



Mayor
Elise Partin

Mayor Pro-Tem
Tim James

Council Members
Phil Carter
Hunter Sox
Byron Thomas

City Manager
Tracy Hegler

Deputy City Manager
Jim Crosland
Assistant City Manager
Michael Conley

**City of Cayce
Regular Council Meeting
Tuesday, May 7, 2024**

The May 7, 2024, Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Pro Tem Tim James and Council Members Phil Carter, Hunter Sox and Byron Thomas. City Manager Tracy Hegler, Deputy City Manager Jim Crosland, Assistant City Manager Michael Conley, Municipal Clerk Mendy Corder, Police Chief Chris Cowan, Fire Chief Steven Bullard, Human Resources Director Lynn Dooley, Utilities Director Betsy Catchings, IT Director Jamie Beckham and City Attorney Danny Crowe were also in attendance.

Mayor Pro Tem James 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 Pro Tem James called the meeting to order and Council Member Sox gave the invocation. Chief Cowan led the assembly in the Pledge of Allegiance.

Approval of Minutes

Council Member Sox made a motion to approve the April 9, 2024 Regular Council Meeting, the April 17, 2024 Budget Work Session and the April 17, 2024 Regular Council Meeting minutes as written. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

Mr. Mark James – Item VIII. C. Mr. James thanked Council for the opportunity to speak. He stated that he thought it would be nice to have an introduction and share with Council some of his comments regarding the contract on the City's property at 800 Lexington Avenue that was going to be discussed later in the meeting. He stated that he thought it would be a good opportunity to hear directly from the developer of the project that was being contemplated. He stated that he and his partner bought the former Cayce Grammar School property in 2018 and for a variety of reasons had never been able to redevelop that property until recently. Mr. James stated that the City's property adjoining their property would be a critical part of what they had planned.

Mr. James stated that he and his partner intended to see the property be redeveloped as 12 single family houses for sale and they would be somewhere in the neighborhood of 1,500 to 1,600 square feet that would comply with architectural

guidelines within that area of the City. He stated that they would not be slab but would be raised elevated finish floor elevations with front porches and hard sided. He stated that the siding would probably be plank. He stated that it might be some combination plank but they were still working on the final plans as it relates to that. He stated that six (6) of the homes would front Lexington Avenue. Mr. James stated that he and his partner were local and based in the Columbia area. He stated that they had been involved in a number of projects in Cayce, some commercial development and commercial properties as well as some residential development. He stated that they were excited about the prospect of moving forward on the project. He stated that Cayce had a good long runway in front of it as far as opportunities for projects and growth in the area and they were happy and excited to be a part of that.

Mr. James stated that the official project itself was limited to the purchase of the property that the City had joining their property. He stated that there had been discussions about what the project was going to be and some people said it involved Section 8 housing or some kind of government rental project. He stated that they were not in the rental business and had no intention of doing anything other than homes for sale that would be nice, attractive homes that would enhance the area. Mr. James stated that the contract reflected that they were offering full price for the property which would cover what the City had in the property. He stated that they felt that was part of their obligation to the community.

Items for Discussion and Possible Approval

A. Discussion and Approval of Grant Award for Firehouse Sub's Grant

City Manager Helger stated that the Cayce Fire Department was awarded a Firehouse Subs grant for the replacement of nine (9) sets of turnout gear and that gear was essential for firefighters to be able to perform their job duties. She stated that the gear would replace those that were nearing their 10-year expiration date as defined by the NFPA. She stated that there was no match required from the City and they were excited to receive the grant since they were hard to get and very competitive.

Council Member Sox made a motion approve staff's recommendation to accept the Firehouse Subs grant award in the amount of \$32,067.90 to purchase nine (9) sets of replacement bunker gear and authorize the City Manager to execute the appropriate agreement. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

B. Request to Present a Key to the City to a Cayce Resident

City Manager Hegler stated that a request to endorse giving a Key to the City to Chief A.G. Dantzler had been received. She stated that Chief Dantzler was a resident and former longtime Director of Public Safety. She stated that if the request was

approved, this would only be the second key given. She stated that if the request was approved than Chief Dantzler would be at a future Council Meeting at an appropriate time to give that presentation.

Council Member Carter stated that he knew the Chair was looking for one of the Council Members to make a motion but in this case, he thought it would be appropriate to yield to Mayor Pro Tem James to make any motion with respect to this particular issue. Mayor Pro Tem James thanked Council Member Carter and stated that anyone who knew him knew that Chief A.G. Dantzler was near and dear to him. He stated that this would only be the second Key to the City given in the City's history and they were few and far between but that mirrored the man because A.G. Dantzler was few and far between. He stated that this gentleman could write the book on leadership and had touched many lives in the City of Cayce and beyond. Mayor Pro Tem James thanked Council for allowing him along with Council Member Sox for the opportunity. Mayor Pro Tem James made a motion to move forward with granting the Key to the City to Chief A.G. Dantzler. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

Ordinances and Resolution

A. Discussion and Approval of Ordinance 2024-03 Amending Zoning Ordinance Article 6 District Regulations Concerning Uses in the Design Overlay Districts – Second Reading

City Manager Hegler stated that the changes Council asked for during First Reading were incorporated and included in the version in their agenda packet and included the readmission of mining as a prohibition in the Ordinance. She stated that there were no other changes made. Mayor Pro Tem James stated that he wanted to make sure that everyone was clear that the readmission of prohibiting mining was placed back in. Council Member Carter made a motion to approve Ordinance 2024-03 with the change. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

B. Discussion and Approval of Ordinance 2024-04 to Amend the City Code of Ordinances to Add Section 28-27 Entitled "Hate Intimidation" – First Reading

City Manager Helger stated that currently the state of South Carolina did not have a State law prohibiting the commission of a crime for the sole purpose of one's race, color, creed, religion, ancestry, sexual orientation, gender, gender identity, physical mental disabilities and/or national origins. She stated that the desire to have such an Ordinance had been brought up before. She stated that Chief Cowan and the City Attorney reviewed the Ordinances that did exist around the state and there were five (5) or six (6) municipalities that had them even though the state did not have one. She stated that the proposed Ordinance put an additional penalty on top of the original

crime if it was done in that manner and then that would revert to the fines and or penalties that are permitted in the City's Ordinance which was adjudicated by the City's judges. City Manager Hegler stated that the Ordinance referenced back to those penalties and fines, if it was determined by the Judge that there was an additional crime that they would wish to put upon the original crime, if Council should adopt it. She stated that the proposed Ordinance had been reviewed with other municipalities and staff checked what the other municipalities thought was good and bad about it. She stated that a few of the municipalities had already made changes to their existing ones that staff incorporated in the proposed Ordinance.

Council Member Thomas made a motion to approve First Reading of amendment of the code of Ordinances to add section 28-17 entitled Hate Intimidation. Council Member Carter seconded the motion. Council Member Thomas stated that he would like to hear Chief Cowan's comments on the proposed Ordinance. Chief Cowan stated that he believed it was needed and it provided the Police Department with an additional tool. He stated that it reassured the citizens that the City cared about all people and was interested in making sure that people have the right to be themselves without threat or intimidation or fear from anyone else. Chief Cowan stated that from an optics standpoint, it assisted the citizens with understanding of the relations and development of the City and how the City was being progressive and it gave the City's Officers an additional enforcement tool.

Council Member Thomas stated that he was very honored that City staff was able to bring this Ordinance to life. He stated that some of Council and staff attended the Municipal Association meeting in February and they spoke of a Hate Crime Ordinance then. He stated that he fell in love with it the moment he heard of it because he knew that Cayce was the right city in Lexington County to be the first to bring this to the attention of all county residents. He stated that he wanted Cayce to set the standard in Lexington County that hate was not welcome there.

Council Member Sox stated that the City was creating an Ordinance and asked if the proposed Ordinance went up to the Federal level if a person was found guilty since there was a Federal hate crime law. He asked what was the reasoning behind the State not enacting one yet. Chief Cowan stated that the second question was probably a question for another day. He stated that he personally, as well as other people, had testified at the Statehouse about the need for having a statewide hate crimes law. He stated that the City's proposed Ordinance was a municipal city Ordinance and could only be enforced on the municipal level and it would not necessarily meet the elements of a Federal or State crime, depending on what they enacted. He stated that the City would still have to drive something to the Federal level, which they had done other times for guns and drugs but it would have to meet the elements of the Federal system. Council Member Sox asked how many cases had risen to the point of a hate crime. Chief Cowan stated that he had talked personally to the City of Florence, Clemson, Charleston and Mount Pleasant but did not specifically ask them the number of times

they had utilized this for enforcement. He stated that they all did say that it was a good tool for the community to understand that they had the support of Council, Administration and the Police Department. Chief Cowan stated that since he had been with the City he did not know of a specific crime where they would have been able to utilize the hate crime Ordinance. He stated that one had to keep in mind if they did not have the Ordinance in the toolbox, they would not been looking at that route. Council Member Sox asked City Manager Hegler what the fine or penalty was for a hate crime. City Manager Hegler stated that it was \$1,087.50 and up to 30 days in jail.

Mayor Pro Tem James thanked Council Member Thomas and stated that an omission of having a law on the books such as this could be construed by some people as a level of tolerance but the City of Cayce had zero level of tolerance for hate crimes. He stated that by having this on the book it showed what the City of Cayce did want its city to be and he was happy that Cayce was the first city in Lexington County to have one. Mayor Pro Tem James 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
 - Board of Zoning Appeals – March 18, 2024
 - Museum Commission – April 3, 2024
 - Events Committee – April 11, 2024

Council Member Carter made a motion to enter the approved minutes into the City's record. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

- B. Appointments and Reappointment
 - Museum Commission – Two (2) Positions
 - Public Safety Foundation - One (1) Position

Mayor Pro Tem James stated that the Museum Commission had two (2) openings and the City had four (4) potential member applications. Council Member Thomas made a motion to appoint Mr. Rusty Rabon and Mr. Keith Stephenson to the Commission. Council Member Sox seconded the motion. Council Member Thomas encouraged his District to submit an application to serve on a City committee so they would have representation. Council Member Sox asked if the potential member application had been updated as discussed at the Council Work Session a couple of months ago. City Manager Hegler stated that she emailed Council when it was done and put online. She stated that the applications before Council that night were already in the queue. Council Member Sox asked if any new applications coming in would be

using the new form. City Manager Hegler stated that was correct. Mayor Pro Tem James stated that Mr. Russell Shumard's position on the Public Safety Foundation expired in May and he would like to serve again. He stated that Mr. Shumard had served on the Foundation since 2021 and consistently attended meetings. Council Member Sox made a motion to reappoint Mr. Shumard. Council Member Carter seconded the motion which was unanimously approved by roll call vote. Mayor Pro Tem James stated that Ms. Corder informed Council recently that Ms. Mary Sharpe had stepped down from the Museum Commission. He stated that she was a lady that deserved recognition, who loved the Museum Commission and decorated the City at Christmas for many years. He stated that while she may no longer serve on the Commission, her heart was still there and she was loved and appreciated for her many years of service. Mayor Pro Tem James called the question which was unanimously approved by roll call vote.

City Manager's Report

City Manager Hegler thanked Council for attending the Employee Appreciation Lunch the previous week. She stated that it was one of the best attended by staff. She stated that the Human Resources Team put a lot of work into the lunch. She reminded Council that Brookland Lakeview's Active and Accessible Community Transit Coalition was holding a community walk audit the next day at 5:30pm in Granby Gardens Park. She stated that it was in follow up to some work they presented to Council before as well as the temporary bike lanes that they put on State Street during the Soiree on State. She stated that this was another opportunity to see how walkable it is in the City. City Manager Hegler stated that the next week there was a ribbon cutting for a neat addition to the City's Riverwalk. She stated that it was an initiative called Kids in Parks that included a kiosk for getting the younger generation to enjoy walking and nature and it was specifically prepared for the City and what is found in its Riverwalk. She stated that the ribbon cutting was May 15 at 10:30am at the Naples Avenue entrance to the Riverwalk. City Manager Hegler stated that the Parks Department were just getting the Riverwalk open after the large rains. She stated that the repairs to the boardwalk in the Riverwalk were getting started the next week. She stated that the contractor had to wait for it to dry out to see what repairs needed to be done. She stated that it would take a couple of weeks to get the repairs done. She stated that the Sanitation Department had been picking up a lot of yard debris since the weather was warmer and everyone was working in their yards. City Manager Hegler stated that fliers would be going out soon to get started for the Police Department's Character Camp being held this summer. She stated that this was the third year it was held and asked Council to help get the word out to get a lot of kids involved.

Council Comments

Council Member Thomas stated that the previous week was Small Business Week and thanked all businesses for doing business with the City. He asked vacant

businesses in the City to reach out to him because he was sincere about working with them to figure out how to get business in their property. He stated that he knew every Council Member and everyone in the audience, drove around town and saw the vacant lots. He stated that they had to work together to get those lots filled and get business booming.

Mayor Pro Tem James stated that it was great to be at the Employee Awards Lunch. He stated that the Cayce Employee of the Year was a member of the Fire Department, who was dedicated and cared for all the fire fighters he worked with. He stated that several staff members were acknowledged for being with the City for 25 years or more and that spoke for itself. Mayor Pro Tem James stated that he recently attended the Joint Municipal Water and Sewer Commission meeting and he did learn of some PFAS issues and forwarded that to the City Manager. He stated that the next meeting of the Joint Municipal Water and Sewer Commission fell on the same day as the next Council Meeting so he would not be able to attend that meeting but he was going to meet with them one on one because the meeting he was missing was their budget session and he wanted to make sure that the City was working with them in reference to the budgets.

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 appointments to fill the vacant City's Prosecutor's position and contract
- C. Discussion of negotiations incident to proposed contractual arrangements concerning 800 Lexington Avenue

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

Reconvene

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

Possible actions in follow up to Executive Session

A. Discussion and Approval of Ordinance 2024-05 Authorizing the Sale of City-Owned Portion of Real Property at 800 Lexington Avenue

Council Member Thomas made a motion to approval Ordinance 2024-05 authorizing sale of the City-owned portion of 800 Lexington Avenue. Council Member Carter seconded the motion. Council Member Thomas thanked Mr. James and his team for sticking with the City of Cayce during the past six (6) years. He stated that he was very excited because the new houses would be in his District. He stated that he wanted to make sure that it was clear to all the residents of District Two and the residents of the City, the new houses would meet and keep the character of the area. He stated that he thought it was a blessing that the City was getting a new development.

Council Member Carter thanked staff for working hard with the developers in making the City whole on this project. He stated that the homes would be single family, one house per lot units and he thought it was going to be a good project from what he had heard so far. He stated that he was looking forward to something new in that part of the City. Council Member Sox stated that he thought this was a project that Council supported and he thanked Administration for their hard work. He stated that he appreciated Mr. James coming and speaking to everyone. Mayor Pro Tem James stated that Administration had worked hard to ensure that a beautiful piece of property in the City would mirror the beauty that it surrounded. He stated that they had obviously found the right partner for the project and Mr. James had met with Council individually showing what his intent was after of course going before planning and zoning. He stated that the intent was to mirror that of the neighborhood. Mayor Pro Tem James stated that the City Manager giving the project a nod made him feel very good because she understood this better than most. He stated that he felt very comfortable in knowing that the City had a partner that wanted to make the City whole for a piece of property that the City purchased and cleaned at one time, as well as to make sure that he and his company were going to do what the City's long range vision was that benefits the people of that area. Mayor Pro Tem James called the question which was unanimously approved by roll call vote.

B. Discussion and appointment to fill the vacant City's Prosecutor's position and approval of contract

Council Member Sox made a motion to appoint Mr. Thomas Scott III and approve his contract. Council Member Thomas seconded the motion. Council Member Sox stated that it was nice to meet Mr. Scott and he looked forward to having him as the City's Prosecutor. Mayor Pro Tem James commended Deputy City Manager Crosland for researching and finding a very capable person to come forward with extensive knowledge and experience in prosecution. Mayor Pro Tem James called the question which was unanimously approved by roll call vote.

Adjourn

Council Member Carter made a motion to adjourn the meeting. Council Member Sox seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 7:13pm.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk

