



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
Public Hearing and Regular Council Meeting
Wednesday, June 22, 2022

A Public Hearing 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, Deputy City Manager Jim Crosland, Municipal Clerk Mendy Corder, IT Director Jamie Beckham, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley and Police Chief Chris Cowan were also in attendance.

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

I. Opening Statement

Mayor Partin stated that Pursuant to Section 6-1-80 and Section 6-1-330 of the South Carolina Code of Laws, public notice was hereby given that the City of Cayce City Council would hold a Public Hearing on the proposed budget and establishment of a new fee and fee amounts to be adopted as part of the Budget Ordinance. She stated that the 22-23 fiscal year revenues were \$16,542,065 and the expenses were \$16,542,065. She stated that the budget within the agenda packet and that was detailed in the flyers that citizens received on their roll carts was what Council was acting on that night. She stated that Council looked forward to hearing from the public and one did not need to sign up to speak during the public hearing. Mayor Partin asked anyone who would like to come forward and speak to please do so.

II. Public Testimony

Dr. Colette Townsend-Chambers stated that she lived in Churchill Heights and her Councilman was Hunter Sox. She stated that she wanted to express her concern about the tax increase for the property tax. She stated that the average citizen might not understand the terminology when it comes to millage and how much it was. She stated that while she did understand a tax increase was needed because everything had increased because of the cost of living and the pandemic. She stated that she would like the City to consider how it conveyed the information in full transparency with regards to how much the increase added up to. She stated that her understanding and looking at the millage in the documents it looked like it was going to be \$1.35 per \$1,000 or \$100,000. She stated that she was unclear on that. She stated that her concern was what was the range for the citizens. Dr. Townsend-Chambers asked if it was necessary to go from zero to three (3) mils or did the increase have to go all the way up to five (5) mils in order to make the budget. She stated that her concern was that the City might

possibly be going for the highest number and the most amount of money that it could get.

III. Close Hearing

There was not any further public testimony therefore Mayor Partin closed the hearing.

The Council Meeting immediately followed the Public Hearing at 6:05 p.m. 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, Deputy City Manager Jim Crosland, Municipal Clerk Mendy Corder, IT Director Jamie Beckham, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley and Police Chief Chris Cowan 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 Jenkins gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

Public Comment Regarding Items on the Agenda

Mayor Partin gave an introduction to public comment. She stated that the public comment section on the agenda provided an opportunity to members of the public to present to Council their thoughts or comments on items on that night's agenda. She stated that Council was so glad that they were there and hoped they would come back for every Council Meeting. She stated that she hoped that anyone there to speak knew that there were many ways that one could communicate with Council. Mayor Partin stated that the City had an awesome customer service focused staff who would love to hear from anyone. She stated that Council loved to attend neighborhood meetings. She stated that she held monthly meetings with the local neighborhood leaders and she also was available to meet an hour prior to the first Council Meeting of the month. She stated that the City had multiple Boards and Commissions that took input from citizens and used that in their planning, including the Planning Commission. She stated that the Planning Commission held a hearing on one of the items that was on that night's agenda. Mayor Partin stated that public comment was not a question-and-answer period between the speaker and the Council or the speaker and City staff. She stated that public comment should never be derogatory towards a specific individual or individuals and public comment should be five (5) minutes or less per person. She

stated that there were a number of people who were signed up to speak that night and asked that they keep their comments concise.

Mr. Brett Kunce, Item IV. A. Mr. Kunce stated that he was the Director of Operations for CMC Steel, South Carolina located in Cayce. He stated that he wanted to take the opportunity to speak about the negative impact the proposed Franchise Fee Ordinance would have on CMC's employees and how it would affect the future of the plant. He stated that CMC Steel was one of the largest consumers of electricity in Dominion Energy's service area in the state and CMC employed approximately 450 employees with an average wage of \$75,000 a year. He stated that CMC Steel donated and contributed upwards of \$100,000 a year to local charities and organizations. Mr. Kunce stated that the job impact ratio for a steel mill the size of CMC Steel was that for every one (1) CMC employee, there were five (5) jobs outside the plant necessary to support the plant, whether it was contractors, vendors, suppliers, local trucks, rail providers or machine shops. He stated that they estimated that their local impact to be approximately \$1.5 billion dollars a year.

Mr. Kunce stated that the proposed Ordinance 2022-03 that was supposed to be voted on that evening, would for the first time impose a 5% franchise fee on all industrial customers in the City of Cayce. He stated that the City had made it seem like the franchise fee was to be imposed on Dominion although Dominion had stated they would not absorb the fee through their shareholders and intended to pass it along through their customers. He stated that the City of Cayce would be the only city in Dominion's territory to impose such a fee for no reason on industrial customers. He stated that the logic of the franchise fee was to charge a fee for the use of the City's right of ways but in CMC's case, Dominion's transmission lines were on private property and did not cross any of the City's right of ways or any roads maintained by the City. Mr. Kunce stated that CMC's power bill was disproportionately higher than all other consumers given the nature of their business. He stated that energy was by far their highest component in their cost structure since they used it to melt 700,000 tons of recycled scrap metal per year.

Mr. Kunce stated that the steel business was cyclical and with rising energy, gas and material costs, it appeared that a recession was imminent and would have an impact on CMC's business. He stated that although the City had offered a cap to individual customers of \$200,000 a year, CMC felt that the proposed franchise fee was unfairly targeting them especially since they did not use any of the right of ways for their incoming power. He stated that CMC was asking that the City consider a lower cap that was commensurate with what the next three (3) largest industrials in the City would pay annually as other industrials would most likely be nowhere near the \$200,000 cap. Mr. Kunce stated that CMC Steel already paid a large annual business license fee and had not seen any positive impact to their road conditions for several years. He stated that Taylor Street was owned by the City and was used by many of the other industrials and had been in disrepair for several years, and served as the main entrance to CMC. He

stated that CMC was asking that before Council voted that they consider the deeply negative impact the proposed Ordinance would have on their operations, their ability to remain competitive, the long-term effects on capital investment in their facility, as well as the current and future employment levels at the Cayce facility.

Mr. Wes Taylor, Item IV. D. Mr. Taylor stated that he wanted to make a few points in follow up to the Planning Commission Meeting held a couple weeks prior. He stated that in regard to his request to rezone property on F Avenue from RS-3 to RS-4. He stated that it was stated in the Planning Commission Meeting that the rezoning to RS-4 was in keeping with the Comprehensive Master Plan for the City. He stated that the current zoning of the property allowed for a 16-lot development and he was asking for RS-4 zoning which would allow for five (5) additional homes. He stated that Congaree Bluff was a good model for the development he was proposing and was very similar to the infill project for F Avenue. Mr. Taylor stated that several neighbors expressed concerns regarding the stormwater issue. He stated that he was driven to make the request for the RS-4 zoning and additional lots to provide the necessary funding to address the stormwater issues. He stated that the stormwater issues did not originate on F Avenue and had been an issue for over 30 years and now was an opportunity to address it. He stated that neighbors were also concerned about parking or the lack thereof. Mr. Taylor stated that each of the homes would provide for off street parking spaces. He stated that another concern of the neighbors was the impact the new development would have on the value of the existing homes. He stated that the values would most definitely go up. Mr. Taylor stated that he was committed to a high quality home development and intended to meet all the guidelines of the architectural infill guidelines of the City of Cayce.

Ms. Nancy Stone-Collum, Item IV. D. – Ms. Stone-Collum stated that she lived at 1222 H Avenue. She stated that she was pleased that the Planning Commission voted to deny the rezoning request for 1003 F Avenue. She stated that she trusted that Council would not sanction the project either. She stated that she wanted to address next steps. She stated that she was very concerned that Mr. Taylor or another developer could still propose to build 16 houses on the 3.6-acre tract under the RS-3 zoning that was currently in place. She stated that it was so inappropriate and antithetical to the idea of infill development, which was supposed to be compatible with the neighborhood character. She stated that the newer section of the Avenues was built in the 1960s with typical brick veneer ranch style houses with attached garages on 1/5 to 2/3 acre lots. Ms. Stone-Collum stated that there were a few split-level homes, and hardly any two (2) story homes. She asked how two (2) or three (3) story Hardy Plank houses built on less than 1/10 of an acre were compatible. She stated that Mr. Taylor's proposal compared with the development of about three (3) acres between K and L Avenues at Ninth Street where six new homes were built between 1998 and 2002. She stated that the parcel was covered with trees and gorgeous Camelia bushes. She stated that the houses were infill development that did not pretend to be the same style as the houses around them that were built in the 1950's. She stated that

they also did not destroy the feel of the Avenues. She stated that the stormwater runoff from converting wooded lots to developed lots with significant impervious surfaces such as roads, roofs and driveways must be proactively managed. Ms. Stone-Collum stated that based on the problems that many Avenue residents were having it was not being adequately taken care of. She stated that If Lexington County Stormwater Regulations were not sufficient to protect downstream properties, the City needed to step up and require more stringent regulations and not allow such dense development in an impaired area. She stated that she was urging Council to direct staff to begin examining ways to strengthen the Infill Development Ordinance and Stormwater Regulations in consultation with the community and to deny the rezoning request.

Ms. Nancy Drew, Item IV. D. Ms. Drew stated that she spoke to this issue at the recent Planning Commission meeting. She stated that she thought it was a shame that Council did not get to hear everything that was discussed at the Planning Commission meetings. She stated that she knew there was a concern about bias but Council missed so much of the information that was given. She stated that she knew some information was passed on to Council from the Commissioners once they made their determination but she thought it would be of great value, if somehow it could be worked out that Council would hear certain parts of the presentations. Ms. Drew stated that even though the proposed homes were beautiful, they were not homes that would continue the character of the Avenues and the appearance of the Avenues. She stated that the proposed homes would be very close together and would basically have displaced water coming from the roofs and from the cement. She stated that was a huge amount of water that was going to be filtered into the drainage system.

Ms. Drew stated that the drainage system was already a problem in the area. She stated that she had gone out and walked it and tracked it from F Avenue all the way to Indigo and then all the way over to M Avenue and down to Axtell Drive. She stated that damage was coming from the huge amounts of asphalt on Knox Abbott Drive. She stated that the water from the property located on F Avenue flowed underground and went through ditches and went back underground and came back up behind Duke's Pad Thai. She stated that there was a pipe there that was pouring water out behind a business. She stated that some of it went down into drains and under Knox Abbott Drive and then behind Indigo Avenue. Ms. Drew stated that during the Planning Commission meeting there was a lot of discussion about the possibility of a PPD and one of the Planning Commissioners asked Mr. Taylor if that would be something he would be interested in and he indicated that he would be. She stated that the idea was that the City would maintain greater control over the construction and the development of the property. Ms. Drew stated that she knew that work had been done but if the water was tracked one could see where it went under Axtell Drive and poured into the area that had become lovingly called the Cayce Canyon. She stated that a semi-truck could be placed in that very large area. She stated that there was an 80-foot drop from 12th Street to the river's edge.

Ms. Charlene Frye, Item IV. D. Ms. Frye stated that she personally wanted to thank her Council Member, Tim James, who had visited her property numerous times, including recently when it was pouring down rain. She also thanked Deputy City Manager Jim Crosland for coming out as well. She stated that she believed that proper drainage was a right that governments should provide. She stated that one of her biggest concerns with the proposed new development was if the developer had calculated any numbers about how big the detention pond was going to be and how long it could hold the water. She stated that water did not magically transport itself from a development to the river. She stated that it had to go through drainage and some of it was terribly overwhelmed. Ms. Frye stated that she was concerned about that, especially since the drainage on the Avenues had been taken off of the possibility for people to approve it. She stated that she wanted to challenge Council to be proactive in addressing the problem, rather than reactive. She stated than other cities could point to Cayce as being a model for forward thinking. She stated that it would be great if the City incorporated some ideas about how to make it pretty.

Mr. Kermit Hines, Item IV. D. Mr. Hines thanked Mayor Partin for attending the recent block party on Gabriel Road. He stated that Gabriel Road was really quiet with nice neighbors and kids playing in the street. He stated that it was right across the street from the proposed development and the access coming in and out of the development would be there as well. He stated that the developer was proposing close to 22 homes which would mean an average of 46 cars in and out the development. He stated that currently in the mornings traffic was heavy especially on Ninth Street so in order to go to Ninth Street, people either go down Gabriel or F Avenue. Mr. Hines stated that he attended the Zoning Board Meeting and the Board listened to what the public had to say and not only did they listen but a few of the Board members brought out some issues that the speakers had never thought of. He stated that the Chairman of the Board mentioned hard surfaces such as roofs, concrete, patios, and how that affected where rain traveled. Mr. Hines stated that the City had a way to make the money and get the tax dollars that would be lost if the 22 homes were not built. He stated that there was plenty of land on 12th Street Extension that Mr. Taylor could develop. He stated that he appreciated the Zoning Commission listening to the speakers and he hoped Council would have the same mindset that the proposed development was not a good thing for Cayce or the Avenues.

Presentations

A. Recognition of School Resource Officer Awards

Mayor Partin stated that most of the assembly already knew the absolute excellence that makes up the Cayce team but she had the opportunity to especially recognize the City's School Resource Officers who were recently recognized. She stated that all the Officers were not able to attend the meeting however three (3) great representations of the School Resource Officers were in attendance. She stated that

the Cayce Police Department School Resource Officer Program was selected by the South Carolina Association of School Resource Officers for the highest honor, the School Resource Officer Program of the Year. She stated that the hard work, compassion and dedication of all the School Resource Officers on the Cayce team played an intricate part in achieving this level of excellence. Mayor Partin stated that in addition to receiving the Program of the Year, Lieutenant Danielle McCord received the 2022 South Carolina Law Enforcement Administrator of the Year Award for her outstanding performance in the administration of a Law Enforcement Agency School Resource Officer Program. She stated that Officer Mandy Fornier was selected as the South Carolina Regional School Resource Officer of the Year. She stated that this award was presented for outstanding performance as a School Resource Officer. She stated that the City could proudly say that it had School Resource Officers in every school and had two (2) in each of the high schools. She stated that the primary goal for the Cayce Police Department was student and staff safety along with being role models, mentors and guardians of the City's children and it could not be led by a better team.

Lt. McCord thanked everyone for showing up for her and her fellow Officers. She stated that the awards were voted on by their schools and students. She stated that working in the school was a huge deal and she loved all the kids. She stated that she had five (5) children of her own biologically, but would claim all her students as her own. She stated that they were all her children every day because they were her responsibility every day. Lt. McCord stated that her team felt the same way and they all had the same vision. She stated that if one's kids were in one of their schools she and her team were loving them, protecting them and doing everything they could for them. She stated that their relationships with their students was paramount. She stated that they could not do their jobs every day without the parent's support at home and their support coming to Council Meetings. She stated that all the School Resource Officers worked to make the City great and were all committed to their team and were going to stay committed to it.

Mayor Partin invited everyone to follow the Cayce Police Department on social media. She stated that at the beginning of the last school year Lieutenant McCord had the School Resource Officers do a first day of school picture and had all the officers answer what do you want to be when you grow up and there were some fabulous answers on there. She stated that there were so many pictures that show the joy that they bring to their jobs every day. Mayor Partin stated that they had a summer camp starting in two (2) weeks that was a great opportunity for students in the area

Ordinances

- A. Discussion and Approval of Ordinance 2022-03 to Establish a Consent Fee or Franchise Fee for Certain Uses of Public Streets or Public Places in the Absence of a Consent Agreement or Franchise Agreement with the City - Second Reading

Council Member Carter made a motion to amend Ordinance 2022-03 to conform to the version contained in Council's agenda packets which was also available on the City's website. Council Member James seconded the motion which was unanimously approved by roll call vote.

Council Member Carter made a motion to approve Ordinance 2022-03 as amended. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

Mayor Partin stated that as discussed and described during the City's Public Hearing on the Franchise Fee Ordinance in March, Ordinance 2022-03 amends the City Code Provisions and sets a default consent fee or franchise fee for utilities companies to use public streets or public places. She stated that the default fee via the City Ordinance that was in the agenda packet would apply if there was no agreement in effect between the utility and the City and if no other fee provisions of State law applied. She stated that usually municipalities enter into written agreements with utilities that grant the utilities the right to the use of public streets and public places in exchange for payment by the utility to the municipality of the amount set in the agreement as the consent or the franchise fee. Mayor Partin stated that usually that amount is a percentage of the utility's revenue from its business operations or in other words, their revenues from the sales of electric and gas. She stated that the franchise or consent fees essentially were kind of like a rent paid by the utility to any municipality for use of public streets and public places that are valuable to utilities, because without the use of those the businesses would have to obtain consent from private property owners and sometimes pay for easements for lines or poles to cross that private property. She stated that in some situations, such as with cable television and telecommunications companies, State law provides permission for the use of streets and also provides for the amount of the fee. She stated that City staff and the City Attorney had several meetings with Dominion and conversations with Mid Carolina Electric Cooperative to come to terms on a proposed franchise agreement that, if in place, would mean that the Ordinance that just passed would not be needed. Mayor Partin stated that what was up before Council was a 30 year old agreement that needed to be renewed and as in any similar situation when the City worked with older documents, Staff and Council analyze all the terms for applicability and modern best practices. She stated that while both teams made great progress on an agreement, one of the major things that the assembly heard about that night that they could not agree on was that industrial users should be included in the franchise fee calculation, just like commercial and residential users already were. Mayor Partin stated that Council and Staff knew through research that the exemption for industrial users was not required and did not exist in other utility provider agreements. She stated that therefore that night's Ordinance was passed to address the situation in which there was no franchise agreement with the utility and there was no applicable State law setting for the amount of the fee.

Mayor Partin stated that Dominion had stated that excluding industrial users in their franchise fee calculations was for economic development but if it was truly about that, then Dominion should not pass it on to the industrial users, commercial users or residential users. She stated that was a business choice that Dominion was making, not something required by the City's Ordinance. She stated that everyone else in the City was being included in the franchise fee calculation and Dominion had consistently passed that fee on to the user. Mayor Partin stated that nothing in the Ordinance that Council just passed changed the franchise fee rate for residences or commercial users but what it did do was no longer exclude industrial users from that fee. She stated that earlier in the meeting something was brought up about a road and Taylor Street and she wanted to mention that like much of the City's work with stormwater upgrades in the City in which the City had little to no ownership with almost any roads inside the City limits, and thus the infrastructure that did create runoff problems. She stated that the City had been working diligently to address the road with partners who have a stake in it so the City was not expending limited taxpayer dollars on a road that is solely used and damaged by CMC, making it effectively a private road.

B. Discussion and Approval of Ordinance 2022-08 to Adopt an Annual Budget, Levy a Property Tax, and Provide Revenue for the City of Cayce for the Fiscal Year Ending June 30, 2023, and To Adopt and Establish Certain New Fees and Charges with Amounts - Second Reading

Ms. Hegler stated that she was going to review three (3) different budgets. She stated that the General Fund budget was currently balanced at \$16,747,065 and the revenues included a millage increase that a speaker mentioned earlier, and it assumed \$320,000 from that millage increase. She stated that from the onset of COVID 19 and for the last three years, the City had not raised its millage. She stated that Staff and Council had been steadfast in that decision and continued to provide services and did not want to create a burden for the residents over the last few years. She stated that however, with the soaring inflation prices and supply chain issues Staff had stretched money as far as possible. She stated therefore Staff was recommending the millage rate increase for the first time. She stated that it would increase by 4.37 mills and based on the current CPI, one mill is valued at \$62,475. She stated that the current millage was for 53.73 mills and it would increase to 58.10. She stated that the increase would cost the average \$100,000 home an additional \$1.35 per month. Ms. Hegler stated that the City's last millage increase was in FY 19/20 and that had been clearly articulated in fliers that Staff sent out to the public. She stated that the City definitely wanted to make it clear and transparent so people could come and speak at that night's Public Hearing. She stated that she was happy to sit down with anybody else that had additional questions because she knew it was a pretty confusing concept.

Ms. Hegler stated that the City's projected revenues included a minimum of 5% increase for all the City's fees and the Master Fee Schedule. She stated those fees included a \$2 per month increase in hydrant fees for out of City customers on water and

sewer that would generate \$110,000. She stated that the City was allowed to transfer funds from the Utility Fund for its indirect costs and those costs were \$2.15 million dollars. She stated that Staff was anticipating \$1.15 million dollars in Hospitality Tax revenues. She stated that the City's revenues included its great partnership with the School District for the City's excellent award-winning School Resource Officers. She stated that most of the SRO's were funded at 75% from the School District but a couple were currently funded at 100%. Ms. Hegler stated that Staff proposed balancing the budget by leasing the nine (9) new vehicles that were needed in rotation. She stated that the budget included capital expenditures of \$484,500 which included five (5) new replacement Patrol vehicles, a replacement vehicle for Investigations, one (1) Police Parks replacement vehicle and one (1) Fire Department vehicle, all of which would be done through a lease purchase.

Ms. Hegler stated that the budget as it was currently balanced included a 4% cost of living increase for the General Fund employees that totaled \$390,300. She stated that most of the neighboring municipalities were giving some cost-of-living increases. She stated that some were getting none but times were hard for the City's staff as well. She stated that the budget included one (1) part time position that would start mid-year for IT's Help Desk. She stated that IT worked diligently to keep the City safe during cyber issues that were increasing constantly. She stated that the City funded a variety of projects through grants, not through taxes. She stated that Staff was managing at any given time \$1.6 million dollars in grant funding from various sources that could fall over multiple years. She stated for instance, the Avenues Phase One Stormwater Upgrades that were currently being done on Blake Drive and Delieesseline Street were part of a grant Staff was managing and was a project that could not be done with the City's typical budget. Ms. Hegler stated that the City was continuing to make improvements to the Cayce River Arts District and the City's Art Lot through grants, not tax dollars. She stated that more sidewalks were being installed on State Street through a grant and the City had grant dollars to start on the Visitors Center in the 12,000 Year History Park. Ms. Hegler stated that the Riverwalk signage and a Tree Assessment Study were funded through grants.

Ms. Hegler stated that the Utility Fund budget was balanced at \$36,669,906 and included a new position for a Fats, Oils and Grease Inspector which was needed as the City gets more restaurants and more requirements from DHEC. She stated that there were Capital Expenditures of \$313,275 which included a controlled area cleaner sweeper, a new vehicle for the new position and some safety items needed at the Wastewater Treatment Plant. She stated that the Utility Fund budget included a 4% cost of living increase for the Utility employees that totaled \$205,264. She stated that the City's 15% debt coverage was included as well as payment for all the City's bonds. Ms. Hegler stated that the City would continue to cover the convenience fees for its credit card users at an expense of \$80,000. She stated that the budget did not include an increase in water and sewer rates but it did include a \$25 increase for labor related

sewer plug removals and Master Fee Schedule increases like those in the General Fund.

Ms. Hegler stated that she also wanted to review the ARPA budget. She stated that the remainder of the City's tranche one money included some capital improvements which helped balance the budget. She stated that these items were desperately needed and included maintenance trackers for City vehicles, fleet maintenance software, IT security upgrades in the form of new servers, a Fire Department cascade system, City Hall security improvements, several sewer line repairs that had long been on the City's Capital Project list, as well as some pump upgrades. She stated that Staff had not programmed what to do with the second tranche of ARPA funding that would be an additional \$3.4 million dollars that should arrive in December. She stated that as always, the City would be good stewards of that money and Staff was diligently working to leverage those dollars against State and Federal grants. She stated that she was really happy to announce that Senator Graham had submitted two (2) important requests of the City's to be congressionally directly funded. She stated that one (1) was for a Police Department project in the amount of \$858,000 which would cover the remaining funding needed for the state-of-the-art Axon project that was approved. She stated that would free up money from future appropriations to spend on other things. Ms. Hegler stated that Senator Graham also included \$3 million dollars in the Interior Appropriations Bill for stormwater infrastructure drainage projects. She stated that would help the City improve State and County owned infrastructure without utilizing City limited tax dollars which did not include collections for road or stormwater maintenance. She stated that Staff continued to try to find solutions to this issue and she hoped that this particular allocation or request from Senator Graham's office would demonstrate how hard the City was working to do that.

Council Member James made a motion to approve the budget on Second Reading. Council Member Sox seconded the motion. Council Member James stated that Staff had been good stewards of the finances and since 2019, the City had held steadfast in the face of COVID. He stated that even more importantly than that, the City's employees had remained steadfast. He stated that the one (1) mill that Staff had proposed did not even cover the raises that Staff was due. Council Member James stated that he was honored to be able to vote to take good care of Staff and allow the proposed raise to go into the budget.

Council Member Carter stated that he had served in two (2) roles as an elected official and this was his 15th budget. He stated that it was one of the most impressive things he had seen with Staff getting the City through COVID with the way they had to be flexible with staffing. He stated that everybody continued to get paid. He stated that the City's employees deserved this raise. He stated that he understood that the financial problem in this country right now was affecting everybody and it affected the City's employees. He stated they had to buy gas and groceries and pay for medical

care. He stated that he was impressed with the budget and would proudly support it. Mayor Partin called the question which was unanimously approved by roll call vote.

C. Discussion and Approval of Ordinance 2022-09 Amending City Code Section 38-37 (“Through Trucks Traveling on Certain Streets”) to Include Cupstid Street in the Through Truck Prohibition – Second Reading

Council Member Sox made a motion to approve Ordinance 2022-09 on Second Reading. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

D. Discussion and Approval of Ordinance 2022-10 Amending the Zoning Map and Rezoning Located at 1003 F Avenue, unnumbered F Avenue and Unnumbered F Avenue (Tax Map Numbers 004634-09-002, 004634-09-001 and 004634-09-003) from RS-3 (Single-Family, Small Lots) to RS-4 (Single-Family, Small Lots) - First Reading

Ms. Hegler stated that the applicant wished to rezone three (3) properties from RS-3 to RS-4. She stated that both zoning classifications were described as a single family residential small lot but the difference was the density allowed within them. She stated that single family residential zoning classification was intended to foster, sustain and protect areas in which the principal use of land was for single family dwellings. She stated that the rezoning request was not adjacent to other RS-4 zoning properties but the City’s Zoning Ordinance did allow for the request to go forward because of the size of the properties together totaled 3.6 acres and one had to have a minimum of two (2) acres to ask for that zoning. Ms. Hegler stated that the request was located in the Residential Conservation Infill Land Use classification of the City’s newly adopted Future Land Use Map. She stated that the objective of the RC classification was to protect existing residential areas for single family use and promote infill of single-family housing. She stated that RS-4 was listed as a compatible zoning district but the subject properties were adjacent to RS-3 and C-3 properties. She stated that for these reasons the request was considered in compliance with the Comprehensive Plan’s Future Land Use Map which was a very high-level guiding document.

Ms. Hegler stated that there was a special called meeting on June 13, 2022, of the Planning Commission. She stated that they met to vote on the request to rezone the properties and to receive public comment on the matter. She stated that 16 members of the public spoke in opposition to the request and no one from the public community spoke in favor. She stated that after comments from the public and discussion, the Planning Commission voted unanimously to recommend denial of the rezoning requests. She stated that members of the Planning Commission stated that the denial was based on the positions that the requested RS-4 designation was not compatible with the surrounding area and the RS-4 zoning designation left too many variables as to what type of housing structures may be built on the subject’s properties

and the types of development permitted in the RS-4 zoning district could lead to additional stormwater complications for the area.

Council Member James stated that he had enjoyed watching this project unfold and the engagement of the City's citizens and the Planning Commission. He made a motion that Council remain consistent with the City's seven (7) member Planning Commission in their unanimous decision to deny the request of the rezoning of the F Avenue property. Mayor Pro Tem Jenkins seconded the motion. Mayor Partin stated that she had a few comments in regard to this project and process. She stated that the assembly got to hear about the great work of the City's School Resource Officers and the level of excellence with which they operate, and she stated that she hoped the assembly had the confidence and the awareness that that level of excellence did not just stop with the City's SRO's. She stated that there were a lot of staff members in attendance who were absolutely amazing at their jobs and the assembly should have pride in knowing that they had the best of the best working and taking care of the City. She stated that Council was certainly proud of them. Mayor Partin stated that the City had a drainage study and knew where all of that drainage goes. She stated that Council made sure that they were informed before they made decisions. She stated that as she had said before the City did not own roads, so any stormwater drainage on roads was a State or County issue. She stated that Council was proactive about their municipal responsibilities but the stormwater issue was not even remotely the City's. She stated that the City was the lowest taxing entity of anybody involved with drainage. Mayor Partin stated that everyone heard the really good news that Senator Graham was moving forward to put a lot of money towards the solution. She stated that the City had been working for that for years and a lot of people in the assembly had helped as well. She stated that as the City put together the information about storm drainage, residents had helped as the City asked them to reach out to the City's Federal, State and County partners because they have a large role in this. Mayor Partin stated that as residents came to Council to talk about storm drainage to make sure to continue to talk to the other partners because they have bigger coffers than the City does and take more taxpayer dollars than the City does.

Mayor Partin stated that the City's residents received the great budget flyer on their roll carts which was a really innovative way to communicate and the City did not have to pay postage. She stated that the flyer helped Staff to make sure to get the word out to residents about the budget so they would know what was going on and they would have all that information. She stated that on the flyer was an actual tax bill that showed that the City of Cayce only received 14% of the tax monies collected. She stated that that the City had made it clear to the other partners at the County, State and Federal level that staff was happy to coordinate the solution to the storm drainage issue but by no means had the ability to find the funding for it. She stated that they were very thankful that the City's Federal partners were coming to the table and the State level partners have done some work in the past and Senator Nikki Setzler and Representative Caskey had done some of that work.

Mayor Partin stated that someone mentioned something about storm drainage not being on the list anymore. She stated that was not the City, it was the Lexington County Penny list and the City did not have any say in that. She stated that was not the City's decision but she understood that storm drainage was on that list. She asked the assembly to talk to their County representatives and tell them they want it to stay on the list. She stated that would be another funding source for drainage. She stated that Council was informed by Staff about the Planning Commission meeting and what goes on there. She stated that you would not see Council at that meeting because by law they were not supposed to be there. She stated that the Planning Commission was quasi-judicial so they were supposed to be separate from Council. She stated that Council was not even supposed to have ex-parte communications with Planning Commission members. She stated that Council was well informed about what goes on in those meetings.

Mayor Partin stated that when she reviewed the rules for Public Comment, the developer's name was mentioned several times during Public Comment and that should have no bearing on what was going on and it did not have a bearing on Council's decision. She stated that their decision was about good zoning, drainage and fitting in with surrounding areas. She stated that Council always tried to make really thoughtful decisions. She stated that she hoped that anyone that mentioned anyone else by name, would go up and introduce their self to them so they would know that person as a person. Mayor Partin stated that one of the things that was amazing about Cayce is that it is a City that knows each other. She stated that the pandemic had been hard on everyone because everyone had been pulled apart but Cayce was a City that operated where we connect with our partners and has trust and communicates with each other. She stated that she hoped everyone would help to further that message as everyone continued to get back together and work together. Mayor Partin called the question which was unanimously approved by roll call vote.

Committee Matters

A. Discussion of Proposed Amendments to the Cayce Museum and Historical Commission By-Laws

Ms. Hegler stated that on October 19, 2021, Mayor Partin and Council instructed Staff to work with the Museum Commission to update the Commission's bylaws so their roles and responsibilities would be clearly identified and to incorporate the related recommendations made by City Attorney Mr. Crowe, during his review of the Commission. She stated that the Commission immediately formed a subcommittee to take up this topic and report back to the whole Commission for comment and action. She stated that the subcommittee consisted of Commission Chairman Archie Moore, Commission Vice Chair Mary Sharpe, Commissioners James Stuart, Marcy Hayden and Pamela Sulton. She stated that they met several times over the last couple of months, specifically on March 8, March 30 and May 18 in addition to their monthly commission

meetings. Ms. Hegler stated that they should be applauded for their work and dedication to the task. She stated that most of the members did great research and drew from best practices. She stated that they started with a draft that mirrored many from other historic preservation boards around the state as part of the Certified Local Government Program. She stated that the CLG program promoted Community Preservation Planning Inherited Education through a partnership with the State Historic Preservation Office and provided a good framework for the Commission as well as possible exclusive funding sources and opportunities. Ms. Hegler stated that the Commission forwarded the first recommended draft set of bylaws in March and she had the City Attorney review that document and he offered several comments. She stated that she provided those comments to the Commission to consider as a courtesy to see if they wanted to accept any of those recommendations or suggested changes before taking the final copy to Council for vote. Ms. Hegler stated that the Commission reviewed those comments at their last meeting on June 1. She stated that she did want to note at that meeting Chairman Moore insinuated that the bylaws before Council should not even be approved. She stated that he went on to state that things went smoothly under their old bylaws, especially when they could appoint their own commissioners. She stated that however, the Commission did have some good discussion and the rest of the commissioners recommended proceeding and incorporated a number of Mr. Crowe's recommendations. Ms. Hegler stated that Mr. Crowe was not in attendance but he did ask her to relay one concerning item that has remained in the bylaws. She stated that it was in Section 4-2 and it related to the Commission having input into the hiring of Museum staff, which according to Mr. Crowe, and she was quoting, "when you usurp the authority of the City Manager that's established by your City Ordinance and could erode the integrity of the City Manager form of government. I would note that no other commissions, boards or foundations of the City have this." Ms. Hegler stated that aside from this one remaining item of concern, the subcommittee worked very hard to present a modern, usable set of bylaws that reflects their roles and responsibilities more clearly. She stated that she thought it provided a great path forward for their work. She stated that if it was the will of Council to address the item that she recommended as a concern, she would recommend that they allow Staff to fix that language and bring the bylaws back to them for final consideration. She stated that she thought the Commission was prepared for that to happen.

Council Member James stated that Council needed to move forward with that and take the City Attorney's advice and look at specifically section 4-2. He stated that the Museum Commission bylaws were a 30 year document and it was certainly time to review it. He stated that the Museum Commission had done wonderful things but the bylaws needed to be reviewed and brought up to date. He stated that if the City Attorney said that it was something that needed to be addressed he would make a motion to ask Staff to move forward with addressing that. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that the City's new Grants Manager, Ms. Taylor Gray, was in attendance at the meeting. She stated that Ms. Gray had already created SOP's and organization filing and gotten up to speed in a week and a half. She stated that she was doing a great job. She stated that someone posted on social media a big shout out to Cayce Police Department on June 6, 2022. The post stated "Out of town guests and I decided to try the Cayce Riverwalk, I have limited mobility and therefore had tried to call for a golf cart tour. Unfortunately, I could not get anyone by phone. So we went anyway to see what we could see. Just as we arrived, a cart turned up the hill, and we asked about a tour, he called another officer who came shortly and took us on the walkway. We were amazed at the interesting facts that he told us about the sights along the walk. It was a beautiful afternoon. And we thank these officers so much for the wonderful day." Ms. Hegler stated that the post thanked Officers George Jeffcoat and Johnny Ringo and furthermore they then submitted a donation to the Cayce Public Safety Foundation and referenced this exceptional experience and the good work of the City's Officers. Ms. Hegler stated that the City Clerk Ms. Mendy Corder received a phone call from a resident who expressed how wonderful one of the Fire Department's shift was. She said her mom had fallen three (3) times lately and two (2) of those times, Elijah Martin and his shift responded. She said Eli and the rest of the crew were absolutely out of this world and treated her mom like she was their mom. She said that they treated her and her mom like their family and if she could, she would request them every time. Ms. Hegler stated that the other Firemen on that shift were Jamel Alahumi, Brandon Edwards, Andrew Moore and Austin Rast. She stated that City staff treat people like family and take care of them so much so that residents take the time to relay that.

Council Comments

Mayor Partin stated that Ms. Hegler bragged on staff all the time but she was going to take a minute to brag on her. She stated that Ms. Hegler received a compliment from one of the City's neighboring municipalities' Council Member who stated that he was really impressed with the City's Zoning Ordinance and thought it was really good that sometimes the City said no to zoning requests that they did not think were best for the City. She stated that that Council Member was not referring to that night's zoning request. Mayor Partin stated that the Council Member also said that he thought the City had done more with their River Arts District with more impact and much less money. Council Member Sox stated that he had received two (2) phone calls from the same West Columbia Council Member on the same topic about how great Cayce's City Manager was. Council Member James stated that he had received the same phone call and Council Member Carter stated that he witnessed the conversation that Mayor Partin was referring to.

Council Member James stated that a lot of information was discussed during a Council Meeting that typically lasted only an hour but he wanted the assembly to know all the work and time and effort that took place before the meeting. He stated that without a doubt he knew through the City's Communications Director, through City management and through Mayor Partin and the meetings that have just happened, and everything else that took place to get prepared. He stated that it was not something that was done in a vacuum and the decisions were not easily made. Council Member James stated that those decisions were very thoughtful with a lot of input from Staff. He stated that while Council was able to make those decisions in an hour in front of the assembly weeks of work went into them.

Mayor Partin stated that the Council Meeting agenda packets were on the City's website for the public to have access to them so they have all the same information that Council had to prepare for Council Meetings.

Executive Session

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

There were not any items to discuss in Executive Session.

Adjourn

Council Member James made a motion to adjourn the meeting. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 7:10 p.m.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk

IF YOU WOULD LIKE TO SPEAK ON A MATTER APPEARING ON THE MEETING AGENDA, PLEASE COMPLETE THE INFORMATION BELOW PRIOR TO THE START OF THE MEETING.* THANK YOU.

COUNCIL MEETING SPEAKERS' LIST

Date of Meeting June 22, 2022

Name	Address	Agenda Item
BRETT KUNCE	CMC STEEL	ORDINANCE 2022-10
WES TAYLOR	1213 LADY ST COLA	2022-10
Dr. Colette Townsend Chambers	Churchill Heights	4B
Nancy Stone - Collier	1222 H Ave	4 D
Nancy Drew	921 M Ave.	4 D
Charlene K. Faye	839 Audette Ave.	4 D
Kermit Moses	910 Gabriel Rd	Zoning

IV.A
IV.D
IV.D

***Appearance of citizens at Council meetings - City of Cayce Code of Ordinances, Sec. 2-71.** Any citizen of the municipality may speak at a regular meeting of the council on a matter pertaining to municipal services and operation, with the exception of personnel matters, by notifying the office of the city manager at least five working days prior to the meeting and stating the subject and purpose for speaking. Additionally, during the **public comment period** as specified on the agenda of a regular meeting of the council, a member of the public may speak on a matter appearing on the meeting agenda, with the exception of personnel matters by signing a speakers list maintained by the city clerk prior to the start of the public comment period. The number of speakers at a council meeting may be limited in the discretion of the mayor or presiding officer, the length of time for any speaker's presentation is limited to a maximum of five minutes, and a presentation may be curtailed if determined to be uncivil, contentious, or disruptive in the discretion of the mayor or presiding officer or by majority of vote of council.