real estate agents who had told staff that a particular real estate agent never returned calls. Mayor Partin suggested removing the categories because it was not about codes and code enforcement but about the buildings being vacant. She stated that all the City was trying to do was get energy and more small businesses, ideally, more Chamber members into those spaces.

Council Member Sox asked what the difference was in vacant commercial buildings and vacant rental property. He asked if the City was going to fine people that had rental properties that were vacant for a year. Mayor Partin stated that was residential and they were discussing commercial and industrial properties. Council Member Sox stated that constituted very similar outcomes at this point. He stated that if the City was going to fine a business or building owner for not having someone in their rental property why would the City not consider doing that for someone in a residential rental property. He stated that he thought both needed to be addressed at the same time if the City was going to impose a fee on someone who owns a piece of commercial property but not a residential person who was using that or are attempting to use it as a business, but it was considered vacant.

Mayor Partin stated that Council had before them an Ordinance that staff pulled from best practices from other places and did not invent, and it was looking at commercial and industrial vacant spaces. She stated that if Council wanted to add residential down the line, they could absolutely do that but they currently had a different Ordinance before them. Council Member Sox asked how many municipalities in South Carolina had a similar Ordinance in place. Ms. Hegler stated that just a handful did. Mayor Partin asked what that was germane to. Council Member James stated that if staff was looking at best practices of two (2) municipalities compared to 20 he would be concerned. Ms. Hegler stated that there were plenty of similar Ordinances around the country and in the Midwest. She stated that Columbia and Sumter both had one so staff started with theirs.

Mayor Partin asked if Council was good with dropping the categories. Council Member James stated that was fine. She asked what the next sticking point was. Council Member James stated that he had been contacted by realtors who said if a no trespassing sign is required for vacant properties and they have that listing and have a for sale sign there as well people were not going to go and be able to look at the piece of property because it says no trespassing. Mayor Partin stated that it made sense to take that wording out of the proposed Ordinance.

Council Member James stated that the penalties and the fines associated with the proposed Ordinance were an issue as well. He stated that he knew the Ordinance had to have some teeth to it however when the City was trying to encourage people to put their buildings up for sale or for rent versus when a building falls under a code

violation. He stated that he was talking about two (2) completely separate things. He stated that as Mayor Partin had said they were talking about a vacant building Ordinance, not about the codes and the violation of an Ordinance of the building falling down or being dangerous. He stated that property owners should be fined for things like that but to fine someone because they had not been able to rent their building he was not comfortable with.

Mayor Partin stated that if someone was not willing to invest \$1.92 a day on their property than the \$100 fee was not a disincentive to them. She stated that Council and staff knew that the proposed Ordinance, even without making it past Second Reading, has spurred good things to happen already. She stated that someone had been calling a building owner, one the City had been working with for a long time to try to move some of that forward, we would bring customers to this building owner and there was no interest or movement from the property owner. She stated that this building owner received the letter from the City regarding the proposed Ordinance passing on First Reading and Second Reading was delayed because the City really wanted to make sure that all vacant commercial property owners were informed. She stated that the next time this property owner received a call from an interested buyer he sold. Mayor Partin stated that the problem was because the building was allowed to be vacant for so long the roof was now falling in.

Mayor Partin stated that she had shared with Council that she would do everything she could to fight an Ordinance that did not have a fee in it, because it was not needed. She stated that staff already had a list of buildings and staff had been working with the owners for 10 or 15 years. She stated that the City did not need big government or these building owners to have to fill out something for no reason. She stated that staff received calls from small businesses all the time saying they wanted to bring a bakery or some other small business to the City and staff tried to connect them with vacant building owners and nothing happened. Mayor Partin stated that the City had done an amazing job of revitalization and the vibrancy of things that were happening in the River Arts District was so phenomenal. She stated that those business owners were being penalized. She stated that if Council did not like fees they needed to know that they were saying it was okay for a fee to be on those current businesses because they had to be right next door to a dilapidated building or they had to be right next door to a building that could be bringing customers that created synergy for their business. She stated that the fee was on the current business owners who were trying their best to bring vibrancy to the City and create business and have cool things for customers. Mayor Partin stated that the City did not want anyone to have a fee. She stated that the City wanted them to move forward. She stated that now some of Council wanted to give vacant commercial building owners another year to be vacant.

Council Member Sox stated that it continued to sound like a code issue to him. He stated that whenever one talked about roofs that were dilapidated, the City could currently go into the building and check that so why would the City not do that.

Mayor Partin stated that because doing that would cause the situation that the City currently had. She stated that the owners of Cayce Family Dentistry had talked to her and asked for help because they had people calling them all the time wanting to go into the building beside them but they could not get anything to happen and they were thrilled that the building had finally been sold. Mayor Partin stated that even if the City had made the property owner fix the roof it would not have addressed Cayce Family Dentistry's problem of having a big vacant space next to them. She stated that it was worse if the building was dilapidated because not every potential building owner would want to invest in that. Council Member Sox stated that it would not have to be dilapidated if it were inspected.

Mayor Partin stated that even if none of the vacant buildings were dilapidated, current business owners would still have businesses that were next door to them boarded up and they would not have the synergy of extra customers creating cross traffic. She stated that it was never about code issues but was about putting a viable business into these spaces. She stated that would give the City more places to eat, it would give the school kids a place to go to get a smoothie after school, all of these things that were not currently happening because the City had building owners who are not motivated.

Council Member James asked what was the difference between a commercial building structure and a residential structure, when the people throughout the city had to live beside something that may be of concern to them. He stated that if the City was moving at this pace about commercial buildings then what about the residents. He stated that staff could name some of those too throughout the community that probably needed some attention. Mayor Partin stated that she would say what she said to Council Member Sox which was to not add that on to the proposed Ordinance right now. She stated that Council and staff did not do that. She stated that they had been discussing the proposed Ordinance for five (5) months because they were deliberate and thoughtful. She stated that if Council wanted to direct staff moving forward with the Ordinance for vacant and commercial and industrial spaces but would also like them to bring back to Council information about residential that would be fine. Mayor Partin stated that was what the City did well and it would be really contrary to the thoughtfulness of the way that Council acted as a body to just throw something new on the current proposed Ordinance.

Council Member James stated that Council did talk about whether residences should be included as well and continued on without it. He stated that he could only imagine living in a neighborhood that maybe there was a structure that needed repairing and it was being ignored. He stated that if Council was going to go with an Ordinance for businesses was that not the time to include residences. Mayor Partin stated if he wanted to do that, without having staff give Council any information on that then go ahead but she did not think that was how Council typically operated.

Ms. Hegler stated that Council had brought up whether or not the proposed Ordinance should be a code enforcement policy. She stated that staff already had that in their tool belt and had the ability to enforce dilapidation to a point. She stated that the example of the building with the roof falling in, the City's code would require the roof be repaired but she thought the real point was that it was in bad shape because it had been vacant for so long. She stated that to the degree that staff would address code enforcement violations, even at the residential level, they did the best they could. She stated that staff had a list of properties on a demolition list and knew they were problems and eyesores in those communities. Ms. Hegler stated that she thought it was easier to say that the proposed Ordinance needed to be about vacancy in total and not code enforcement because code enforcement was a fine hair to slice.

Ms. Hegler stated that staff was required through code enforcement to board up what people would consider dilapidated properties that, did in fact, create blight and break down property values. She stated that staff would not necessarily have need to go into the building to notice the roof nor would City code require it to be repaired even if staff did see it. She stated that staff was only required to make sure the structure was soundly secured and it met certain basic principles of openness. Ms. Hegler agreed that the categories in the current proposed Ordinance were confusing. She stated they had been in there all along in the sense that a lot of people typically add additional structured fees. She stated that after meeting with the Greater Cayce West Columbia Chamber of Commerce's Board staff added the additional review because they said that part of the motivation for moving some of these property owners would be having to get additional inspections. She stated that obviously something in category three (3) would require the additional inspections. Ms. Hegler stated that she knew that it was confusing but it was not intended to be a definition of Code Enforcement. She stated that it just described that not all vacant buildings were treated the same. She stated that some were in great shape and were perfectly capable of being rented, while others needed some work done to them. She stated that what staff put in the Ordinance was a structure of additional inspections just to help get those Category Three (3) structures back up to something better so that they would be better for their neighbors. She stated that if that language got removed, then Council would be staying pure to the point of the Ordinance which was their objective to fill vacant buildings. She stated that was the objective all along. She stated that it could be dealt with through code enforcement, but that would not always do what you wanted it to do. Ms. Hegler stated that it was a never-ending battle, but it was not going to turn all of these vacant buildings into something beautiful. She stated that there would still be boarded up buildings and buildings with roofs that were just simply collapsing on the inside, because they were not being used and maintained. She stated that did not make it a code enforcement violation.

Council Member James stated that he did not want to assume that he was speaking for everyone but he felt like all of Council agreed with the spirit of what they were trying to do. He stated that when one was looking at eight (8) pages of legalisms it

was hard to make sure that they were doing what it said and was right for the people. He stated that he felt that through their discussions Council had gotten a lot closer to their objective. He asked Ms. Hegler if she would go back with Council's discussions. Mayor Partin stated that she did not see why that was necessary if the philosophical question was never going to be agreed upon regarding having a fee.

Council Member Sox stated that he thought he was anti-fee. He asked Ms. Hegler if Council would ever get any sort of answers or any other information on buildings that were on properties that were being used, but were vacant because there were buildings that were on properties that were in use but were vacant buildings, but were on a piece of property that had an active business license. He asked how that was addressed. He stated that there were a couple of properties like that. Ms. Hegler stated that there was one in particular that was a separate address and there was not a business license for that address. She stated that in that instance according to the proposed Ordinance it would be considered vacant. She stated that in the circumstance where two (2) buildings were on the same parcel, but were different addresses one (1) building might have a business license and the other one did not. She stated that staff would look purely as best as they could at that as their first cut of determining vacancy whether or not it had an active business license indicating it had an active business in it. Ms. Hegler stated that beyond that, one would have to use some logic.

Council Member Carter stated that if a piece of property, had five (5) buildings, and he leased the parcel from the property owner, granted, building number five had an address, a separate address but he was not utilizing that property and there was no business license attached to it. He stated that the business license was for the parcel, for a business, and he chose to use four (4) out of the five (5) parcels would that subject parcel number five, to the proposed Ordinance. Ms. Hegler asked if there were examples of this type of parcel within the City. Council Member Carter stated there was one that had four (4) buildings. Ms. Hegler stated that logic would get applied to these situations and it might be in that case, that it would not make sense to do. She stated that she knew the parcel Council Member Carter was referring to and it was a viable building that was simply not being utilized and it was not fulfilling its commercial use. She stated that one (1) building out of five (5) the commercial viability may be a different question. Mayor Partin stated that the building Council Member Carter referenced was the building that people were begging to use. Council Member Sox asked if that was why Council started looking into the proposed Ordinance. Mayor Partin stated that would never be why Council would do something.

Mayor Pro Tem Jenkins stated that Council was arguing over a \$100 fine or fee but when someone's home or yard was not in compliance with the City's code they were given a \$1,500 violation ticket if they did not come into compliance. He stated that some of Council was suggesting to not charge a commercial building owner but there were fines for residential. He stated that you could not do one and not the other.

Mayor Partin stated just to be clear, some Council Members had heard from building owners who would be upset about paying a \$100 fee because they did not want to do anything with their business and did not plan to build anything. Council Member James stated that he had not heard from anyone in reference to the fine being \$100 or \$500. He stated that he had heard from people who did not feel that the City should enforce something like that on a building they owned. He stated that it was not about the \$100.

Mayor Partin stated that the current businesses were being penalized. She stated that Council had five (5) months that they could have put forth some ideas to create a good Ordinance that could move forward and would address the vacant building issue. She stated that by not doing that they were currently enforcing a penalty on the current businesses. Mayor Pro Tem Jenkins stated that one way to look at it was if one went to Main Street to dinner at a restaurant and the restaurant was dirty then one would not eat there. He stated similarly if one was moving into Cayce and wanted to open a business or purchase a house and the surrounding area or properties was nasty they would not move there. He stated that a lot of times one had to do things one did not want to do but in the long run, it would work better.

Mayor Partin asked Council what their proposal was for the fee. She asked if they were saying they did not want a fee at all. She stated that they had five (5) months with the proposed Ordinance. Council Member James stated that he was not opposed to anything. Mayor Partin stated then there was no reason to kick the can down the road. Council Member Sox stated that he would move to vote then. Council Member Carter stated call for the question. Mayor Partin stated that they were voting whether or not to pass the proposed Ordinance. She called the question and the motion failed. Mayor Partin and Mayor Pro Tem Jenkins voted yes. Council Members Carter, James and Sox voted no. Mayor Partin stated that was a disappointing waste of five (5) months.

Resolutions

A. Consideration and Approval of Resolution Approving the Process for 2020 Redistricting

Ms. Hegler stated that the 2020 census data was released a little later than usual and in response to that, cities were obligated to undertake a redrawing of its districts if it was deemed necessary. She stated that the City had to redraw its districts and staff would work with the South Carolina Revenue and Fiscal Affairs Office to complete that process. She stated that they had completed an initial review of the census data and identified the target population for each district to have 3,445 individuals. She stated that they recommended a population deviation of 5%, meaning the district could be 5% below or above that 3,445. She stated therefore at least two (2) of the City's districts needed some attention. Ms. Hegler stated that District Two needed to increase in

population and District Four needed to decrease. She stated that to continue with the redistricting process, the Fiscal Affairs Office had recommended that the City adopt a Resolution that outlined the standards by which it wanted to achieve its redrawn district boundaries. She stated that these were mostly principles that fell in line with the legal requirements that are put forth for redistricting.

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

Items for Discussion and Possible Approval

A. Discussion and Approval for Submitting a SAFER Grant through FEMA for Two Firefighter Positions and a Fire Marshal Position

Ms. Hegler stated that calls to the City's Fire Department had increased over the last few years and were expected to continue to increase. She stated therefore, the Department would like to fully staff two apparatus at one time. She stated that the Fire Department had enough staff currently, to very safely, during the three (3) shifts have firefighters on each shift with split between the two apparatuses. She stated that there was a supervisor for each vehicle. She stated that having the two (2) additional firefighters would allow the City to move staffing to eight (8) per shift, with seven (7) being the minimum. She stated that the City had an opportunity to apply for grants that were not possible before as the City was a joint Public Safety Department. She stated that what was before Council was a grant through FEMA that would allow the City, if awarded, to add those two additional firefighters. Ms. Hegler stated that it would also allow, per staff's request, to include a dedicated Fire Marshal. She stated that currently the Fire Chief was performing that role. She stated that the grant, if awarded, would be fully funded for the first year, and then it decreased by 20% each year thereafter. She stated that the request before Council was to enable staff to apply for the grant through FEMA. She stated that if it was awarded, then staff would bring that back to Council as it would be an addition of full time employees and staffing.

Mayor Pro Tem Jenkins made a motion to approve staff submitting a request for that funding application. Council Member James seconded the motion. He asked if the grants were approved, would they then come back before Council. Ms. Hegler stated that if the City was awarded then yes, they would come back before Council because she would want Council to actually accept the grant and then accept the additional positions. She stated that before staff went through the application process, she wanted Council to have a conversation before approving it. Council Member James stated Council was committing to an additional \$225,000 dollars in the budget in six (6) years if the City was awarded the grant.

Council Member Carter stated that he really appreciated the breakdown of the numbers from year to year that M.s Hegler put in the White Paper. He stated that it was

very informative. He stated that he had been in situations in other places before, where he did not receive that kind of breakdown and really did not know what they were up against when the grant ran out. He stated that this grant was incremental but that being said, since the City was entering into budget time of the year, he thought it would be a really good time for all the City departments to let Council know where they were going staffing wise. He stated that the department heads always did that but he wanted them to continue to let Council know where they would be staffing-wise in five (5) or six (6) years. He stated that Council had a work session years ago about long term revenue and expenditures. Council Member Carter stated that Council and staff had to look five (5) to 10 years down the road so they needed to find out where the City would be staffing- wise, which was the main crux of the budget, in those years down the road, and where the City would be money-wise down the road. He stated that he really appreciated the White Paper. Ms. Hegler stated that the credit went to Fire Chief Bullard. Mayor Partin called the question which was unanimously approved by roll call vote.

B. Discussion and Motion to Ratify Action of City Manager entering into a Contract for Emergency Repairs to Sewer Line in Parkwood Subdivision

Ms. Hegler stated that she had to execute an agreement with McClam and Associates on March 1 for the emergency pipe burst that was necessary to repair a collapsed line in the Parkwood Drive area. She stated that the sewer line collapse was detected on Monday, February 27, and staff immediately put in a bypass line so there was no overflow. She stated that it had to be addressed immediately because it was in a major roadway. She stated that staff did look at other options and a typical option would be to dig up and replace the pipe, which would have been expensive and time consuming. Ms. Hegler stated that the Utility Department wisely sought the other option, which would be to burst the pipe and get it corrected. She stated that the issue was already fixed and the cost was \$35,500. She stated that McClam and Associates had the needed equipment, materials and the labor to do the job. She stated that this occurred in between Council Meetings so she did have to execute and use her emergency powers to sign the agreement.

Council Member Sox made a motion to approve and ratify the prior actions of the City Manager concerning the agreement with McClam and Associates as described in the emergency certificate for a total of \$35,500. Council Member James seconded the motion which was unanimously approved by roll call vote.

Committee Matters

- A. Approval to Enter the following Committee approved Minutes into the City's Record
Cayce Housing Authority Meeting – December 13, 2022
Cayce Housing Authority Annual Board Meeting – December 13, 2022

Museum Commission – January 11, 2023
Events Committee – January 12, 2023
Planning Commission – January 23, 2023

Council Member Carter made a motion to accept the Committee approved minutes into the record. Council Member James seconded the motion which was unanimously approved by roll call vote.

**B. Reappointment
Accommodations Tax Committee – One (1) Position**

Mayor Partin stated that Mr. Neal Patel's term expired in March. She stated that he was filling the position of someone that worked in the lodging industry that was required for the Committee. She stated that Mr. Patel did want to serve again. Council Member Carter made a motion to reappoint Mr. Patel. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

**C. Discussion and Approval of Proposed Amendments to Planning Commission
By-laws**

Council Member Carter made a motion to approve the proposed amendments to the Planning Commission's by-laws. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

**D. Discussion and Approval of Proposed Amendments to the Board of Zoning
Appeal By-Laws**

Council Member Sox made a motion to approve the proposed amendments to the Board of Zoning Appeal's by-laws. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that SCMIRF and SCHMIT through MASC did complete the City's 2023 risk self-assessment with the HR Department. She stated that they assessed 30 focus areas and the City did very well. She stated that the City did receive comments on four (4) opportunity areas that could be improved. She stated that a local Boy Scout completed his Eagle Scout project on an arbor bench that he built and placed by the creek near the City's Museum. She reminded Council and the assembly that the SCDOT would be closing I-77 for bridge repair work in the coming weeks. She stated that they would start first on the northbound approach on March 24 and anticipated it taking nine (9) days. She stated SCDOT would close southbound lanes on April 14, however both sides would remain open during Easter. Ms. Hegler

stated that SCDOT was working on how to get the information out about rerouting and City staff would do the same on social media to make sure people understood where to go.

Ms. Hegler stated that at the last Council Meeting Council asked staff to follow up with the Planning Commission to determine what the basis was for them denying a rezoning applicant's request for withdrawal at their January 23 meeting. She stated that staff did follow up and inquired at the Planning Commission's last meeting which was on February 27. She stated that the reason that staff was given for the withdrawal denial was that the Commission chose to hear the case because they knew how they were going to vote and they did not want the case to be brought back up again. Ms. Hegler stated that members of the Planning Commission then asked why Council would inquire about this and directly wondered if their decision to not accept the withdrawal was considered to not be customer friendly. She stated that Assistant City Manager Conley relayed what Council's question was and why. She stated that she understood that Council recently received an email from the Planning Commission Chairman in which he gave a different response. She stated that his email did not match the record that was reflected in the Planning Commission's minutes. Ms. Hegler stated that she was not sure what Council would like her to do with that, if anything. She stated that the City's spring plant exchange was Saturday, April 11, at City Hall starting at 10. She stated that staff was in full planning swing for the Soiree on State that would be held at its new date, March 25 starting at 2pm.

Council Comments

Mayor Partin asked Council if they would like staff to do anything regarding the Planning Commission straightening up their records. Council Member Carter stated that it was Ms. Hegler's purview and she would handle it accordingly. He stated that if Ms. Hegler had any problems she could come to Council but stated that she should do whatever she needed to do. Mayor Partin stated that she was concerned about things being said about City staff in open session that were disparaging. She stated that the City had some of the best planning staff of any city around and Council was proud of them. She asked that Ms. Hegler share that with Ms. Monique Ocean as well.

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

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

Reconvene

After the Executive Session was concluded, Council Member James 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.

Adjourn

Council Member Carter made a motion to adjourn the meeting. Council Member James seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 7:55 p.m.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk

