



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, May 2, 2023**

The May 2, 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 James Jenkins and Council Members Phil Carter, Tim James and Hunter Sox. 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, Utility Director Betsy Catchings and City Attorney Danny Crowe were also in attendance.

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

Call to Order

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

Approval of Minutes

Mayor Pro Tem Jenkins made a motion to approve the March 31, 2023 Special Council Meeting, Budget Work Session, April 4, 2023 Regular Council Meeting, April 19, 2023 Special Council Meeting, Budget Work Session and April 19, 2023 Regular Council Meeting minutes as written. Council Member Carter 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.

Presentation

- A. Recognition of City Employee, Juana Saavedra, for being awarded the 2023 Statewide Outstanding Service Provider by the South Carolina Victim Assistance Network

Mayor Partin asked Ms. Saavedra to join her at the podium. She stated that Ms. Saavedra was being recognized for being awarded the 2023 Statewide Outstanding Service Provider by the South Carolina Victim Assistance Network. She stated that the Cayce Police Department's Victim and Community Outreach Coordinator, Ms. Juana

Saavedra was recently presented the Outstanding Service Provider Award from the South Carolina Victim Assistance Network during their annual Victims' Rights Week conference. Ms. Saavedra was chosen for her consistency and being a voice for victims, her compassion for everyone and the care she gives the Cayce police team and community every day. Mayor Partin stated that Ms. Saavedra went above and beyond the call of duty and epitomized what every person should strive to be.

Proclamation

- A. Approval of Proclamation – Declaring April 30 – May 6, 2023, Municipal Clerk's Week

Council Member James made a motion to approve the Proclamation declaring April 30, 2023 – May 6, 2023 as Municipal Clerk's Week. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote. Mayor Partin stated that Ms. Corder just celebrated her 25th year of employment with the City. She thanked her for all she does for the City.

Ordinances

- A. Discussion and Approval of Ordinance 2023-04 Amending Zoning Map and Rezoning Property Located at 1827 Grace Street (Tax Map Number 005750-04-005) from RS-3 to RG-2 – First Reading

Ms. Hegler stated that the subject property was a vacant piece of land located among other RS-3 zoned properties on Grace Street. She stated that the owner applicant wished to rezone the property from RS-3, which was a single family residential zoning district, to RG-2, a general residential district, which allowed for a variety of housing types including those that were multifamily. She stated that the applicant was able to apply for that zoning district by the City's Ordinance because it was considered contiguous to other RG-2's however those RG-2 districts were actually across the railroad tracks closer to Poplar Street. Ms. Hegler stated that the requested zoning of RG-2 was not in compliance with the City's Comprehensive Plan. She stated that the subject property was located in the residential conservation and infill areas of the future land use map of the City's Comprehensive Plan and compatible zoning districts for that area were listed as RS-1, RS-2, RS-3, and R-4 which were all single family type housing styles.

Ms. Hegler stated that staff did not recommend approval of the application. She stated that even though contiguity might be established by omitting the road and railroad on the other side, the requested change to RG-2 was not suited to the immediate neighborhood of single family properties and the request to zoning would not be in compliance with the Comprehensive Plan for that reason. She stated that the Planning Commission met on April 17, 2023 to receive public comment and vote on the

application. She stated that three (3) members of the public spoke against the request and cited that the allowable uses for the RG-2 zoning designation would not be compatible with their surrounding neighborhood. She stated that no one spoke in favor of the request. The Planning Commission decided by unanimous vote to recommend that Council deny approval of the request to rezone the property RG-2. Ms. Hegler stated that the Planning Commission stated they felt the requested zoning along with the possible uses in the RG-2 zoning district would not be compatible with the neighborhood and it did not comply with the Comprehensive Plan.

Council Member James made a motion to deny the request for rezoning. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

B. Discussion and Approval of Ordinance 2023-05 Authorizing and Directing the City of Cayce to Enter into an Intergovernmental Agreement Relating to South Carolina Local Revenue Services; to Participate in One or More Local Revenue Service Programs; to Execute and Deliver One or More Participant Program Supplements; and Other Matters Relating Thereto – First Reading

Ms. Hegler stated that the City had long participated in the Municipal Association of South Carolina's (MASC) tax collection program for certain business licenses. She stated that MASC had recently rebranded that program as the Local Revenue Services Program and added an appeal process that did not exist before. She stated that nothing substantive had changed in terms of how MASC collected those taxes and how they got them to the City. She stated that however, that rebranding, along with the adoption of the new Business License Ordinance that came under State Act 176, required the City to update its agreement with MASC to mirror that language, and adopt an Ordinance that required that. Ms. Hegler stated that it had been reviewed by the City Attorney. She stated that First Reading of an Ordinance that would direct staff to enter into the new governmental agreement, as well as a supplement which basically stated the City would continue to participate in the tax programs was before Council.

Council Member Carter made a motion to authorize and direct the City of Cayce to enter into an Intergovernmental Agreement Relating to South Carolina Local Revenue Services to participate in one or more local revenue service programs, to execute and deliver one or more participant program supplements and other matters relating thereto. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

Items for Discussion and Possible Approval

A. Acceptance of Donation of the Thomas A. Newman Boat Landing from Dominion Energy

Ms. Hegler stated that the City entered into an agreement first with SCE&G in 1983 to build, maintain and operate a public boat access located on the Congaree River that was historically known as Granby Landing. She stated that throughout the years the City had made significant improvements to it since it was part of the City's Riverwalk. She stated that the City received funding to update it after the 2015 flood. She stated that Dominion Energy had offered the City the donation which was outright ownership for a portion of the Tax Map # 5800-03-004, which would consist of the road, parking lot, and the boat landing itself, so that area would be separated from the larger partial that SCE&G owns. Ms. Hegler stated that this item did come before Council at the April 4, 2023 Council Meeting and Council asked to defer it to get some additional information which was provided to them the prior week. She stated that staff recommended that Council accept the donation of land, known as the Thomas A. Newman Boat Landing located on Granby Landing Road off of Old State Road. She stated that if Council chose to accept the donation, they would need to approve the agreement of gift of property document that had been prepared by Dominion and to authorize the City Manager to execute the agreement and any related closing documents and take such further actions as recommended by the City's attorneys. Ms. Hegler stated that it needed to be that formal because Dominion needed that action of gift donation for their purposes.

Mayor Pro Tem Jenkins made a motion to accept the donation of land known as the Thomas A. Newman Boat Landing located on Granby Landing Road off of Old State Road and to approve the agreement of gift of property document prepared by Dominion and to authorize the City Manager to execute the agreement and any related closing documents and take such further actions as recommended by the City attorney. Council Member Sox seconded the motion.

Council Member Carter stated that at the April 4, 2023 Council Meeting Ms. Hegler mentioned a grant. He asked if the grant was in place and if so, was it location specific, or just a grant for a kayak launch. Ms. Hegler stated that it was not location specific however, staff had been working to find a proper location since receiving the grant and always came back to the boat landing as the best site which was one of the things that triggered the discussion with Dominion about potentially what could be done. She stated that staff first asked for a long-term lease from Dominion and they offered to just donate the land since the City had been leasing it for so long. Ms. Hegler reiterated that the grant itself was not location specific but through lots of work, research and hydrologic studies the boat landing was determined to be the best location.

Council Member Carter asked if staff had gotten input from kayakers. Ms. Hegler stated yes and there had been a lot of people involved in it. Mayor Partin stated that she thought when it was originally brought before Council staff was looking at Riverland Park because there was parking and bathrooms there. Council Member James stated that he thought the Riverland Park site was looked at because no one wanted kayaks close to motorized boats. Ms. Hegler stated that multiple locations along the Riverwalk

including up near Blossom Street were looked at. She stated that the problem with the Kelly Jones Park in Riverland Park was the slope. She stated that it was not possible to get enough of a gradual slope to be ADA compliant to the river. She stated that staff looked at various places that the City already owned to implement the grant but it really was not feasible anywhere else. Ms. Hegler stated that staff had worked out a way that they thought that compatibility with motorized boats would be achieved. Council Member James asked if it was okay to have a kayak launchpad around motorized boats. Ms. Hegler stated that improvements would be made to the landing so boats and kayaks were not getting in at the same location. Council Member James asked if it would be an ADA compliant launch for motorized boats, as well as kayaks or just ADA for the kayaks. Ms. Hegler stated it would just be for kayaks. She stated that the ramp itself would be improved so there would be a better grade all around it. She stated that it was not the intention of the grant to make it ADA compliant for boats but it would improve it for motorized access as well.

Council Member James stated his concern at the April 4, 2023 Council Meeting was the City being held liable but Ms. Hegler sent an email detailing that the City had always assumed responsibility for the boat landing for the last 20 years so, there was not a difference in liability from tomorrow than it was yesterday. Council Member James stated that his bigger question was what was the City's goal or dream with the boat landing. He asked what they were going to do with it. Ms. Hegler stated that staff would love to improve it in many ways. Mayor Partin stated that it was already the Cayce boat landing and it was named after Mr. Thomas Newman. Council Member James stated that he was referring to the improvements of it. He stated that now that the City had a grant for it that might position the City better for more grants. Ms. Hegler stated that staff had looked a lot for PRT grants to install bathrooms and additional facilities there but could not do much since the City did not own the property. Council Member James stated that it was a perfect location for a bathroom between Timmerman Trail and the remainder of the Riverwalk. Ms. Hegler stated that staff had spoken to Parks, Recreation and Tourism about a bathroom facility there. She stated that it had been designed, but staff had been limited in applying for it because of ownership. Mayor Partin called the question which was unanimously approved by roll call vote.

B. Discussion and Approval of a License Agreement with Norfolk Southern for an Encroachment to Repair the Railroad Avenue and State Street Sewer Line

Ms. Hegler stated that the agreement was for a long-term lease for a sewer line encroachment that would run under the railroad tracks at Railroad Avenue and State Street where the City already had existing lines there. She stated that a line collapsed there in 2021. She stated that the line was old and one of the few in the area that staff had not been able to reline and it was not able to be fixed or removed. She stated that Council did fund improvements to that sewer line in last year's budget and staff had been working since to design that work and negotiate the proper permits and

agreements that were needed with Norfolk Southern. Ms. Hegler stated that what was before Council was an agreement for a long term encroachment permit that would allow staff to go underneath the railroad right of way and make the improvements needed for that sewer line project. She stated that Council had already approved the cost of that but the agreement before Council did include a permit fee of \$12,560 which was standard. She stated that the agreement had been reviewed by the City Attorney.

Mayor Pro Tem Jenkins made a motion to approve the license agreement with Norfolk Southern Railway Company and authorize the City Manager to execute it and it did include an encroachment fee of \$12,560. Council Member Sox seconded the motion. Council Member Carter asked which line item of the budget the fee would be charged to. Ms. Hegler stated that it fit within the \$300,000 that Council had already approved. 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
 - Planning Commission – February 27, 2023
 - Museum Commission – March 1, 2023

Council Member Sox made a motion to enter both sets of minutes into the record. Mayor Pro Tem Jenkins seconded the motion. Council Member Carter stated that the way the system worked, Council could not approve minutes from City committees or commissions until they had a follow up meeting, and they approved the minutes before they come to Council. He stated that staff needed to look at some mechanism for Council to get the minutes before they voted on the items included in the minutes. He stated for instance, Council voted on the Planning Commission recommendation but would not see those minutes until they had a follow up meeting to approve those minutes. Council Member Carter stated that it would be nice if Council could see the minutes. He stated that he realized that staff relayed what went on at the meeting and Council saw their vote but lately there had been some three to two votes by the Planning Commission that had come before Council. He stated that Council had a hard time grabbing the pulse of what went on in the Planning Commission meetings without being able to see their minutes. He stated that he did not know how to fix it and was just asking for staff to think about if there was a way to improve that mechanism a little bit. Council Member James stated that he thought that was an excellent point. He asked if City committees were given a timeframe or was it just the next month that they approve the minutes. Mayor Partin stated that the minutes have gone to the Committee and then go straight to Council. She stated that she was not sure when there would be a window to get the minutes sooner to Council unless Council slowed down and did not operate at the speed of business. She asked if staff's recap was not enough. Council

Member Carter stated that sometimes the written minutes, or maybe even someone from the Planning Commission representing the Planning Commission at a Council Meeting could give them the pulse of what went on. He stated that there had been a few three to two votes on the Planning Commission and he just wanted to get a better handle on what they were thinking from their perspective. He stated that he understood he got it from staffs' perspective, but he would like to have it from all perspectives to make an informed decision on whether to uphold or overrule their recommendation. He stated that he realized it was difficult, without slowing up the process and he certainly did not want to do that. Council Member Carter stated that maybe one of the Planning Commission members could come and offer some insight as to what was going on that night.

Mayor Pro Tem Jenkins asked if Council Member Carter was asking to receive minutes every two (2) meetings so Council would receive two (2) months of meetings minutes. Council Member Carter stated that he would like to see the minutes of a meeting before he voted on the item that was discussed in that meeting. He stated that Council voted on the Planning Commission's recommendation for the property on Grace Street but he had not seen the minutes of the meeting where they discussed Grace Street. Mayor Partin stated that she did not want to leave staff frustrated and did not want Council Member Carter putting something out there that staff did not know what to do with and then he did not get something back. She stated that she wanted to make sure that everybody was clear on what the expectation was. She asked if the information in the white paper for the meeting was not enough. Council Member Carter stated no, he would like to see the minutes. Mayor Partin asked how he would like that to feasibly happen. Council Member Carter stated that he did not have a problem with receiving draft minutes so as not to upset the efficiency of the City. He stated that he did not know who prepared the minutes. He stated that he needed to think about what he needed rather than putting Ms. Hegler on the spot and asking her.

Council Member James stated that he felt the same way and many times when there was a three-two vote he wondered what was on their minds. He stated that it would be nice if Council had the minutes. He stated that Council received the minutes so they could look at them or was there another reason they were getting minutes. Mayor Partin stated that Council was simply entering the minutes into the official public record. She asked Council to look at the Planning Commission minutes that were in the agenda packet. She asked what was not being conveyed to them from staff and the white paper. Council Member James stated that he would like to see the discussions if it was a three to two vote. Mayor Partin stated that the one in the minutes in the agenda packet was from Frink Street and it was a five/two vote. She read a paragraph from the minutes. Council Member James stated that she was correct and the minutes were pretty thorough on that particular one.

Ms. Hegler stated that Council Member Carter had a good question. She stated that staff prepared the minutes for the Planning Commission based on the recording of

the meeting and notes, and the white paper that staff prepared for Council. She stated that staff could make sure to be super clear in the white paper since it was always a reflection of the Planning Commission action. She stated that particularly when it was not a unanimous vote, staff at the Planning Commission meeting did a good job of making sure they got the reasons why each Commissioner voted the way they did and that was relayed in the white paper. She stated that staff could make sure that it was as thorough as it could be and possibly even offer it more like a summary of the events, which would effectively be the same thing as draft minutes. Ms. Hegler stated that the Planning Commission did not meet every month and only met as needed, and she did not think that Council wanted to delay actions on the rezonings based on their ability to meet or need to meet to approve minutes. She stated however staff could summarize for the white papers what those actions were. Council Member Carter stated that would be most appreciated. Ms. Hegler stated that she would look back at some of the other three/two votes to make sure that it was clear to Council the summary of their reasons for their actions. Council Member Carter stated that historically the Planning Commission votes had been unanimous and just within the past few months there had been some differences of opinions. He stated that he was very interested in those so if staff would relate that to Council it would be appreciated. Mayor Partin called the question which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that the Riverwalk had flooded quite a bit over the weekend and the water was just starting to recede enough for Parks staff to check it out. She stated that there were inches of mud so the Parks new skid steer was getting good use. She stated that Smart Cop staff would be at the Police Department the following week for the final installation of the Police Department's new reporting software that Council approved last year. She stated that staff was excited to get that underway. She stated that Sanitation was demonstrating two (2) camera GPS systems for the new sanitation trucks. She stated that it recorded their routes and kept good data. She stated that Mr. White was really excited by the data he was getting. She stated that staff was deep into budget prep and per the City's agreement, staff did submit draft budget information to the City's sewer purchasers last week that was due by the end of April. Ms. Hegler stated that in addition to that, staff had worked hard to preliminarily balance the General Fund budget. She stated that First Reading of the budget was in June and between now and then staff would be detailing the options that they looked at for balancing the budget as well as alternative ways to fund some of the City's capital projects. Ms. Hegler stated that the Legends of Cayce event being put on by the African American Committee of the Cayce Historical Museum was the following Wednesday and was being held at the Innovation Center at 6:30pm. She stated that she was excited to announce to the public that the City had been awarded \$10 million for the Avenues drainage projects through RIA which was an ARPA project from the State. She stated that staff was working to get that underway and was really excited about what that will

do for stormwater in the City. She stated that she thought it would immensely improve, if not almost completely cure, long-standing issues there.

Ms. Hegler stated that she had a couple of staff kudos to share. She stated that someone wrote Chief Cowan in early April stating they had just caught a cool moment seeing two Cayce Police Officers playing football and soccer with kids in their yard. She stated that Chief Cowan wanted Council to know that the Officers were doing good work getting out in the community. She stated that another staff kudo was in reference to Parks and Animal Safety Officer Weaver and Evidence Custodian Hall, who both went above and beyond to help a citizen on the holiday weekend to ensure that they had their belongings and were able to get where they needed to go. She stated that she received a great compliment on Rochelle Smith, the City's business license administrator. She stated that Ms. Smith was doing business license renewals and property registrations renewals and it was a very busy time but she got an email from a commercial construction company stating ... "I'd just like to mention one- how easy your process for applying for a license and permit is, it's a 10 out of 10, and number two-how nice you have all been, it is a breath of fresh air compared to other cities and counties." Ms. Hegler stated that when City enforcers received compliments like that, you know they were doing a good job and they were working with the public and customers with that great customer service orientation.

Council Comments

There were no 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 matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other business in the area served by the City

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 Sox 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 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 7:41 p.m.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk

