

**City of Cayce  
Regular Council Meeting  
Tuesday, March 7, 2023  
6:00 p.m. – Cayce City Hall – 1800 12<sup>th</sup> Street  
[www.caycesc.gov](http://www.caycesc.gov)**

**I. Call to Order**

- A. Invocation and Pledge of Allegiance
- B. Approval of Minutes  
February 7, 2023 Regular Council Meeting  
February 22, 2023 Regular Council Meeting

**II. Public Comment Regarding Items on the Agenda**

**III. Presentation**

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

**IV. Ordinances**

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

**V. Resolutions**

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

**VI. Items for Discussion and Possible Approval**

- A. Discussion and Approval for Submitting a SAFER Grant through FEMA for Two Firefighter Positions and a Fire Marshal Position
- B. Discussion and Motion To Ratify Action of City Manager entering into a Contract for Emergency Repairs to Sewer Line in Parkwood Subdivision

**VII. Committee Matters**

- A. Approval to Enter the following Committee approved Minutes into the City’s Record  
Cayce Housing Authority Meeting – December 13, 2022  
Cayce Housing Authority Annual Board Meeting – December 13, 2022  
Museum Commission – January 11, 2023

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

- B. Reappointment  
Accommodations Tax Committee – One (1) Position
  - C. Discussion and Approval of Proposed Amendments to Planning Commission By-Laws
  - D. Discussion and Approval of Proposed Amendments to the Board of Zoning Appeal By-Laws
- VIII. City Manager’s Report**
- IX. Council Comments**
- X. 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
- XI. Reconvene**
- XII. Adjourn**

**SPECIAL NOTE: Upon request, the City of Cayce will provide this document in whatever form necessary for the physically challenged or impaired.**



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, February 7, 2023**

The February 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, IT Director Jamie Beckham and City Attorney Danny Crowe were also in attendance.

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

**Call to Order**

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

**Approval of Minutes**

Council Member Carter made a motion to approve January 10, 2023 and January 25, 2023 Regular Council Meetings as written. Council Member Sox 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.

**Ordinances**

- A. Discussion and Approval of Ordinance 2023-02 Rezoning Property located at 1403 Dunbar Road (Tax Map Number 005766-03-007) from RG-2 (General Residential) to M-1 (Light Industrial) - First Reading

Ms. Hegler stated that this rezoning request came about after the applicant purchased the property that had a non-conforming use and their intended use would increase that nonconformity, which staff could not approve therefore the applicant asked for a zoning amendment. She stated that the applicant requested the rezoning to M-1. She stated that notification of that rezoning request went out on January 5, 2023, and on January 11, 2023 the applicant asked to withdraw the application. She stated that

the applicant stated that he had changed his business plan and no longer wanted to move forward with the rezoning. Ms. Hegler stated that because staff had already posted the property as is typically done for transparency and to help with the public's understanding of these changes, the applicant was told he would have to take his request of withdrawal to the Planning Commission. She stated that the Planning Commission met on January 23, 2023 and voted four (4) to two (2) to not accept the withdrawal of the rezoning by the applicant and so the Commission then heard the rezoning consideration.

Ms. Hegler stated that the property was located in an RD residential density flex area of the City's newly adopted Comprehensive Plan. She stated that the purpose of that classification was to provide flexibility so it could meet future housing demands. She stated that compatible zoning districts were RS1, RS2, RS3, RS4, RG1 and RG2, all mostly residential in character. She stated therefore, staff thought that the request to M-1 Light Industrial was not in compliance with the Comprehensive Plan and that was staff's recommendation. She stated that the Planning Commission heard that and no one was present to speak before or against the request therefore the Commission upheld the recommendation of staff and unanimously recommended that City Council deny the approval of the rezoning request. Ms. Hegler stated that the reasons that the denial were recommended were because the rezoning request was not in compliance with the Comprehensive Plan and was inconsistent with the area surrounding it.

Ms. Hegler stated that the Ordinance in the agenda packet was incorrect and should have read "does not recommend this change" since that was the action that the Planning Commission took. She stated that Council had the amended version in front of them at their seat. She stated that if Council chose to make a motion along those lines, they would need to accept the amended version of the Ordinance first and if adopted, then accept the recommendation.

Mayor Pro Tem Jenkins made a motion to accept the amended version of Ordinance 2023-02. Council Member James seconded the motion. Mayor Partin called the question which was unanimously approved by roll call vote.

Council Member James made a motion to accept the recommendation of the Planning Commission. Council Member Carter seconded the motion. Council Member Carter stated that the applicant asked that his rezoning request be withdrawn but the Commission denied that request. He asked if the Commission had ever allowed a request to be withdrawn in the past. Ms. Hegler stated that she was sure they had allowed that in the past. Council Member Carter asked why they did not allow it in this situation.

Mayor Partin stated that in the past applicants have come before the Planning Commission several times on the same issue which was less than efficient and less than respectful of the Commission and of City staff. She stated that she mentioned

earlier when talking to Council Member Carter that her concern, which she was going to bring up during the Council Meeting, was why the Planning Commission took a less friendly customer service stance on this request, not being one of those that was coming back to them often. She asked that staff go back to the Planning Commission and help Council understand why that happened. Mayor Partin stated that if at the last minute the applicant wished to withdraw then she did not understand why that would not be allowed. She stated that staff could follow up with Council via email once they spoke to the Commission. She stated that if the Commission was not sure why they did not accept the withdrawal then they might need more training on their role with the Commission. Mayor Partin called the question which was unanimously approved by roll call vote.

### **Items for Discussion and Possible Approval**

- A. Discussion and Approval of a Budget Amendment for an Increase in Travel for Police Week in Washington D.C.

Ms. Hegler stated that Corporal Drew Barr was killed in the line of duty on April 24, 2022. She stated that everyone grieved then and continued to grieve that loss. She stated that May 11, 2023 - May 17, 2023 was Police Week in Washington DC and at that time Corporal Barr's name would be placed on the National Law Enforcement Memorial wall. She stated that this was done once a year for fallen officers from the previous year. She stated that Administration would like to take the shift members that worked with Corporal Barr the night he was killed along with the Victims Advocate, Police Chief Cowan, Deputy City Manager Jim Crosland, the Mayor and herself to Police Week to represent and support the Barr family. Ms. Hegler stated that the Barr family would of course be there and their trip would be funded through other means.

Ms. Hegler stated that in the White Paper in the agenda packet she detailed the events that would take place that week. She stated there would be a candlelight vigil, a conference for survivors and the memorial service where Corporal Barr's name would be put on the memorial wall. She stated that of course this was not budgeted since it was not something staff knew about or would know about. She stated that a budget amendment approval was needed in the FY 22/23 budget to allow for an up-to travel amount not to exceed \$25,000. Ms. Hegler stated that staff recommended that expense come from the General Fund fund balance.

Council Member James stated in memory of Corporal Drew Barr he would be happy to make the motion for the approval of the budget amendment for the increase in travel. Mayor Pro Tem Jenkins seconded the motion. Council Member James stated that he was very glad the City would be represented. He stated that there were many cities that lose an officer in the line of duty that are not able to represent that fallen officer. He stated that he was glad that the group of Officers that worked side by side

with Corporal Barr would be there and he believed this was part of the grieving process. Mayor Partin called the question which was unanimously approved by roll call vote.

**B. Discussion and Approval for Submitting Grants to the Department of Justice for two Investigator Positions**

Ms. Hegler stated that there was a great opportunity for the City to expand its investigative team through funding outside of its normal sources. She stated that violent crimes were up 22%, there was a 10% increase in murders, a 10% increase in aggravated assaults and an increase in other violent felonies all throughout South Carolina. She stated that the City had seen a small share of those increases with some firearm seizures and more illegal drug activity than had been seen before. She stated that receiving these grants would be critical in assisting the City's team in meeting the demands of the community. Ms. Hegler stated that being approved for the grants would allow the City to hire two (2) new investigators, one that would be a violent crimes investigator and the other a gang investigator.

Ms. Hegler stated that if the City was approved for the grants the two (2) new positions would be funded 90% by the Department of Justice, , and 10% by the City. She stated that staff expected that amount to be \$12,000 per position per budgeted year and the grants often were renewed for up to three (3) years. She stated that those would be positions that could be funded up to 90% for three years and then it could be reevaluated on year four. She stated that staff recommended that Council approve them to apply for these grants for the violent crimes investigator and the gang investigator through the Department of Justice, understanding that if awarded, it would require a 10% commitment of the City. She stated that would be an estimated cost of \$24,000 per year for both positions. Ms. Hegler stated that if the City was awarded the grants the positions would be brought back to Council for final approval.

Council Member Sox made a motion to approve staff to apply for the two (2) grants. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

**Committee Matters**

- A. Approval to Enter the following Committee approved Minutes into the City's Record  
Museum Commission – November 9, 2022  
Zoning Board of Appeals – November 21, 2022  
Events Committee – September 8, 2022  
Events Committee - November 28, 2022

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

**B. Appointment and Reappointment  
Planning Commission – Two (2) Positions**

Mayor Partin stated that Mr. Richard Boiteau's term on the Planning Commission expired in February and he would like to serve again. She stated that he was filling an unexpired term and had served on the Commission since January 2022. She stated that Mr. Boiteau was currently the Vice Chairman of the Commission. She stated that Council had his reappointment application for their review. Mayor Partin stated that there was one (1) opening on the Commission and Council had before them potential member applications from Mr. Danny Creamer, Ms. Nancy Stone-Collum and Ms. Donna Ziegler.

Council Member James made a motion to a motion to reappoint Mr. Boiteau. He stated that Mr. Boiteau brought a great deal of experience, was currently the Vice Chair and as he understood, was serving well and attended the meetings. Council Member James stated that the second part of his motion was Mr. Danny Creamer was next in the que but he had spoken to Mr. Creamer, and he did serve on other Commissions and Committees, and Mr. Creamer stated he would like for his application to remain on file for future consideration since he recognized he should only serve on so many City Committees at a time. Council Member James stated that Mr. Creamer would like to come back to that at a later time. Council Member James made the motion to appoint Ms. Stone-Collum since she was next in the que and she did bring experience to the table. Mayor Pro Tem Jenkins seconded the motions which was unanimously approved by roll call vote.

**City Manager's Report**

Ms. Hegler stated that the City had been awarded a \$500,000 Brownfield Assessment Grant from the EPA and staff had been working with the EPA to get a work plan approved as the next step in the process, as well as working with the EPA on a solicitation that staff was going to submit the following day. She stated that a solicitation or an RFP, request for proposal, for a consultant to help staff implement that work plan that was approved by the EPA, would be submitted to the public. Ms. Hegler stated that Council approved at the prior Council Meeting the MOU for the Regional Gateway work, particularly for the City was the Airport Boulevard 302 Beautification Project. She stated that since that meeting staff had met with Richland County, the City of Columbia and Lexington County to get started on the next step, which was the procurement of a contractor for the work. Ms. Hegler stated that staff was working again with the Clemson architecture students to do studio projects in the

Cayce River Arts District. She stated that the students liked it so much and were learning so much that they were back for the third time. She stated that she and Mayor Partin and Mr. Conley met with the students recently and were proud that the City continued to be an inspiration for students in architecture around the state, not even necessarily local.

### **Council Comments**

Council Member James stated that Council and staff attended Hometown Legislative Day that day and attended the Municipal Association of South Carolina training session. He stated that part of that training session was how to conduct effective and correct Council Meetings. He stated that Cayce's Council did a superb job with its Council Meetings in being transparent and setting best practices.

### **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 negotiations incident to proposed contractual arrangements with a consultant related to proposed location of facilities and economic development

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

### **Reconvene**

After the Executive Session was concluded, Mayor Pro Tem Jenkins 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.

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

- A. Approval to proceed with proposed contractual arrangements with a consultant related to proposed location of facilities and economic development in an amount not to exceed \$30,000 utilizing hospitality tax fund balance

Council Member James made a motion to proceed with proposed contractual arrangements with a consultant related to proposed location of facilities and economic development in an amount not to exceed \$30,000, utilizing hospitality tax fund balance. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

**B. Other**

Council Member Sox made a motion to authorize staff to prepare a letter to Lexington County Council and SC DHEC from Cayce City Council regarding American Scrap Iron and Metal. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

Council Member Carter made a motion to approve the City Manager and City Attorney to move forward as discussed concerning the possibility of joining ongoing litigation. Council Sox seconded the motion which was unanimously approved by roll call vote.

**Adjourn**

Mayor Pro Tem Jenkins 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 7:45 p.m.

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Elise Partin, Mayor

ATTEST:

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Mendy Corder, CMC, Municipal Clerk





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  
Wednesday, February 22, 2023**

The February Regular Council Meeting was held this evening at 5:00 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, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley, Police Chief Chris Cowan, Fire Chief Steven Bullard, 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 Sox gave the invocation. Mayor Partin introduced members of the Busbee Creative Arts Academy Girls Volleyball Team. She stated that Lt. Danielle McCord had coached the team for just two years and in the team's first year with Lt. McCord they beat the school record. Mayor Partin stated that in this past season they once again beat the school record and only had one loss during the season and were named the 2022 Eastern Division Champions. Players Jayla Mack, Jaiya Johns, Laney Williams, Charlotte Wojiak, Peyton Durrett, Alex Neal, Dereon Robinson, August Heyward, Averie Bailey, Grace Mower, Allie Newton, Chauncey Smith, Maison Young and Norah White led the assembly in the Pledge of Allegiance.

**Public Comment Regarding Items on the Agenda**

No one signed up for Public Comment.

**Presentations**

- A. Recognition of City Employee, Denis Bergeron, being awarded the Water Environment Association of South Carolina Capital District Laboratory Analyst of the Year

Mayor Partin congratulated Mr. Bergeron on receiving the distinguished award. Mr. Neal Klimeck, the City's Superintendent of Treatment Facilities, stated that several years ago the City's various labs did not have a manager. He stated that he requested that position be added and Mr. Bergeron was the City's first director for both the water and wastewater labs. Mr. Klimeck stated that Mr. Bergeron streamlined all

documentation and purchased new lab equipment which saved the City money on things that were previously being outsourced. He stated that Mr. Bergeron had done a really great job for the City and it was appreciated.

**B. Presentation by Mr. Tommy Stringfellow on the Riverbanks Zoo and Gardens**

Mayor Partin stated that Mr. Stringfellow was actually scheduled to present at the March 22, 2023 Council Meeting.

**Items for Discussion and Possible Approval**

**A. Discussion and Motion to Ratify Action of the City Manager entering into a Contract for Emergency Repairs to Bypass Pumps at Pump Station 1**

Ms. Hegler stated that the City's Pump Station 1 was designed to contain three (3) permanent pumps that alternate lead operation of distributing wear on the pumps as wastewater flowed towards the City's Treatment Facility. She stated that staff had to take immediate action in response to damage to two (2) of the three (3) pumps in late January. She stated that staff immediately secured some small pumps at no cost to attempt to bypass the one remaining (1) permanent pump that was in operation at that time. She stated that the pumps proved to only be a quick temporary fix since they could not handle the flow efficiently and effectively therefore staff had to try to find appropriate bypass pumps.

Ms. Hegler stated that a few months ago staff did something very similar for Six Mile Creek outside of Moss Creek. She stated that on February 2, 2023 staff got quotes from Sunbelt Rentals for bypass pumps and as the City Manager she provided approval to secure them to work in tandem to provide the necessary backup that was needed for the one (1) permanent pump the City had. She stated that Sunbelt Rentals provided a quote and an acceptable delivery schedule for the equipment to be on site and were a real pleasure to work with. Ms. Hegler stated that a price for the needed equipment, materials, and labor to complete the job was agreed upon. She stated that the total price for the quote for two (2) Emergency Bypass pumps was \$32,162.42 for the first month of use, which included setup and some fees that did not continue after the first month. She stated that as the City Manager she approved the quote using the Emergency Powers afforded to her by the City of Cayce Ordinance Section 2-146 under Emergency Powers.

Ms. Hegler stated that since that time, the City's Pump Contractor had been able to repair one (1) of the two (2) permanent pumps that went down and it had been back in operation since February 9<sup>th</sup>. She stated that the pumps were somewhat feeble therefore as a safety precaution, staff would like to continue to utilize the two (2) temporary bypass pumps at least for the remainder of February. She stated that the City's contractors were working to repair the final permanent pump but were waiting on

parts on but hoped to get it online very soon. Ms. Hegler stated that at that point, staff would revisit whether one or both were needed or would recommend one or both of the bypass pumps that the City was currently renting.

Ms. Hegler stated that the City's permanent pumps were old and were the ones that were being worked on. She stated that the parts were not readily available since the manufacturer no longer made them. She stated that replacement pumps were on the City's Capital Improvement Plan and had been on the plan for a while. She stated that staff would be looking into how to get those secured since it currently took 24 to 36 weeks to build anything. Ms. Hegler stated that staff would bring that back to Council as a possible purchase. She stated that moving forward, staff would bring to Council a plan for an intermediate and long term strategy for Pump Station 1, but she needed their approval to ratify the action she took to get the bypass pumps in there for this immediate month.

Mayor Pro Tem Jenkins made a motion to approve and ratify the prior actions of the City Manager concerning the agreement with Sunbelt Rentals for \$32,162.42 as described in the certificate in the agenda packet. Council Member James seconded the motion which was unanimously approved by roll call vote.

### **Committee Matters**

#### **A. Appointment Public Safety Foundation – One (1) Position**

Mayor Partin stated that there was one (1) open position on the Public Safety Foundation and the City had received a potential member application from Ms. Trinessa Dubas. Council Member James made a motion to appoint Ms. Dubas to the Public Safety Foundation. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

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

Ms. Hegler stated that the Fleet Maintenance staff would begin installing the maintenance and GPS trackers the following week on the City's vehicles. She stated that these purchases were approved in the last budget. She stated that two (2) of the City's newest canine teams had almost completed their training and staff was excited to present them to Council in the coming weeks. She stated that staff was deep in the middle of budget discussions. She stated that Administration had met with the Utility Departments and would be meeting with the General Fund Departments the following week. Ms. Hegler stated that the Cayce River Arts District plan and project was submitted for an MASC Achievement Award and hopefully it would be chosen. She stated that the Beautification Foundation had started a business award to identify and

promote businesses within the City that are doing a lot to beautify their facilities. She asked anyone that knew of one to let staff know. She stated that staff was supposed to receive word on the status of the City's stormwater grant application that was submitted to the South Carolina Office of Resiliency. She stated that notice was supposed to be received the past Friday but all applicants received an email indicating that it would be another week before word would be received.

Ms. Hegler stated that she had one (1) staff kudo she wanted to share. She stated that access to the Riverwalk was closed recently due to flooding. She stated that Parks staff knew that two (2) people who cycle the Riverwalk daily were in the park so they made a point of finding them and ushered them out before they closed access since flood waters were coming in. She stated that the two (2) citizens thanked staff for that extra work because it really was them knowing those riders and knowing the people who come to that park and making a point to track them down and find them.

### **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

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

### **Reconvene**

After the Executive Session was concluded, Council Member Carter 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.

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

There were no actions in follow up to Executive Session.

### **Adjourn**

Council Member James 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 6:50 p.m.

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Elise Partin, Mayor

ATTEST:

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Mendy Corder, CMC, Municipal Clerk



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# Memorandum

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**To:** Mayor and Council

**From:** Tracy Hegler, City Manager

**Date:** March 7, 2023

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

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## Issue

Council’s approval is needed to amend Chapter 10 (“Buildings and Building Regulations”) by adding a new Article V titled “Vacant Commercial and Industrial Building Registration.”

## Discussion

Over the past several years, City Council and staff have been working to revitalize areas in the City and address community issues related to vacant properties – specifically, empty and underutilized commercial and industrial buildings that often lead to blight and underinvestment in surrounding neighborhoods. Staff researched best practices and received advice on this issue from industry experts selected to work with us as part of the Alumni Technical Assistance from the Mayors Institute on City Design (MICD 2.0). This was a follow-up to the case study program Mayor Partin participated in, at no cost to the City, in 2015, that helped jump start the pre-vitalization of the Cayce River Arts District.

What resulted was the recommendation to adopt a registration program that could help the City to better address these types of properties. The attached Ordinance encompasses the elements of a property registration program with escalating fees that would apply to vacant commercial and industrial properties only. Generally, this program will identify and register vacant commercial and industrial buildings, clearly express the responsibilities of the building owners, and provide for administration, enforcement, and penalties.

At the meeting on November 16, 2022, City Council voted to give the draft Ordinance First Reading, and deferred Second Reading for two months to allow staff to do the following:

- reach out to the property owners that would be affected by this amendment.
- hold a meet and greet between affected property owners and potential businesses we hear from that are looking for places to locate in Cayce
- address questions received

Since First Reading, the following has occurred:

- staff has sent two notices to property owners letting them know about the proposed Ordinance and the meet and greet opportunity

- a Meet and Greet was held at Piecewise Coffee on January 12, 2023 with almost equal attendance from property owners as prospective businesses
- staff held a meeting with Board members from the Greater Cayce West Columbia Chamber of Commerce to discuss the Ordinance, which was well received
- the Ordinance was also presented to stakeholders such as commercial realtors to solicit feedback
- staff has proposed solutions to several questions and items of clarification in the attached draft Ordinance presented for Second Reading

At the meeting on January 25, 2023, City Council voted to defer second reading to the first meeting in March to clarify a few things and make sure all questions were addressed.

**Recommendation**

Staff recommends that City Council approve amending Ordinance 2022-17 to conform to the version contained in Council's agenda packets, which was also available on the City's website. Further staff recommends that City Council, give Second Reading approval to amend Chapter 10 ("Buildings and Building Regulations") by adding a new Article V titled "Vacant Commercial and Industrial Building Registration."

<b>STATE OF SOUTH CAROLINA</b>	)	<b>ORDINANCE 2022-17</b>
	)	
<b>COUNTY OF LEXINGTON</b>	)	<b>Amending Chapter 10 (“Buildings and Building Regulations”) of the Cayce City Code to Add a</b>
	)	<b>New Article V (“Vacant Commercial and</b>
<b>CITY OF CAYCE</b>	)	<b>Industrial Building Registration”)</b>
	)	

**WHEREAS**, the City Council, in the interest of public health, order, safety and the general welfare within the City, desires to address certain issues related to vacant commercial and industrial buildings within the City with a comprehensive approach; and

**WHEREAS**, the Council, to accomplish that comprehensive approach, wishes to amend Chapter 10 (“Buildings and Building Regulations”) of the Cayce City Code to add a new Article V (“Vacant Commercial and Industrial Building Registration”) as provided herein,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Cayce, in Council, duly assembled, that Chapter 10 (“Buildings and Building Regulations”) of the Cayce City Code is hereby amended to (1) reserve sections 10-101 through 10-129 of the City Code following the current text of Article IV, and (2) add a new Article, entitled Article V (“Vacant Commercial and Industrial Building Registration”), to read as follows:

**ARTICLE V. - VACANT COMMERCIAL AND INDUSTRIAL BUILDING REGISTRATION**

**Sec. 10-130. - Declaration of policy and purpose.**

The purpose of this article is to establish a program for identifying and registering vacant commercial and industrial buildings within the City that may present a fire hazard, that may provide temporary occupancy by trespassers or other transients, that may detract from private and/or public efforts to rehabilitate or maintain surrounding buildings, and that otherwise may present a hazard to the health, safety and welfare of the public. Through a registration, inspection, and monitoring process, vacant commercial and industrial buildings will be kept weather tight and secure from trespassers, will provide safe entry to police officers and firefighters in times of emergency, will not impede private and/or public efforts to rehabilitate or maintain surrounding buildings, and will not otherwise present a public hazard so that the health, safety and welfare of the public is served. Further, the program will clearly express the responsibilities of the owners of vacant commercial and industrial buildings and structures, and will provide for administration, enforcement, and penalties.

**Sec.10-131. - Definitions.**

Unless otherwise expressly stated, the following terms (with or without capitalization) shall, for the purposes of this article, have the meanings shown in this section. When terms are not defined, by this section, such terms shall have the meanings provided by section 1.2 of City Code or, if not defined in that section, such ordinarily accepted meaning as the context implies.

*Code violation* means violation of any code adopted and/or enforced by the city, which may include but is not limited to the City Code or the International Property Maintenance Code.

*Commercial and industrial building* means any building, or part thereof, that is used, or designed to be used for any private or public manufacturing, industrial, or commercial business purposes.

*Owner* means any person, firm or corporation having a legal or equitable title in the property; or recorded in the official records of the state, county or municipality as holding title.

*Property* means not only the commercial or industrial building and any other kind or nature of structure, but also the entire lot or parcel of land on which the building and any other structures are situated and any surrounding portion of the lot or parcel, as well as any fences, walkways, walls, or appurtenances.

*Responsible local representative* means a person having his or her place of residence or business office within 45 miles of the property and designated by the property owner as the agent responsible for operating such property in compliance with the ordinances adopted by the city. For the purposes of this article, the term "*agent*" shall refer to the Responsible Local Representative.

*Responsible party* means any owner, occupant, agent, manager, operator and/or management company of a property.

*Secure* means a building or structure or a portion of a building that is closed or locked (other than by boarding) so as to prohibit entry by normal means.

*Unsecured* means a building or structure or a portion of a building or structure that is open to entry by unauthorized persons without the use of tools or ladders.

*Vacant commercial or industrial building* means a commercial or industrial building that is not occupied by its owner, lessee or other person in lawful possession, or at which, for more than 120 days, substantially all lawful manufacturing, industrial, or commercial business operations have ceased, or the building is substantially devoid of contents.

(a) *Illustrations of such vacancy* include, but are not limited to, any of the following circumstances:

- (1) No licensed trade or business is actively being conducted in the building by the owner, a tenant, or another party occupying the building pursuant to a lease or other legal authority, or no licensed trade or business is actively being conducted in a building, structure, or other improvement that is subject to taxation and that is located on the property.
- (2) No utility connections, including, but not limited to, water, sewer, natural gas, or electric connections, service the property, or no such utility connections are actively being billed by any utility provider for the property.

(b) *Vacant building* categorical classifications for a building or portion of a building:

(1) Category I: No current code violations on the structure or the premises.

- a. The building is secure and not boarded.
- b. The building is structurally sound with no code violations.
- c. The premises is maintained to minimal code compliance by the owner or responsible party.
- d. The city will inspect the property annually. Property owner or responsible local representative must arrange this inspection through the Code Enforcement Division.

(2) Category II: Minimal code violations.

- a. The building is boarded and secure.
- b. The building is structurally sound with minor code violations.
- c. The premises is not regularly maintained.
- d. Requires property to be inspected annually by the fire marshal, building official, business license official, and code enforcement officer. Property owner or responsible local representative must be present for the inspection.

(3) Category III: Severe code violations.

- a. The building requires boarding.
- b. Structural deficiencies are evident.
- c. History of criminal activity on the property.
- d. Condemned and/or illegally occupied.
- e. Requires property to be inspected three (3) times annually by the fire marshal, building official, business license official, and code enforcement officer. Property owner or responsible local representative must be present for all the inspection. Additional charges must be paid in the amount of \$150 per inspection.

**Sec. 10-132. - Registration of vacant commercial or industrial buildings.**

- (a) Except as provided in subsection (b) below, all vacant commercial or industrial buildings shall be registered with the Code Enforcement Division within ten (10) days of becoming vacant as defined in section 10-131. After the calendar year of initial registration, registration must be renewed annually by May 1.
- (b) Exemptions from registration may be granted by the Code Enforcement Division after notification in writing from the property owner, in the following circumstances:
  - (1) Buildings that are actively being renovated. Repairs and progression must be noticeable by the inspector (up to one year, and longer by appeal) or an active building permit must be associated with the work.
  - (2) Buildings that are structurally deficient and have been ordered by the city to be demolished and removed, and for which the owner has provided consent to the City to demolish, and the City has accepted the consent. Liens are to be placed against the property to cover the cost of demolition.
  - (3) A multi-unit commercial or industrial building with vacant units that together constitute less than fifty percent (50%) by square footage of the portion of the first floor facing or adjacent to a public right-of-way.
- (c) If the building is vacant at the expiration of any registration period, the owner shall re-register such building and pay the annual renewal registration and inspection charges.
- (d) The owner registering a vacant building shall supply the following information on an authorized form provided by the Code Enforcement Division:
  - (1) Name, address, and telephone number of the owner;
  - (2) Name, address, and telephone number of any responsible party, if applicable;
  - (3) Name, address, and telephone number of any local agent or representative of the owner, if the owner's residence or business address is more than 75 miles from the vacant building;
  - (4) Name, address, and telephone number of all persons with any legal interest in the property or building, including mortgagees and successors in interest;
  - (5) Legal description and tax parcel identification number of the property on which the building is situated;

- (6) The common address of the building or property;
  - (7) Date on which the building became vacant along with any supporting documentation; and
  - (8) A vacant building plan in accordance with section 10-133.
- (e) Following the registration of the vacant building, the Code Enforcement Officer shall conduct a complete exterior property inspection of the property to determine any code violations and to verify the vacant building category.
- (1) A status report will be provided to the owner of the building with the findings and current condition of the property. It will include any found violations and assign a category to the building, in accordance with section 10-131.
- (f) Property must be maintained in accordance with the International Building Maintenance Code.
- (g) Owners shall post "No Trespass" placards on the property. Additional employment of security services for the property for a specified number of hours every day may be required by the Police Chief or his/her designee on the basis of the property's history of code and/or criminal violations.
- (h) Owners must designate a responsible local representative ("agent") if their place of residence or business is more than 45 miles from the vacant building. The responsible local representative shall act as agent for the property owner for purposes of accepting legal service; however, the owner remains personally liable in criminal prosecutions for code violations. The responsible local representative must be available at the number listed in the event of an emergency or catastrophe.

**Sec. 10-133. - Establishment of vacant building plan.**

- (a) When a building is registered as required by this article, the owner shall submit for approval, or cause to be submitted for approval, a vacant building plan. The plan shall contain the following:
- (1) The reasonably expected period of vacancy;
  - (2) A plan to make the building ready for occupancy with sufficient detail regarding the proposed repair and/or rehabilitation of the building to enable the Code Enforcement Division to determine the adequacy of such plan;

- (3) A letter of written consent by the owner allowing city officials to enter and inspect the premises for the period in which the vacant building plan is in effect;
  - (4) For buildings, dwellings or structures which are identified as being or containing public nuisances, the vacant building plan shall contain a plan of action to remedy such public nuisances;
  - (5) For each required plan, a time schedule shall be submitted identifying a date of commencement of repair and/or rehabilitation and the schedule for completion of repair and/or rehabilitation for each building, dwelling or structure and identified nuisance;
  - (6) When the owner proposes to occupy, sell, lease or demolish the vacant building, the owner shall submit a plan and time schedule for such action; and
  - (7) A plan of action to secure, monitor and maintain the building and property for conformance with this article.
- (b) If the property is subject to a vacant building plan and the plan has been properly approved by the Code Enforcement Division, the transferee is subject to the terms of the vacant building plan. The transferee may apply to the city to be released from the requirements of the vacant building plan upon a showing of sufficient cause for release.

**Sec. 10-134. - Vacant commercial or industrial building charges.**

- (a) Annual registration charges are based on the number of years that a commercial or industrial building has been vacant (after the effective date of this article). All charges are due at the time of initial registration or upon annual renewal.

The charges are as follows for all buildings:

(1)	Initial registration	\$ 100.00
(2)	First annual renewal	\$ 500.00
(3)	Additional annual renewal	\$2,000.00

- (b) Upon determination by the Code Enforcement Division that a vacant building is not registered in compliance with this article, a penalty as described in section 10-135 shall apply in addition to the applicable registration or renewal charge.
- (c) After the owner is given notice of the amount of the charge and penalty due, except for those owners that have properly perfected an appeal pursuant to

section 10-136, and the owner fails to pay the amount due within ten (10) business days after notice of violation, said amount shall constitute a debt due and owing to the city, and the city may commence a civil action to collect such unpaid debt.

- (d) If a vacant building becomes occupied within 60 days following an annual renewal date and remains occupied for at least 6 months, the owner of the vacant building can apply to the Code Enforcement Division to have the most recent registration charge refunded. This excludes any charges for penalties, initial registration or compliance inspections.

**Sec. 10-135. - Enforcement and penalties.**

- (a) Upon determination that a vacant building owner has failed to register or renew registration or has failed to provide update information in accordance with this article, or has failed to submit a vacant building plan or to comply with a vacant building plan that has been approved by the city under this article, or has failed to comply with any other provisions of this article, an administrative penalty of five hundred dollars (\$500.00) will be assessed if the owner is not in compliance within ten (10) business days after notice of violation.
- (b) The city reserves its rights to seek such other remedies for violations of this article as are allowed by state or local law, including enforcement as a violation of the International Property Maintenance Code when applicable or prosecution of a violation as a misdemeanor in accord with section 1.6 of the City Code.

**Sec. 10-136. - Appeal.**

Any person aggrieved by an action or determination of the Code Enforcement Division in enforcing this article may file an administrative appeal to the Standard Technical Codes Board of Appeals by submission of an appeal form supplied by the city to the city clerk within ten (10) calendar days of the receipt of notice of the action or determination. Within fourteen (14) calendar days of the filing of the appeal, the Board shall hold a hearing on the appeal at which the appealing party and the Code Enforcement Division shall have an opportunity to be heard and at which the issue shall be whether the Code Enforcement Division acted in accord with the provisions of this article. Within five (5) business days after the hearing, the Board shall issue a written decision. Any person aggrieved by the decision by the Standard Technical Codes Board of Appeals may seek relief in the circuit court in accord with the South Carolina Rules of Civil Procedure and applicable law.

This Ordinance shall become effective upon approval on second and final reading.

**DONE IN MEETING DULY ASSEMBLED**, this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
Elise Partin, Mayor

Attest:

\_\_\_\_\_  
Mendy Corder, CMC, Municipal Clerk

First Reading: \_\_\_\_\_

Second Reading and Adoption: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

STATE OF SOUTH CAROLINA    )  
   )  
 COUNTY OF LEXINGTON        )  
   )  
 CITY OF CAYCE                 )  
   )

**ORDINANCE 2022-17**

**Amending Chapter 10 (“Buildings and Building Regulations”) of the Cayce City Code to Add a New Article V (“Vacant Commercial and Industrial Building Registration”)**

**WHEREAS**, the City Council, in the interest of public health, order, safety and the general welfare within the City, desires to address certain issues related to vacant commercial and industrial buildings within the City with a comprehensive approach; and

**WHEREAS**, the Council, to accomplish that comprehensive approach, wishes to amend Chapter 10 (“Buildings and Building Regulations”) of the Cayce City Code to add a new Article V (“Vacant Commercial and Industrial Building Registration”) as provided herein,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Cayce, in Council, duly assembled, that Chapter 10 (“Buildings and Building Regulations”) of the Cayce City Code is hereby amended to (1) reserve sections 10-101 through 10-129 of the City Code following the current text of Article IV, and (2) add a new Article, entitled Article V (“Vacant Commercial and Industrial Building Registration”), to read as follows:

**ARTICLE V. - VACANT COMMERCIAL AND INDUSTRIAL BUILDING REGISTRATION**

**Sec. 10-130. - Declaration of policy and purpose.**

The purpose of this article is to establish a program for identifying and registering vacant commercial and industrial buildings within the City that may present a fire hazard, that may provide temporary occupancy by trespassers or other transients, that may detract from private and/or public efforts to rehabilitate or maintain surrounding buildings, and that otherwise may present a hazard to the health, safety and welfare of the public. Through a registration, inspection, and monitoring process, vacant commercial and industrial buildings will be kept weather tight and secure from trespassers, will provide safe entry to police officers and firefighters in times of emergency, will not impede private and/or public efforts to rehabilitate or maintain surrounding buildings, and will not otherwise present a public hazard so that the health, safety and welfare of the public is served. Further, the program will clearly express the responsibilities of the owners of vacant commercial and industrial buildings and structures, and will provide for administration, enforcement, and penalties.

**Deleted:** protect and promote the public health, order, safety, and the general welfare of the city by establishing a program for identification and registration of vacant commercial and industrial buildings, clearly expressing the responsibilities of owners of vacant commercial and industrial buildings and structures, and providing for administration, enforcement, and penalties.

**Sec.10-131. - Definitions.**

Unless otherwise expressly stated, the following terms (with or without capitalization) shall, for the purposes of this article, have the meanings shown in this section. When terms are not defined, by this section, such terms shall have the meanings provided by section 1.2 of City Code or, if not defined in that section, such ordinarily accepted meaning as the context implies.

Code violation means violation of any code adopted and/or enforced by the city, which may include but is not limited to the City Code or the International Property Maintenance Code.

**Deleted:** *Citation* means a charge or formal written accusation of violation of a municipal, state or federal law, regulation or ordinance, including any violations of the International Property Maintenance Code as adopted by the city. ¶

Commercial and industrial building means any building, or part thereof, that is used, or designed to be used for any private or public manufacturing, industrial, or commercial business purposes.

**Deleted:** *Courtesy Registration* means notification by mail, phone, fax or email to the Code Enforcement Division notifying them of an extended vacancy of 60 days or more of a primary residence for a work, vacation, military or a medical reason.¶

*Owner* means any person, firm or corporation having a legal or equitable title in the property; or recorded in the official records of the state, county or municipality as holding title.

Property means not only the commercial or industrial building and any other kind or nature of structure, but also the entire lot or parcel of land on which the building and any other structures are situated and any surrounding portion of the lot or parcel, as well as any fences, walkways, walls, or appurtenances.

**Deleted:** *Premises* means a lot, plot, or parcel of land, including the buildings or structures thereon.

*Responsible local representative* means a person having his or her place of residence or business office within 45 miles of the property and designated by the property owner as the agent responsible for operating such property in compliance with the ordinances adopted by the city. For the purposes of this article, the term "*agent*" shall refer to the Responsible Local Representative.

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*Responsible party* means any owner, occupant, agent, manager, operator and/or management company of a property.

**Deleted:** building, dwelling, structure or lot

*Secure* means a building or structure or a portion of a building that is closed or locked (other than by boarding) so as to prohibit entry by normal means.

Unsecured means a building or structure or a portion of a building or structure that is open to entry by unauthorized persons without the use of tools or ladders.

**Deleted:** *Unoccupied* means a building that is not being used for a legal occupancy. ¶

Vacant commercial or industrial building means a commercial or industrial building that is not occupied by its owner, lessee or other person in lawful possession, or at which, for more than 120 days, substantially all lawful manufacturing, industrial, or commercial business operations have ceased, or the building is substantially devoid of contents.

**Deleted:** *Vacant building* means any structure built for occupancy for commercial or industrial uses that is unoccupied for more than 60 days. ¶

(a) Illustrations of such vacancy include, but are not limited to, any of the following circumstances:

1. No licensed trade or business is actively being conducted in the building by the owner, a tenant, or another party occupying the building pursuant to a lease or other legal authority, or no licensed trade or business is actively being conducted in a building, structure, or other improvement that is subject to taxation and that is located on the property.

2. No utility connections, including, but not limited to, water, sewer, natural gas, or electric connections, service the property, or no such utility connections are actively being billed by any utility provider for the property.

(b) Vacant building categorical classifications for a building or portion of a building:

(1) Category I: No current code violations on the structure or the premises.

- a. The building is secure and not boarded.
- b. The building is structurally sound with no code violations.
- c. The premises is maintained to minimal code compliance by the owner or responsible party.
- d. The city will inspect the property annually. Property owner or responsible local representative must arrange this inspection through the Code Enforcement Division.

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(2) Category II: Minimal code violations.

- a. The building is boarded and secure.
- b. The building is structurally sound with minor code violations.
- c. The premises is not regularly maintained.
- d. Requires property to be inspected annually by the fire marshal, building official, business license official, and code enforcement officer. Property owner or responsible local representative must be present for the inspection.

(3) Category III: Severe code violations.

- a. The building requires boarding.
- b. Structural deficiencies are evident.
- c. History of criminal activity on the property.
- d. Condemned and/or illegally occupied.
- e. Requires property to be inspected three (3) times annually by the fire marshal, building official, business license official, and code enforcement officer. Property owner or responsible local representative must be present for all the inspection. Additional charges must be paid in the amount of \$150 per inspection.

**Sec. 10-132. - Registration of vacant commercial or industrial buildings.**

(a) Except as provided in subsection (b) below, all vacant commercial or industrial buildings shall be registered with the Code Enforcement Division within ten (10) days of becoming vacant as defined in section 10-131. After the calendar year of initial registration, registration must be renewed annually by May 1.

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(b) Exemptions from registration may be granted by the Code Enforcement Division after notification in writing from the property owner, in the following circumstances:

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(1) Buildings that are actively being renovated. Repairs and progression must be noticeable by the inspector (up to one year, and longer by appeal) or an active building permit must be associated with the work.

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(2) Buildings that are structurally deficient and have been ordered by the city to be demolished and removed, and for which the owner has provided consent to the City to demolish, and the City has accepted the consent. Liens are to be placed against the property to cover the cost of demolition.

(3) A multi-unit commercial or industrial building with vacant units that together constitute less than fifty percent (50%) by square footage of the portion of the first floor facing or adjacent to a public right-of-way.

(c) If the building is vacant at the expiration of any registration period, the owner shall re-register such building and pay the annual renewal registration and inspection charges.

(d) The owner registering a vacant building shall supply the following information on an authorized form provided by the Code Enforcement Division:

(1) Name, address, and telephone number of the owner;

(2) Name, address, and telephone number of any responsible party, if applicable;

(3) Name, address, and telephone number of any local agent or representative of the owner, if the owner's residence or business address is more than 75 miles from the vacant building;

(4) Name, address, and telephone number of all persons with any legal interest in the property or building, including mortgagees and successors in interest;

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(5) Legal description and tax parcel identification number of the property on which the building is situated;

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(6) The common address of the building or property;

(7) Date on which the building became vacant along with any supporting documentation; and

(8) A vacant building plan in accordance with section 10-133.

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(e) Following the registration of the vacant building, the Code Enforcement Officer shall conduct a complete exterior property inspection of the property to determine any code violations and to verify the vacant building category.

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(1) A status report will be provided to the owner of the building with the findings and current condition of the property. It will include any found violations and assign a category to the building, in accordance with section 10-131.

(f) Property must be maintained in accordance with the International Building Maintenance Code.

Deleted: All vacant buildings must remain secure and/or boarded in accord with the provisions of any applicable codes.

(g) Owners shall post "No Trespass" placards on the property. Additional employment of security services for the property for a specified number of hours every day may be required by the Police Chief or his/her designee on the basis of the property's history of code and/or criminal violations.

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(h) Owners must designate a responsible local representative ("agent") if their place of residence or business is more than 45 miles from the vacant building. The responsible local representative shall act as agent for the property owner for purposes of accepting legal service; however, the owner remains personally liable in criminal prosecutions for code violations. The responsible local representative must be available at the number listed in the event of an emergency or catastrophe.

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#### Sec. 10-133. - Establishment of vacant building plan.

(a) When a building is registered as required by this article, the owner shall submit for approval, or cause to be submitted for approval, a vacant building plan. The plan shall contain the following:

(1) The reasonably expected period of vacancy;

(2) A plan to make the building ready for occupancy with sufficient detail regarding the proposed repair and/or rehabilitation of the building to enable the Code Enforcement Division to determine the adequacy of such plan;

(3) A letter of written consent by the owner allowing city officials to enter and inspect the premises for the period in which the vacant building plan is in effect;

(4) For buildings, dwellings or structures which are identified as being or containing public nuisances, the vacant building plan shall contain a plan of action to remedy such public nuisances;

(5) For each required plan, a time schedule shall be submitted identifying a date of commencement of repair and/or rehabilitation and the schedule for completion of repair and/or rehabilitation for each building, dwelling or structure and identified nuisance;

(6) When the owner proposes to occupy, sell, lease or demolish the vacant building, the owner shall submit a plan and time schedule for such action; and

(7) A plan of action to secure, monitor and maintain the building and property for conformance with this article.

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(b) If the property is subject to a vacant building plan and the plan has been properly approved by the Code Enforcement Division, the transferee is subject to the terms of the vacant building plan. The transferee may apply to the city to be released from the requirements of the vacant building plan upon a showing of sufficient cause for release.

**Sec. 10-134. - Vacant commercial or industrial building charges.**

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(a) Annual registration charges are based on the number of years that a commercial or industrial building has been vacant (after the effective date of this article). All charges are due at the time of initial registration or upon annual renewal.

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The charges are as follows for all buildings:

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- (1) Initial registration \$ 100.00
- (2) First annual renewal \$ 500.00
- (3) Additional annual renewal \$ 2,000.00

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Deleted: (4) . Third annual renewal . . \$1,500.00¶  
(5) . Each year thereafter is . . \$1,500.00.¶

(b) Upon determination by the Code Enforcement Division that a vacant building is not registered in compliance with this article, a penalty as described in section 10-135 shall apply in addition to the applicable registration or renewal charge.

Deleted: (b) An annual compliance inspection charge of \$50.00 is required on all vacant buildings. The charge shall be paid at the time of registration. ¶

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(c) After the owner is given notice of the amount of the charge and penalty due, except for those owners that have properly perfected an appeal pursuant to section 10-136, and the owner fails to pay the amount due within ten (10) business days after notice of violation, said amount shall constitute a debt due

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and owing to the city, and the city may commence a civil action to collect such unpaid debt.

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(d) If a vacant building becomes occupied within 60 days following an annual renewal date and remains occupied for at least 6 months, the owner of the vacant building can apply to the Code Enforcement Division to have the most recent registration charge refunded. This excludes any charges for penalties, initial registration or compliance inspections.

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**Sec. 10-135. - Enforcement and penalties.**

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(a) Upon determination that a vacant building owner has failed to register or renew registration or has failed to provide update information in accordance with this article, or has failed to submit a vacant building plan or to comply with a vacant building plan that has been approved by the city under this article, or has failed to comply with any other provisions of this article, an administrative penalty of five hundred dollars (\$500.00) will be assessed if the owner is not in compliance within ten (10) business days after notice of violation.

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(b) The city reserves its rights to seek such other remedies for violations of this article as are allowed by state or local law, including enforcement as a violation of the International Property Maintenance Code when applicable or prosecution of a violation as a misdemeanor in accord with section 1.6 of the City Code.

Deleted: (b) Failure by the owner to submit a vacant building plan or comply with a vacant building plan that has been approved by the city under this article or pay the charges as required under this article is a violation of the City Code and may be remedied by any of the following: ¶  
¶  
(1) An administrative penalty of five hundred dollars (\$500.00); or ¶  
¶  
(2) Such other remedies as may be authorized by state law.

**Sec. 10-136. - Appeal.**

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Any person aggrieved by an action or determination of the Code Enforcement Division in enforcing this article may file an administrative appeal to the Standard Technical Codes Board of Appeals by submission of an appeal form supplied by the city to the city clerk within ten (10) calendar days of the receipt of notice of the action or determination. Within fourteen (14) calendar days of the filing of the appeal, the Board shall hold a hearing on the appeal at which the appealing party and the Code Enforcement Division shall have an opportunity to be heard and at which the issue shall be whether the Code Enforcement Division acted in accord with the provisions of this article. Within five (5) business days after the hearing, the Board shall issue a written decision. Any person aggrieved by the decision by the Standard Technical Codes Board of Appeals, may seek relief in the circuit court in accord with the South Carolina Rules of Civil Procedure and applicable law.

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¶  
The City may acquire, pursuant to applicable state law, any property or premises determined to be vacant and a persistent nuisance, and shall have the power to hold, clear, manage or dispose of such property and premises so acquired for appropriate use. ¶

This Ordinance shall become effective upon approval on second and final reading.

**DONE IN MEETING DULY ASSEMBLED**, this \_\_\_\_\_ day of \_\_\_\_\_, ~~2022~~ **2023**.

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\_\_\_\_\_  
Elise Partin, Mayor

Attest:

\_\_\_\_\_  
Mendy Corder, CMC, Municipal Clerk

First Reading: \_\_\_\_\_

Second Reading and Adoption: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

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# Memorandum

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**To:** Mayor and Council

**From:** Tracy Hegler, City Manager

**Date:** March 7, 2023

**Subject:** Approval of Resolution Approving the Process for 2020 Redistricting

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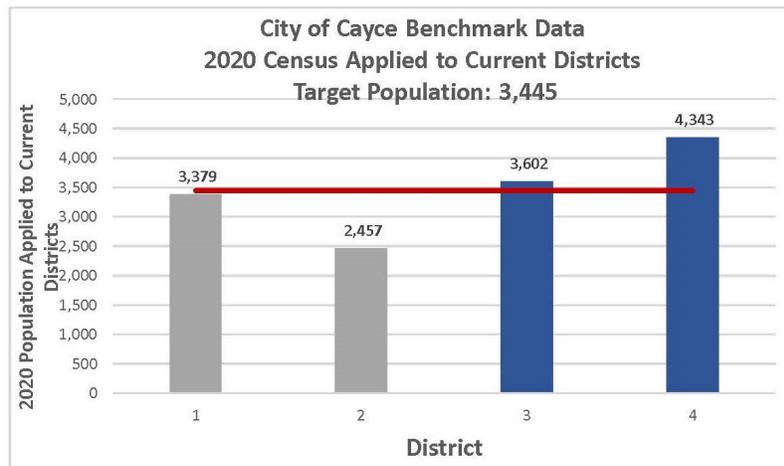
## Issue

Council's approval is needed to approve a Resolution approving the process for 2020 Redistricting.

## Background

In response to the issuance of the new decennial census data, the City is obligated to undertake a redrawing of its Districts, if determined necessary, and will work with the South Carolina Revenue and Fiscal Affairs Office (SCRFA) to complete this process.

SCRFA has completed an initial review of the City's Census data and identified a target population for each District of 3,445 individuals. To achieve a recommended population deviation of 5%, District 2 needs to increase their population and District 4 needs to decrease their current population.



To continue with the redistricting process, SCRFA has recommended that the City Council adopt a Resolution (attached) outlining the standards by which it wants to achieve its redrawn district boundaries.

## Recommendation

Staff recommends City Council approve the Resolution approving the process for 2020 Redistricting.

STATE OF SOUTH CAROLINA )

**RESOLUTION APPROVING THE  
PROCESS FOR 2020  
REDISTRICTING**

COUNTY OF LEXINGTON )

WHEREAS, the data for the 2020 Census pertaining to Cayce, South Carolina has been released for review, assessment, and redistricting of City districts in the City of Cayce; and

WHEREAS, to ensure maximum review and public participation in developing redistricting plans based on the 2020 Census, the City of Cayce Council deems it necessary to publicly adopt criteria for the development of a redistricting plan in accordance with the 1965 Voting Rights Act as amended; and

WHEREAS, the following criteria for developing plans for redistricting 2020 will ensure compliance with the 1965 Voting Rights Act as amended and maximum public participation in the redistricting process:

1. The City will adhere to the court ordered constitutional requirement of “one person, one vote.”
2. The City will adhere to the 1965 Voting Rights Act as amended and by associated controlling court decisions.
3. The City will ensure that districts are drawn contiguously, so that all parts of the district are connected to each other.
4. The City will ensure districts are drawn to minimize the division of voting precincts.
5. The City will keep proposed districts geographically compact to the extent practicable, such that nearby areas of population are not bypassed for a more distant population.
6. The City will ensure the districts are drawn, when feasible, with respect to existing districts and communities of interests, which will require input from Council and citizens.
7. The City will comply with other applicable court decisions and federal and state laws.
8. The City will solicit public comment and input as part of the development, review, and adoption process.
9. The City will adhere to the recommendations of the South Carolina Revenue and Fiscal Affairs Office of adopting a plan with a population variance of five percent (5%) or less; and

WHEREAS, the City of Cayce commits to developing a plan which will not have the purpose nor the effect of diluting any existing minority voting strength as part of its redistricting efforts so long as such commitment does not impact the City’s ability to comply with the constitutional principles outlined above; and

WHEREAS, the City of Cayce expects the next steps to include receipt of a baseline map prepared by the South Carolina Revenue and Fiscal Affairs Office; public review and input of the baseline map; City Council review of baseline map; potential revisions; and Council adoption.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Cayce, in Council, duly assembled, that the above listed criteria for the 2020 Census Redistricting criteria and associated processes are hereby adopted to ensure maximum public participation, transparency, and engagement in the redistricting process.

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Elise Partin, Mayor

**ATTEST:**

\_\_\_\_\_  
Mendy C. Corder, Municipal Clerk

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# Memorandum

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**To:** Mayor and Council

**From:** Tracy Hegler, City Manager

**Date:** March 7, 2023

**Subject:** Approval to Submit a SAFER Grant, through FEMA, for two Firefighters and a Fire Marshal Position

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## Issue

Council's approval is needed to proceed with submitting a FEMA SAFER grant (Staffing For Adequate Fire and Emergency Response) to hire two additional Firefighters and a Fire Marshal for our Fire Department.

## Background

The Fire Department has seen an increase in calls for service from 2022 to 2023 at a rate of 28%. This year for 2023, we already have an increase of 28% from where we were at this time in 2022. With the call volume expected to increase this year, and for years to come, there is a desire to fully staff two apparatus to respond to emergencies. Currently, we staff our three shifts with seven firefighters each. This allows us to have two supervisors and five firefighters on each shift, which we split between two apparatuses and one supervisor vehicle. Having two additional Firefighters would allow us to move our staffing to eight per shift with seven being our minimum staffing. It will also allow for time off and other forms of approved leave.

Currently, the Fire Chief is the only certified Fire Marshal to inspect all existing and new construction properties within the city. We have considered also training and certifying our Battalion Chiefs to perform Fire Inspections, but with an increase in call volume and other job duties, it is not a very viable option. With a successful grant request through SAFER, we would be able to have a Fire Marshal that is solely dedicated to providing fire and life safety inspections for the City.

The grant will be fully funded for the first year then decrease by 20 percent each year until the City is responsible for funding 100% of the positions. The funds can only be used for salary and benefits. Salary with benefits for each Firefighter Position is \$70,130, totaling \$140,260. For the Fire Marshal Salary and Benefits total is \$85,264.

For the three positions, we are submitting for the grant/City to fund:

- Year One - Grant fully funded           \$225,524
- Year two - City to pay 20%               \$45,104

- Year Three - City to pay 40% \$90,209
- Year Four - City to pay 60% \$135,314
- Year Five - City to pay 80% \$180,419
- Year Six - City to pay 100% \$225,524

**Recommendation**

Staff recommends City Council approve the Fire Department's request to apply for funding from FEMA's SAFER grant. If the City is awarded the grant, it will be brought back to Council for final approval.

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# Memorandum

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**To:** Mayor and Council

**From:** Tracy Hegler, City Manager

**Date:** March 7, 2023

**Subject:** Ratification of City Manager Action

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## Issue

Council approval is needed, in order, to ratify an agreement approved by the City Manager, under the Emergency Powers of Sec. 2-146, with McClam & Associates, on March 1, 2023, for the emergency pipe burst necessary to repair a collapsed 8" sewer line along Parkwood Drive. The sewer line collapsed was detected Monday, February 27. A by-pass pump was installed to limit the disruption to our customer and has been in place since the 27th.

## Discussion

The collapse of the sewer line requires us to replace 175 feet of 8" gravity sewer line. The line runs through an intersection in the neighborhood which greatly increases the cost of the repair. Initial plans for repair included digging up and replacing the entire length of the pipe. However, that plan is cost prohibitive at over \$50,000 and includes the cost of repaving the intersection.

The Utility Department sought other options and determined that pipe bursting will not only lessen the impact on the surrounding area but is a less expensive and quicker option. McClam & Associates provided a quote and an acceptable delivery schedule to complete the work. A price of \$35,500 was agreed upon for the needed equipment, materials, and labor to complete the job.

The City Manager approved the quote using the Emergency Powers established by City of Cayce ordinance.

### **Sec. 2-146. - Emergency powers.**

In case of accidents or other circumstances creating an emergency, the city manager may, with the consent of the council, award contracts and make purchases for the purpose of repairing damages caused by such accidents or meeting such public emergency; but he shall file promptly with the council a certificate showing such emergency and necessity for such action, together with an itemized account of all expenditures.

(Code 1975, § 2-57)

## Recommendation

Staff recommends Council approve and ratify the prior actions of the City Manager concerning the agreement with McClam & Associates as described in the attached certificate, for \$35,500.

STATE OF SOUTH CAROLINA )  
 )  
 )  
 )  
CITY OF CAYCE )

CERTIFICATE

I, Tracy Hegler, City Manager of the City of Cayce, in accord with Cayce City Code Sec. 2-146, do hereby certify the following as indicated by City records:

1. On February 27, 2023, the City Manager and staff responded to a sewer line collapse along Parkwood Drive, which necessitated emergency action to fix the sewer line at a lower cost option.
2. City staff arranged for a quotation for services from McClam & Associates. The quotation for pipe bursting, equipment, materials, and work was \$35,500. The situation was considered an emergency requiring an immediate procurement of services. The City Manager authorized the work, which will be completed on March 5, 2023. City staff worked diligently and quickly to find a resolution at a lower cost.
3. Use of the emergency power provision was required to enter into an agreement with the outside construction company for the rental of equipment. A copy of the agreement and invoice with McClam & Associates is attached.

\_\_\_\_\_  
Tracy Hegler

Date: \_\_\_\_\_





**Minutes for December 13, 2022, Regular Board Meeting  
of the Housing Authority of the City of Cayce, SC**

The Board of Commissioners of the Housing Authority of the City of Cayce, SC held its Regular Board Meeting on Tuesday, December 13, 2022, at Cayce City Hall.

Chairman Jack Sightler called the meeting to order at 5:02 pm. A copy of the agenda was posted on the Housing Authority's website. Roll call was conducted, and the following members of the Board and staff were present:

CH Board Members			Columbia Housing Authority Staff Present
<b>Chairman</b>	Jack Sightler	Present	Yvonda Bean, CEO
<b>Vice-Chairman</b>	Bruce Smith	Present	Marisa Phoenix, CFO
<b>Commissioner</b>	Silvia Sullivan	Present	Lee McRoberts, COS
<b>Commissioner</b>	Cheryl Seymour	Present	Briana Weston, Community Property Manager
<b>Commissioner</b>	Johnetta Riley	Present	Damian White, Community Safety Manager
			<b>Visitors</b>
			Ken Walters, City of Cayce

**APPROVAL OF MINUTES:**

Mr. Sightler called for approval of the minutes for the Regular Meeting held October 18, 2022. Upon motion of Commissioner Smith, seconded by Commissioner Seymour, the minutes were approved.

Board Member		Aye	Nay	Absent
<b>Chairman</b>	Jack Sightler	X		
<b>Vice-Chairman</b>	Bruce Smith	X		
<b>Commissioner</b>	Silvia Sullivan	X		
<b>Commissioner</b>	Cheryl Seymour	X		
<b>Commissioner</b>	Johnetta Riley	X		

**CEO REPORT:**

Mrs. Bean asked Ms. Weston to deliver the Operations Report.

**OPERATIONS REPORT:**

Ms. Weston presented the Operations Report for October, November, and December.

	<b>October</b>	<b>November</b>	<b>December</b>
Accounts sent to Magistrate	0	1	3
Account more than 30 days	3	3	7
Work Orders received	0	34	14
Work Orders Completed	0	28	7
Work Orders Remaining	0	6	7
Emergency Work Order	0	6	3

**\*\*Magistrate Update:**

October- no cases sent to the magistrate.

November - 1 cases sent to the magistrate for lease violation.

December - 3 cases sent to magistrate for non-payment of rent.

Ms. Weston stated that the number of work orders are largely related to HVAC issues where pilot lights needed to be relit. Commissioner Riley asked what was being powered by gas in the units. Ms. Weston said that the hot water heaters and many ranges are gas; Commissioner Riley asked if those systems can be switched to electric. Mrs. Bean said that staff is looking at options to do that work after the conversion when private financing may be obtained on the properties. The long-term goal is to convert all units to electric but will pose challenges due to the way the initial installation of the existing systems was completed.

Commissioner Smith asked why there was a different colored roof on one of the back units at Poplar St. Ms. Warner said that it probably happened when the roof was replaced several years ago. Chairman Sightler asked if appliances have been replaced in the renovated units, Mrs. Bean confirmed that they have been replaced.

Mrs. Bean said that she had provided the Public Housing Assessment System (PHAS) Score Report for Cayce that was completed for fiscal year 2022. The PHAS is a combination of scored indicators and Cayce Housing received a 76 out of 100 possible points, classifying it as substandard performer.

Points were lost due to a number of issues; accounts payable, accounts receivable, occupancy and the physical inspections of the units. Outstanding invoices were discovered on a former employee's desk that created a situation where bills were paid outside the fiscal year they were incurred in. Occupancy rates were also an issue as units were vacant during renovation and not properly designated in the HUD tracking system; staff has filed an appeal to receive these points back as the vacancies were HUD approved. Initial conversations with HUD regarding the appeal have been positive as staff has documentation to support the approved vacancies. If the appeal is successful, staff is hopeful the designation will be upgraded to a standard performer.

Commissioner Riley asked how this year's report compared to the previous year. Mrs. Bean said that the previous year scored Cayce Housing as a standard performer. Mrs. Bean added that the substandard designation is explainable due to the vacant units during renovation that had been approved by HUD; staff will update the Board on the status of the appeal.

Commissioner Riley asked what has been put into place to prevent the accounts payable and receivable problems from reoccurring. Mrs. Bean said that this was not a common issue and had been created from staff transition. A system is in place to ensure invoices are submitted and paid in a timely manner.

Commissioner Smith asked what the previous score was, Mrs. Bean said that she believes the previous year's score was a 94. Commissioner Smith asked if staff is confident, they know what created the issues and how to prevent them in the future. Mrs. Bean said that all issues have already been addressed and that the appeal regarding points lost due to vacancies during renovation has been submitted; staff is waiting on a written response from HUD with a final answer.

Mrs. Bean reported that all renovations have been completed and all units have been turned over to property management; all families have returned to their units. Work on the house at 2007 Byron is complete and has been occupied. Commissioner Sightler commended staff for their hard work to complete the work and reoccupy the unit in less than a year.

Commissioner Riley commented that a work truck has been parked on the grass in front of a unit on Byron. Ms. Weston said that she has addressed the issue with the tenant previously but will contact them again and enforce the conditions of the lease which prohibit parking in unapproved spaces. Commissioner Riley said that staff needs to ensure residents are aware of the City of Cayce's new parking ordinance; Ms. Weston said they are made aware of those conditions when the lease is signed but she will reinforce during resident meetings.

Commissioner Smith asked about the status of the community building on Poplar Street. Mrs. Bean said that staff was notified the Cayce Public Safety officers currently in the building would be moving out but no additional updates have been provided. Commissioner Smith said he still sees law enforcement there on a regular basis. Mrs. Bean said that the unit will be converted to a residential unit and that the environmental assessment of the property is currently underway with a final report expected in January. Commissioner Smith asked why an Environmental Assessment was being conducted. Mrs. Bean said that HUD requires an Environmental to identify any possible issues with the property prior to conversion.

Ms. Warner stated that criminal activity at Poplar Street has declined since placing cameras on the property; she also reported that the vacant unit that had been boarded up has been repaired and reoccupied.

Ms. Phoenix gave the Financial Report.

**Cayce Housing**  
**Budget to Actual Financial Report**  
**For the Period Ended October 31, 2022**

<b>Public Housing</b>	<b>Current Period October 2022</b>	<b>Year-to-Date Actuals</b>	<b>Year-to-Date Budget</b>	<b>Variance</b>
<b>Operating Income</b>				
Tenant Revenue	4,613	22,889	28,133	(5,245)
HUD Operating Grant Revenue	14,613	57,184	49,843	7,341
COVID Operating Grant Revenue	-	-	-	0
CFP Operating Revenue	20,917	146,417	146,417	0
Other Revenue	39	540	1,133	(594)
<b>Total Operating Income</b>	<b>40,182</b>	<b>227,030</b>	<b>225,527</b>	<b>1,503</b>
<b>Operating Expenses</b>				
Administrative Expenses	5,574	33,767	38,864	(5,097)
Tenant Services	8,936	70,991	72,955	(1,964)
Utilities	1,802	5,315	1,967	3,348
Maintenance	7,199	63,760	48,996	14,764
Protective Services	471	1,825	2,209	(384)
Insurance Expense	929	3,717	3,643	74
Real Estate Taxes-PILOT	490	1,959	1,959	0
Other General Expenses, Collection Losses	-	-	-	0
Equipment Replacements	-	-	-	0
<b>Total Routine Operating Expenses</b>	<b>25,400</b>	<b>181,334</b>	<b>170,593</b>	<b>10,741</b>
<b>Cash Flow (Deficit) from Operations</b>	<b>14,782</b>	<b>45,696</b>	<b>54,934</b>	<b>(9,238)</b>

**Financial Statement Variance Notes**

- \*\*Tenant Revenue underbudget due to tenant relocations**
- \*\*Utilities overbudget due to higher than anticipated temperatures in the months of July and August**
- \*\*Maintenance Expenses overbudget due to Termite inspections**

Ms. Phoenix pointed out that more operating subsidy had been received than budgeted and that excess utility charges resulted from the extreme high temperatures during the summer months. An overage was also incurred in maintenance due to termite inspections that were performed on all units. Tenant revenue was down due to the temporary relocations and vacancies during renovations. Overall Cayce is a good financial position with a positive cash flow year to date.

**OTHER ITEMS:**

Mrs. Bean said the arborist report was provided to the Board in their monthly packet. Trees to be removed are identified on the enclosed plan; work will be extensive and costly and staff hopes to see work begin after the first of the year. Commissioner Sullivan asked if the work can be done in stages to spread the cost out. Mrs. Bean said that is definitely an option and that the Board can direct how the work is completed. Commissioner Sullivan asked what the difference between a “significant” tree and an “insignificant” tree is as referenced in the arborist’s report. Mr. Walters, from the City of Cayce, said that hardwoods with diameter of over 24” are considered treasured trees and are noted as significant.

Mrs. Bean reported that she recently visited the seniors at Spencer Place to deliver blankets and holiday greetings. Commissioner Seymour said that the residents were surprised by the visit and enjoyed meeting with Mrs. Bean. Commissioner Seymour also said that staff delivered hot meals on Thanksgiving Day that were greatly appreciated by all that received them. Commissioner Smith asked about the resident that was relocated from Poplar Street to Spencer Place. Ms. Weston said that she is adjusting to her new unit and staff is checking on her.

Commissioner Seymour said that there are still some outstanding issues that have not been addressed in some of the units at Spencer Place and that while the issues are small they need to be completed. Mrs. Bean said that she will follow up to make sure they are handled.

**ADJOURNMENT**

There being no further business and upon motion of Chairman Sightler, seconded by Commissioner Smith, it was unanimously approved to end the meeting at 5:46 pm.

Prepared by:

Yvonda A. Bean  
Secretary/Chief Executive Officer



**Minutes for December 13, 2022, Annual Board Meeting  
of the Housing Authority of the City of Cayce, SC**

The Board of Commissioners of the Housing Authority of the City of Cayce, SC held its Annual Board Meeting on Tuesday, December 13, 2022, virtually via video conference.

Chairman Jack Sightler called the meeting to order at 5:46 pm. A copy of the agenda was posted on the Housing Authority's website. Roll call was conducted, and the following members of the Board were present:

CH Board Members			Columbia Housing Authority Staff Present
<b>Chairman</b>	Jack Sightler	Present	Yvonda A. Bean, Chief Executive Officer
<b>Vice-Chairman</b>	Bruce Smith	Present	Gloria Warner, Regional Property Manager
<b>Commissioner</b>	Johnetta Riley	Present	Lee McRoberts, COS
<b>Commissioner</b>	Silvia Sullivan	Present	Brianna Weston, Property Manager
<b>Commissioner</b>	Cheryl Seymour	Present	Marisa Phoenix, CFO
			<b>Visitors:</b>
			Ken Walters, City of Cayce

### ELECTION OF OFFICERS

Chairman Sightler called for nominations for Chairman. Commissioner Sullivan nominated Mr. Sightler as Chairman, seconded by Commissioner Smith, it was unanimously approved.

Board Member		Aye	Nay	Absent
<b>Chairman</b>	Jack Sightler	X		
<b>Vice-Chairman</b>	Bruce Smith	X		
<b>Commissioner</b>	Silvia Sullivan	X		
<b>Commissioner</b>	Cheryl Seymour	X		
<b>Commissioner</b>	Johnetta Riley	X		

Chairman Sightler called for nominations for Vice-Chairman. Commissioner Sullivan nominated Mr. Smith as Vice-Chairman, seconded by Chairman Sightler it was unanimously approved.

Board Member		Aye	Nay	Absent
<b>Chairman</b>	Jack Sightler	X		
<b>Vice-Chairman</b>	Bruce Smith	X		
<b>Commissioner</b>	Silvia Sullivan	X		
<b>Commissioner</b>	Cheryl Seymour	X		
<b>Commissioner</b>	Johnetta Riley	X		

### ADJOURNMENT

There being no further business and upon motion of Commissioner Sullivan, seconded by Commissioner Seymour, it was unanimously approved to end the meeting at 5:47 pm.

Prepared by:

Yvonda A. Bean  
Secretary/Executive Director

## Cayce Historical Museum Commission January 11, 2023, Meeting Minutes

The January 11, 2023 meeting of the Cayce Historical Museum Commission (CHMC) was held in the Cayce Visitors Center. The meeting was convened at 4:08 by Acting Chair Archie Moore. The following individuals attended the meeting:

Name	Status
Archie Moore	Commissioner (Acting Chair)
Mary Sharpe	Commissioner
James Stewart	Commissioner
A.G. Dantzler	Commissioner
Charlita Earle	Commissioner (left early)
Pamela Sulton	Commissioner
Garrett Creasman	Commissioner
David Brinkman	Commissioner
Marcy Hayden	Commissioner
Andy Thomas	Cayce Museum Curator
Mike Conley	Assistant City Manager

### Upcoming Events:

1/26 Presentation on Quilting at Cayce Visitor's Center  
 2/16 George Wingard Presentation on Dave the Potter's Legacy  
 2/18 Sweetgrass Basket Making Class  
 3/25 Cayce Soiree on State Street  
 4/1 Colonial Village at Tartan Day South

**Invocation:** Commissioner Dantzler

### Action Items:

Voting for Chair  
 Funding Policy for Markers

### November Meeting Minutes:

The Commission reviewed the previous meeting minutes. Commissioner Sulton motioned that the meeting minutes be accepted with the amendment that Commissioner Hayden was excused from the meeting. Commissioner Creasman seconded the motion, and the minutes were approved by unanimous vote.

### Museum Staff Report

Two potential donations were put forward for the Commission's consideration. The first donation was a set of firefighter badges from Cecil Dykes. The second donation was a collection of twentieth century documents and clothing from Donna Mahoney. While further information is

needed to ascertain whether the second donation was a good fit for the museum, the first donation was well-suited for the public service exhibit. Commissioner Creasman motioned to accept the badges (seconded by Commissioner Dantzler) and the motion was approved by unanimous vote. Ms. Mahoney also expressed concern over the possible removal of a baseball scoreboard at Williams Field. Commissioner Sulton motioned that we gather additional information on that topic (seconded by Commissioner Stewart). This motion was also unanimously approved.

### **2022 Christmas in Cayce Review**

In the future, the cider temperature needs to be lower and food needs to be individually packaged. The cannon was also exceedingly loud. Slippery stair treads also made for a trip/fall hazard. City personnel are already planning to correct the hazard.

Several Commissioners offered recommendations for improving the content of the next (2023) Christmas in Cayce event. The open space around the museum could be used for a European style Christmas Market. The Lantern tour has the most room for improvement.

Recommendation for the tour include:

- inclusion of additional themes and chronological periods
- creation of scripted content
- offer reservations for lantern tour time slots
- creation of handbill tour map

### **Old Business**

- The subcommittee for establishing a new Museum foundation 501(c)3 plans to have the nonprofit incorporated in the first quarter of the year.
- The subcommittee for strategic planning needs to meet before the next full meeting to create a framework/schedule for full Commission's deliberations.

### **New Business**

- Chairman Archie Moore brought the matter of the Old State Road to the attention of the Commission and expressed his concerns regarding the condition and future status of the road and the fact that it is closed to the public from the bridge at Congaree creek to Old Wire Road. Mr. Moore presented a brief history paper and informed the commission that he has submitted a preliminary application to the State Preservation office as a first step toward inclusion of the road into the National Register of Historic Places.
- The preservation of the unpaved and closed section of Old State Road is a concern for the Commission. The road is an important part of the city's history. Commissioner Sulton motioned that we request further information from the City about the road and also look into the preparation of a National Register of Historic Places (NRHP) Nomination Form for the road. Commissioner Hayden seconded the motion, which was approved by unanimous vote.

### **Officer Election**

Commission Officers are elected for one-year terms that expire at the end of the calendar year. Two candidates were nominated for Commission Chair: Archie Moore and James Stewart. Commissioner Earle had to leave before the election, bring the number of votes for the election to eight. Votes for Commission Chair were tied between the two candidates. As there was no procedure for breaking a tie, election results were discarded and a new vote will be held at the February Commission meeting. Commissioner Hayden nominated Commissioner Sulton for Vice Chair and Commissioner Hayden was nominated by Commissioner Sulton for the position of Secretary. Both ran unopposed for their positions and were elected by unanimous vote of the Commissioners still present at the meeting.

Having no further business, Commissioner Dantzler motioned for the meeting to adjourn. The motion was seconded by Commissioner Creasman and the meeting was adjourned at **5:56 PM**.

**CITY OF CAYCE**  
**EVENTS COMMITTEE MEETING MINUTES**  
**January 12, 2023**

Present: Dwede Dennis, Megan Lightle, Byron Thomas, Danny Creamer, Maxine Creamer, Robert Cathcart, Dave Capps, Jonathon Moore, Alexis Moore, Cindy Pedersen.

Absent: Evony Reed

City Representatives: Mendy Corder, James Denny

Chairperson Danny Creamer called the meeting to order and led the group in the Pledge of Allegiance. Mr. Moore led the invocation.

**Election of Officers:**

Mr. Creamer stated that he had thoroughly enjoyed his tenure as Chairperson of the Events Committee. He stated that he felt it was time for someone else to lead the Committee and bring new and different energy to the group. He stated that he would continue to be a member of the Committee and nominated Johnathon Moore as Chairperson. Ms. Lightle seconded, and the motion carried. Robert Cathcart was nominated by Ms. Pedersen as Vice Chairperson, Mr. Creamer seconded, and motion carried. Mr. Cathcart accepted the nomination. Mr. Capps nominated Maxine Creamer as Secretary. Ms. Lightle seconded, and the motion was carried. Ms. Creamer accepted. At this time, the meeting was turned over to the new Chairperson, Mr. Jonathan Moore.

**Review of Bylaws and Attendance Policy:**

The Committee reviewed the Bylaws and unanimously agreed that no changes were needed. The City's Committee Attendance Policy was reviewed as well.

**Debriefing of Carols Event:**

Everyone agreed that the Carols Along the Riverwalk was a huge success. The café lights that Parks staff hung at the entrance to the Riverwalk were stunning and made the space seem magical. Ms. Pedersen stated that more Trolley Pickup signs were needed at BC High School. It was noted that staff's City vehicles were parked in the parking lot of the Riverwalk and it was noted to ask all staff, including Police staff to not park in that area. Ms. Pedersen stated that Captain Telegram parked the trolley too close to the edge of the pavement and she was concerned that someone was going to fall. She asked staff to ask him to not park so close to the edge. Mr. Creamer stated that he thought Bob Michelski's spot was too far of a walk and needed to be moved closer to the T intersection.

Ms. Corder stated that a water hose was needed at the picnic shelter at the shelter by the restrooms in case water is needed for cleanup and to make filling the urns easier. It was suggested to get an extra pot for the hot chocolate so some could be heating up while the other two urns are being served. Hot chocolate ran out this year and it took quite a while to make more and a long line formed waiting. It was suggested that staff wear something to designate

them as staff. Ms. Corder suggested that staff could wear Santa hats with staff written across the white part of the hat. It was suggested that a reminder was needed as to where to place the bands for next year.

New Business:

Mr. Moore stated that he would like to see the Events Committee become involved in the City's neighborhoods and be more active in the community. It was discussed having events in the various parks throughout the City since they were located in the neighborhoods. Mr. Moore also suggested that the Committee could hold a block party in another part of the City other than State Street. He asked each Committee member to have two ideas for new events at the February meeting. He stated that the events could be very small and did not have to be a large festival type event. The Committee members agreed the committee needs to come up with some event for July 2023.

With no further business the meeting was adjourned.

**The next Events Committee meeting is February 9, 2023 at 5:30PM**



**APPROVED MINUTES  
PLANNING COMMISSION  
CAYCE CITY HALL  
1800 12<sup>th</sup> Street Extension  
Monday, January 23, 2023  
6:30 PM**

**I. CALL TO ORDER**

The meeting was called to order by Chair Ed Fuson. The members present were Robert Power, Michael Mahoney, Patty Foy, Richard Boiteau, and Michael Wuest. Planning Commission member Stockton Wells resigned from the Commission to staff on January 23, 2023.

**II. APPROVAL OF MINUTES**

Michael Wuest made a motion to approve the minutes of the September 19, 2022, meeting. Robert Power seconded the motion. All were in favor.

**III. STATEMENT OF NOTIFICATION**

Monique Ocean confirmed that the public and the media were made aware of the meeting and the public hearing.

**IV. MAP AMENDMENT 001-23**

A request, by the owner, Christian Hernandez, to rezone a property from RG-2 (General Residential) to M-1 (Light Industrial). The property is located at 1403 Dunbar Road (Tax Map Number 005766-03-007).

**a. Opening Statement**

Monique Ocean stated to the Planning Commission that the applicant, Mr. Hernandez, requested to withdraw his rezoning request. Ms. Ocean stated that Mr. Hernandez had sent an email to indicate that he wanted to withdraw the request. Ms. Ocean stated that Mr. Hernandez said he would attempt to make it to the meeting and public hearing but unfortunately, he was not able to make it. Ms. Ocean stated that a motion and a vote would have to be made by the Planning Commission to decide whether the withdrawal would be upheld or if the public hearing would go on as advertised. Ms. Ocean explained if the Planning Commission voted to proceed with the public hearing, they would be making a vote in Mr. Hernandez' absence. Ms. Ocean explained to the Planning Commission that their approval of the withdrawal request would allow the applicant to bring the matter back to them at any date in the future. Ms. Ocean explained that if the public hearing proceeded and the rezoning request was denied, the matter could not be re-heard for 1 year. Richard Boiteau made a motion to deny the request for withdrawal of the rezoning application. Michael Wuest seconded the motion. By a majority vote of 4 to 2, the Planning Commission choose to deny the request for withdrawal of the rezoning application. Robert Power and Patty Foy stated they voted against the motion to deny because Mr. Hernandez was not present. The public hearing was then opened to the public for comments.

**b. Public Comment**

There was no one present to speak on the rezoning request.

**c. Adjourn Public Hearing**

With no further discussion, the public hearing was closed.

**d. Motion**

Michael Wuest made a motion to recommend denial of the rezoning request, to City Council. Richard Boiteau seconded the motion. All were in favor. The reasons given for the recommended denial were because the rezoning request is not in compliance with the Comprehensive Plan and the request is inconsistent with the area. Patty Foy and Robert Power

stated they agree with the references to the Comprehensive Plan but would have accepted the applicant's request to withdraw the application and would prefer for the applicant to be present.

**V. NEW BUSINESS**

**a. Review and Amendment of By-Laws**

Michael Wuest made a motion to approve the amended By-Laws. Michael Mahoney seconded the motion. All were in favor.

**b. Nomination and election of Officers for 2023**

Robert Power made a motion to nominate Ed Fuson as Chair for 2023 Year. Richard Boiteau seconded the motion. All were in favor. Ed Fuson made a motion to nominate Richard Boiteau as Vice Chair for the 2023 Year. Michael Wuest seconded the motion. All were in favor.

**c. Nomination and election of Monique Ocean as Secretary for 2023**

Richard Boiteau made a motion to nominate Monique Ocean as Secretary. Michael Wuest seconded the motion. All were in favor.

**d. Approval of meeting schedule for 2023**

Michael Mahoney made a motion to approve the meeting schedule with a change to the November meeting date to November 27, 2023. Patty Foy seconded the motion. All were in favor.

**VI. ADJOURNMENT**

Robert Power made a motion to adjourn. Richard Boiteau seconded the motion. All were in favor.

**A quorum of Council may be present.  
No discussion or action on the part of Council will be taken.**

**COUNCIL ACTION REQUIRED**

**ACCOMMODATIONS TAX COMMITTEE – ONE (1) POSITION**

Mr. Neal Patel's term on the Accommodations Tax Committee expires in March. Mr. Patel fills the requirement that someone from the hotel industry serve on the Committee and he would like to serve again. His reappointment application is attached for Council's review.

**NO COUNCIL ACTION REQUIRED**

**The following positions remain open until receipt of potential member applications.**

**STANDARD TECHNICAL CODES BOARD OF APPEALS – ONE (1) POSITION**

Reviews citizen appeals to ensure building codes, property maintenance codes and fire codes are properly interpreted and implemented fairly. Members who serve on this Board must be either an Engineer, Contractor, Architect or Design Professional. There are no recommendations at this time.

**APPOINTMENT PROCESS**

Cayce citizens have an opportunity to actively participate in the City through their services on a number of advisory boards, commissions, foundations and committees. These groups help shape and carry out policy.

Applications are accepted at any time for all City of Cayce boards, commissions, foundations and committees. Cayce citizens wishing to apply for appointment may submit a potential member application to the Municipal Clerk, P. O. Box 2004, Cayce, SC 29171. More information and a copy of the application can be found on our website at [caycesc.gov](http://caycesc.gov) or by calling City Hall at 803-796-9020.

City Council considers applications at a meeting immediately following an opening.



CITY OF CAYCE
COMMITTEE MEMBER REAPPOINTMENT APPLICATION

Name: Neal Patel

Home Address: City, State, Zip Columbia, SC 29212

Telephone: E-Mail Address: neal.patel@countryinnamericas.com

Resident of Cayce: { Yes { No Number of Years

Please check the Committee for which you are applying for reappointment:

- { Accommodations Tax Committee { Beautification Board { Event Committee
{ Cayce Housing Authority { Museum Commission { Planning Commission
{ Consolidated Board of Appeals { Board of Zoning Appeals

Have you ever been convicted of a felony or misdemeanor other than a minor traffic violation? [ ] Yes [ ] No If yes, specify below:

Work Address

Company: Country Inn & Suites by Radisson Position General Manager

Address: 2245 Airport Blvd.

City, State, Zip Cayce, SC 29033 Telephone: 803-794-6200

Fax: 803-794-6270 E-Mail neal.patel@countryinnamericas.com

Work Experience:

Educational Background: Bachelors of Science in Accounting

Masters of Accounting

Membership Information (Professional, Neighborhood and/or Civic Organizations):

Volunteer Work:

Hobbies:

Return to:
Mendy Corder, Municipal Clerk
City of Cayce, P.O. Box 2004, Cayce, SC 29171-2004
Telephone: 803-550-9557 • Fax: 803-796-9072 • mcorder@cityofcayce-sc.gov

**City of Cayce  
PLANNING COMMISSION  
BYLAWS**

**ARTICLE I  
ORGANIZATION**

**SECTION 1 – RULES**

The rules of procedure are adopted pursuant to S.C. Code 6-29-360 for the City of Cayce Planning Commission, which consists of members appointed by City Council.

**SECTION 2 – OFFICERS**

The Officers of the Commission shall be the Chairman, Vice-Chairman and a Secretary elected for one-year terms at the January meeting.

**SECTION 3 – CHAIRMAN**

The Chairman shall be a voting member of the Commission and shall:

- Call meetings of the Commission
- Preside at meetings and hearings
- Act as spokesperson for the Commission
- Sign documents for the Commission
- Transmit reports and recommendations to Council
- Perform other duties approved by the Commission

**SECTION 4– VICE-CHAIRMAN**

The Vice-Chairman shall exercise the duties of Chairman in the absence or disability, or disqualification of the Chairman. In the absence of both the Chairman and the Vice-Chairman, the members present shall elect an acting Chairman.

**SECTION 5 – SECRETARY**

- Provide notice of meetings
- Assist the Chairman in the preparation of the agenda
- Keep minutes of the meetings and hearings
- Maintain Commission records as public records
- Attend to Board correspondence
- Perform other duties normally carried out by a secretary.

## **SECTION 6 – CONTINUING EDUCATION**

All members shall maintain compliance with educational requirements under SC Code §6-29-1340.

## **ARTICLE II MEETINGS**

### **SECTION 1 – TIME AND PLACE**

The regular meetings of the Planning Commission shall be held on the third Monday of each month at 6:00 p.m. or immediately following the Board of Zoning Appeals at the City of Cayce meeting room. A schedule of the regular meetings shall be published and posted at City Hall in January of each year. Special Meetings may be called by the Chairman upon 24-hours notice, posted and delivered to all members and local news media. Meetings shall be held at the place stated on the notice, and shall be open to the public.

### **SECTION 2 – AGENDA**

A written agenda shall be furnished by the Secretary to each member of the Commission and the news media, and shall be posted at least five (5) days prior to each regular meeting, and at least twenty-four (24) hours prior to a special meeting. Items may be removed from the agenda or postponed at a meeting by majority vote.

### **SECTION 3 - QUORUM**

A majority of the members of the Commission shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling the meeting.

### **SECTION 4 – RULES OF ORDER**

Robert's Rules of Order shall govern the conduct of meetings except as otherwise provided by these Rules of Procedure.

### **SECTION 5 – VOTING**

A member must be present to vote. Each member shall vote on every question unless disqualified by law. The question of disqualification shall be decided by the member affected, who shall announce the reason for disqualification, give it to the chairman in writing, have it placed in the minutes, and refrain from deliberating or voting in the question.

## **SECTION 6 – CONDUCT**

Except for public hearings, no person shall speak at a Commission meeting unless invited to do so by the Commission.

## **ARTICLE III PUBLIC HEARING**

### **SECTION I – NOTICE**

The secretary shall give the notice required by statute or ordinance for all public hearings conducted by the Commission. Members of the public desiring to be heard shall give written notice to the secretary prior to commencement of the hearing.

### **SECTION II – PROCEDURE**

In matters brought before the Commission for public hearing which were initiated by the applicant, staff shall be heard first, followed by the applicant or an appointed representative, and members of the public next. The applicant shall have the right to reply last. No person may speak for more than five (5) minutes without consent of the Commission. No person speaking at the public hearing shall be posed by members of the Commission. In matters not initiated by the applicant, members, of the public shall speak in order in which requests were received, or in such order as the Commission shall determine.

## **ARTICLE IV RECORDS**

### **SECTION 1 – MINUTES**

The secretary shall record all meetings and hearings of the Commission. A copy of the recording shall be preserved until final action is taken on all matters presented. The secretary shall prepare minutes of each meeting for approval by the Commission at the next regular meeting. Minutes shall be maintained as public records.

### **SECTION 2 – REPORTS**

The Secretary shall assist in the preparation and forwarding of all reports and recommendations of the Commission in appropriate form. Copies of all notices, correspondence, reports and forms shall be maintained as public record.

### **SECTION 3 – ATTENDANCE**

The minutes shall show the members in attendance at each meeting. In the event that any appointee to a committee misses one third of all meetings of the committee to which the member has been appointed, within a 12 month period of service, the member shall be subject to removal for cause by the council. The chairman of the committee shall notify the mayor, in writing, when any member is absent a third of all meetings within a 12 month period of service.

## **ARTICLE V REVIEW PROCEDURE**

### **SECTION 1 – ZONING AMENDMENTS**

Proposed zoning text and district amendments shall be considered and recommendations shall be forwarded to the governing body within thirty (30) days after receipt of the proposed amendments, unless the governing body gives additional time. When so authorized, the Planning Commission shall conduct any required public hearing prior to making a recommendation.

### **SECTION 2 - PLATS**

Plats submitted for review pursuant to land development regulations shall be reviewed by designated staff members who may approve for recording plats of existing lots of record, minor subdivisions of land, which meet all zoning requirements, and subdivision, which are exempt from regulation pursuant to S.C. Code 6-29-1110 (2). The Commission shall be informed in writing of all staff approvals at the next regular meeting, and a public record of such actions shall be maintained. All other plats shall be subject to review and approval by the Commission.

### **SECTION 3 – COMPREHENSIVE PLAN**

All zoning and land development regulation amendments shall be reviewed first for conformity with the comprehensive plan. Conflicts with the comprehensive plan shall be noted in any report to the governing body on a proposed amendment. The elements of the comprehensive plan shall be reviewed and updated on a schedule adopted by the Commission meeting the requirements of S.C. Code 6-29-510 (E).

### **SECTION 4 - RECONSIDERATION**

The Planning Commission shall not reconsider an application for change or relief if such application requests a change to the same lot, parcel or portion thereof, or a change to the same text of the Ordinance for a period of one year from the date

of that body's action on the prior request, unless the body finds that there has been a substantial change in the character of the area or that significant factors or conditions exist which were not considered in previous deliberations by the body.

## **ARTICLE VI FINANCES**

### **SECTION 1 - BUDGET**

The Commission shall submit written recommendations to the governing body for funding in the annual budget. The recommendations shall include an explanation and justification for proposed expenditures.

### **SECTION 2 - EXPENDITURE**

Budgeted funds shall be expended only for approved purposes in accordance with financial policies and procedures set by the governing body, including procurement rules. Upon adoption of a budget by the governing body, the Commission may adopt an authorization for specified expenditures by designated staff members within the limits provided. Reimbursement for the actual expenses incurred in the performance of official duties approved in advance by the Commission and staff upon submission of vouchers supported receipts.

### **SECTION 3 - PERSONNEL**

The Commission shall employ such staff and consultants as may be authorized and funded by budget or make recommendations for staff members to be employed by the City of Cayce. Consultants shall be engaged by majority vote of the Commission after review of proposals invited by public notice and mail, and personal interviews with applicants by the Commission, or a committee of the Commission members and staff.

**ARTICLE VII  
ADOPTION AND AMENDMENT**

**SECTION 1 – ADOPTION**

These rules were adopted by vote of a majority of the members of the board at a regular public meeting on \_\_\_\_\_.

**SECTION 2 – AMENDMENT**

These Bylaws may be amended at any regular meeting of the Planning Commission. Amendments of these Bylaws must be placed on the agenda of a regular meeting, and any proposed amendments to the Bylaws shall be sent to each member in writing. Members of the Planning Commission must be given at least seven days notice of any meeting when Bylaw amendments are to be considered. Approved amendments must be reviewed and deemed approvable by City Council.

*G. E. Furr*  
Chair

*Paul B. ...*  
Vice Chair

*Monique Ocean*  
Secretary

1-23-23  
Date

**City of Cayce  
PLANNING COMMISSION  
BYLAWS**

**ARTICLE I  
ORGANIZATION**

**SECTION 1 – RULES**

The rules of procedure are adopted pursuant to S.C. Code 6-29-360 for the City of Cayce Planning Commission, which consists of members appointed by City Council.

**SECTION 2 – OFFICERS**

The Officers of the Commission shall be the Chairman, Vice-Chairman and a Secretary elected for one-year terms at the January meeting.

**SECTION 3 – CHAIRMAN**

The Chairman shall be a voting member of the Commission and shall:

- Call meetings of the Commission
- Preside at meetings and hearings
- Act as spokesperson for the Commission
- Sign documents for the Commission
- Transmit reports and recommendations to Council
- Perform other duties approved by the Commission

**SECTION 4– VICE-CHAIRMAN**

The Vice-Chairman shall exercise the duties of Chairman in the absence or disability, or disqualification of the Chairman. In the absence of both the Chairman and the Vice-Chairman, the members present shall elect an acting Chairman.

**SECTION 5 – SECRETARY**

- Provide notice of meetings
- Assist the Chairman in the preparation of the agenda
- Keep minutes of the meetings and hearings
- Maintain Commission records as public records
- Attend to Board correspondence
- Perform other duties normally carried out by a secretary.

## **SECTION 6 – CONTINUING EDUCATION**

All members shall maintain compliance with educational requirements under SC Code §6-29-1340.

## **ARTICLE II MEETINGS**

### **SECTION 1 – TIME AND PLACE**

The regular meetings of the Planning Commission shall be held on the third Monday of each month at 6:00 p.m. or immediately following the Board of Zoning Appeals at the City of Cayce meeting room. A schedule of the regular meetings shall be published and posted at City Hall in January of each year. Special Meetings may be called by the Chairman upon 24-hours notice, posted and delivered to all members and local news media. Meetings shall be held at the place stated on the notice, and shall be open to the public.

### **SECTION 2 – AGENDA**

A written agenda shall be furnished by the Secretary to each member of the Commission and the news media, and shall be posted at least five (5) days prior to each regular meeting, and at least twenty-four (24) hours prior to a special meeting. Items may be removed from the agenda or postponed at a meeting by majority vote.

### **SECTION 3 - QUORUM**

A majority of the members of the Commission shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling the meeting.

### **SECTION 4 – RULES OF ORDER**

Robert's Rules of Order shall govern the conduct of meetings except as otherwise provided by these Rules of Procedure.

### **SECTION 5 – VOTING**

A member must be present to vote. Each member shall vote on every question unless disqualified by law. The question of disqualification shall be decided by the member affected, who shall announce the reason for disqualification, give it to the chairman in writing, have it placed in the minutes, and refrain from deliberating or voting in the question.

## **SECTION 6 – CONDUCT**

Except for public hearings, no person shall speak at a Commission meeting unless invited to do so by the Commission.

## **ARTICLE III PUBLIC HEARING**

### **SECTION I – NOTICE**

The secretary shall give the notice required by statute or ordinance for all public hearings conducted by the Commission. Members of the public desiring to be heard shall give written notice to the secretary prior to commencement of the hearing.

### **SECTION II – PROCEDURE**

In matters brought before the Commission for public hearing which were initiated by the applicant, staff shall be heard first, followed by the applicant or an appointed representative, and members of the public next. The applicant shall have the right to reply last. No person may speak for more than five (5) minutes without consent of the Commission. No person speaking at the public hearing shall be posed by members of the Commission. In matters not initiated by the applicant, members of the public shall speak in order in which requests were received, or in such order as the Commission shall determine.

## **ARTICLE IV RECORDS**

### **SECTION 1 – MINUTES**

The secretary shall record all meetings and hearings of the Commission. A copy of the recording shall be preserved until final action is taken on all matters presented. The secretary shall prepare minutes of each meeting for approval by the Commission at the next regular meeting. Minutes shall be maintained as public records.

### **SECTION 2 – REPORTS**

The Secretary shall assist in the preparation and forwarding of all reports and recommendations of the Commission in appropriate form. Copies of all notices, correspondence, reports and forms shall be maintained as public record.

### **SECTION 3 – ATTENDANCE**

The minutes shall show the members in attendance at each meeting ~~and the reason for absence submitted by any member.~~ In the event that any appointee to a committee misses one third of all meetings of the committee to which the member has been appointed, within a 12 month period of service, the member shall be subject to removal for cause by the council. The chairman of the committee shall notify the mayor, in writing, when any member is absent a third of all meetings within a 12 month period of service. ~~Any member who is absent unexcused from three consecutive meetings within a calendar year is subject to removal for cause upon recommendation for removal by the Commission chairman to City Council.~~

## **ARTICLE V REVIEW PROCEDURE**

### **SECTION 1 – ZONING AMENDMENTS**

Proposed zoning text and district amendments shall be considered and recommendations shall be forwarded to the governing body within thirty (30) days after receipt of the proposed amendments, unless the governing body gives additional time. When so authorized, the Planning Commission shall conduct any required public hearing prior to making a recommendation.

### **SECTION 2 - PLATS**

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### **SECTION 3 – COMPREHENSIVE PLAN**

All zoning and land development regulation amendments shall be reviewed first for conformity with the comprehensive plan. Conflicts with the comprehensive plan shall be noted in any report to the governing body on a proposed amendment. The elements of the comprehensive plan shall be reviewed and updated on a schedule adopted by the Commission meeting the requirements of S.C. Code 6-29-510 (E).

## SECTION 4 - RECONSIDERATION

~~The Commission may reconsider any review when so requested by the governing body, or when an applicant brings to the attention of the Commission new facts, a mistake of fact in the original review, correction of clerical error, or matters not the fault of the applicant which affect the result of review. The Planning Commission shall not reconsider an application for change or relief if such application requests a change to the same lot, parcel or portion thereof, or a change to the same text of the Ordinance for a period of one year from the date of that body's action on the prior request, unless the body finds that there has been a substantial change in the character of the area or that significant factors or conditions exist which were not considered in previous deliberations by the body.~~

## ARTICLE VI FINANCES

### SECTION 1 - BUDGET

The Commission shall submit written recommendations to the governing body for funding in the annual budget. The recommendations shall include an explanation and justification for proposed expenditures.

### SECTION 2 - EXPENDITURE

Budgeted funds shall be expended only for approved purposes in accordance with financial policies and procedures set by the governing body, including procurement rules. Upon adoption of a budget by the governing body, the Commission may adopt an authorization for specified expenditures by designated staff members within the limits provided. Reimbursement for the actual expenses incurred in the performance of official duties approved in advance by the Commission and staff upon submission of vouchers supported receipts.

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The Commission shall employ such staff and consultants as may be authorized and funded by budget or make recommendations for staff members to be employed by the City of Cayce. Consultants shall be engaged by majority vote of the Commission after review of proposals invited by public notice and mail, and personal interviews with applicants by the Commission, or a committee of the Commission members and staff.

**ARTICLE VII  
ADOPTION AND AMENDMENT**

**SECTION 1 – ADOPTION**

These rules were adopted by vote of a majority of the members of the board at a regular public meeting on \_\_\_\_\_.

**SECTION 2 – AMENDMENT**

These Bylaws may be amended at any regular meeting of the Planning Commission. Amendments of these Bylaws must be placed on the agenda of a regular meeting, and any proposed amendments to the Bylaws shall be sent to each member in writing. Members of the Planning Commission must be given at least seven days notice of any meeting when Bylaw amendments are to be considered. Approved amendments must be reviewed and deemed approvable by City Council.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Vice Chair

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date

**City of Cayce  
Board of Zoning Appeals  
BYLAWS**

**ARTICLE I  
ORGANIZATION**

**SECTION 1 – RULES**

These rules of procedure are adopted pursuant to S.C. Code 6-29-790 for the City of Cayce Board of Zoning Appeals, which consists of 5 members as provided in the City of Cayce Zoning Ordinance.

**SECTION 2 – OFFICERS**

The officers of the Board shall be a chairman and a vice-chairman elected for one-year terms in the month of January. The Board shall appoint a member of the Staff of the City of Cayce as secretary of the Board.

**SECTION 3 – CHAIRMAN**

The chairman shall be a voting member of the Board and shall:

- a. Call meetings of the Board
- b. Preside at the meetings and hearings; and swear in witness
- c. Act as spokesperson for the Board
- d. Sign documents for the Board
- e. Have orders of the Board served on parties
- f. Perform other duties approved by the Board.

**SECTION 4– VICE-CHAIRMAN**

The vice-chairman shall exercise the duties of the chairman in the absence, disability, or disqualification of the chairman. In the absence of the chairman and vice-chairman, the members present shall elect an acting chairman.

**SECTION 5 – SECRETARY**

The secretary shall:

- a. Provide and publish notice of appeals and meetings
- b. Assist the chairman in the preparation of the agenda
- c. See the property involved in appeals for variances or special exceptions is properly posted
- d. Keep recordings and minutes of meetings and hearings
- e. Maintain Board records as public records
- f. Serve Board decisions on parties

- g. Attend to Board Correspondence
- h. Perform other duties normally carried out by a secretary.

## **SECTION 6 – CONTINUING EDUCATION**

All members shall maintain compliance with educational requirements under SC Code §6-29-1340.

# **ARTICLE II MEETINGS**

## **SECTION 1 – TIME AND PLACE**

An annual schedule of regular meetings shall be adopted, published and posted at Cayce City Hall in January of each year. The regular Board meeting date shall be the 3<sup>rd</sup> Monday of each month at 6:00 pm, as needed. Special meetings may be called by the chairman upon 24 hours notice, posted and delivered to all members and local news media. Meetings shall be held at the place stated in the notices, and shall be open to the public.

## **SECTION 2 – AGENDA**

A written agenda shall be furnished by the secretary to each member of the Board and the news media, and shall be posted at least five (5) days prior to each regular meeting, and at least twenty-four (24) hours prior to a special meeting. Items may be removed from the agenda or postponed at a meeting by majority vote.

## **SECTION 3 - QUORUM**

A majority of the members of the Board shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling the meeting.

## **SECTION 4 – RULES OF ORDER**

Robert's Rules of Order shall govern the conduct of meeting except as otherwise provided by these Rules of Procedure.

## **SECTION 5 – VOTING**

A member must be present to vote. Each member shall vote on every question unless disqualified by law. The question of disqualification shall be decided by the member affected, who shall announce the reason for disqualification, give it to the chairman in writing, have it placed in the minutes, and refrain from deliberating or voting in the question.

## **SECTION 6 – CONDUCT**

Except for public hearings, no person shall speak at a Board meeting unless invited to do so by the Board.

## **ARTICLE III APPEALS PROCEDURE**

### **SECTION I – FORM OF APPEAL**

Appeals from administrative decisions, applications for variances, and applications for special exceptions shall be filed on forms approved by the Board and provided to applicants by the secretary. The Board may require additional information deemed necessary. The failure to submit adequate information may be grounds for dismissal. An application filed by an agent shall be accompanied by written designation of the agent signed by the applicant or party in interest.

### **SECTION 2 – TIME FOR APPEAL**

An appeal from an administrative decision must be filed within thirty (30) days after actual notice of the decision by delivery of the approved appeal form to the secretary of the Board who shall notify the official appealed form.

### **SECTION 3 – CALENDAR**

Appeals and applications shall be marked with the date of receipt and placed on the hearing calendar in the order in which received. Appeals shall be heard in the order on the calendar unless otherwise set by the Board for good cause shown.

### **SECTION 4 – WITHDRAWAL OF APPEAL**

Any appeal or application may be written notice delivered to the secretary prior to action by the board. An appeal from an administrative decision, which is withdrawn, may not be refiled after the fifteen (15) day time for appeal has expired. Withdrawn applications for variances and special exceptions may be refiled after six (6) months and shall be placed on the calendar according to the date refiled.

### **SECTION 5 – CONTINUANCES AND DEFERALS**

The Board, for good cause shown, may continue or defer the hearing of an appeal or application one time and to the next month's meeting.

### **SECTION 6 – NOTICE**

Public notice of a hearing of the Board shall be published in a local newspaper and posted on or adjacent to the property affected at least fifteen (15) days prior

to the hearing. The notice shall contain a description of each matter to be heard and identify the applicant and property affected.

## **ARTICLE IV HEARING PROCEDURE**

### **SECTION 1 – APPEARANCES**

The applicant or any party in interest may appear in person or by agent or attorney. The Board may postpone or proceed to dispose of a matter on the records before it in the absence of an appearance on behalf of an applicant.

### **SECTION 2 - WITNESS**

Parties in interest may present testimony under oath. Witnesses may be compelled to attend by subpoena requested at least ten (10) days prior to a hearing and signed by the chairman. The Board may call its own witnesses when deemed appropriate.

### **SECTION 3 – CROSS-EXAMINATION**

No party shall have the right to cross-examine witnesses; however, the opportunity to examine opposing witnesses may be freely extended when conducted in an orderly manner. Intimidation of witnesses will not be allowed.

### **SECTION 4 – EVIDENCE**

Relevant documents, photographs, maps, plans, drawings, etc., will be received in the record without authentication in the form of legible copies. Relevant testimony, which is not cumulative, or hearsay will be received. The chairman will rule on all evidentiary matters. Evidence may be placed in the record with an objection noted.

### **SECTION 5 – CONDUCT OF HEARING**

The normal order of hearing, subject to modification by the chairman, shall be:

- a. Statement of matter to be heard (chairman or secretary)
- b. Presentation by applicant (5 minute limit)
- c. Presentation by official appealed (5 minute limit)
- d. Presentation by opponents (5 minute limit)
- e. Rebuttal by applicant (3 minute limit)
- f. Unsworn public comment when appropriate
- g. The Board may question participants at any point in the hearing
- h. Matters in which additional time is granted may be moved to the end of the agenda.

### **SECTION 6 – DISPOSITION**

The Board may deliberate and make a final disposition of a matter by majority vote of members present at the hearing and qualified to vote; provided that not less than a quorum are qualified to vote. The vote may be taken at the same time or a subsequent meeting. A member may not vote on a matter which the member has not heard. Deliberations shall be conducted and voting shall be public.

## **SECTION 7 – FORM OF ORDER**

An order shall be issued disposing of a matter by granting or denying relief with such conditions may be deemed necessary; or affirming, modifying, or reversing an administrative decision. A matter may be dismissed for lack of jurisdiction or prosecution. Findings of fact and conclusions of law shall be separately stated in an order.

## **SECTION 8 – SERVICE OF ORDER**

The secretary shall deliver a copy of an order to each party in interest by mail immediately upon execution of the order by the chairman.

# **ARTICLE V RECORDS**

## **SECTION 1 – MINUTES**

The secretary shall record all meetings and hearings of the Board on tape, which shall be preserved until final action is taken on all matters presented. The secretary shall prepare minutes of each meeting for approval by the Board at the next regular meeting. Minutes shall be maintained as public records.

## **SECTION 2 – ORDERS AND DOCUMENTS**

The secretary shall assist in the preparation and service of all orders of the Board in appropriate form. Copies of all notices, correspondence, documentary, evidence, and forms shall be maintained as public records.

## **SECTION 3 – ATTENDANCE**

The minutes shall show the members in attendance at each meeting. In the event that any appointee to a committee misses one third of all meeting of the committee to which the member has been appointed, within a 12-month period of service, the member shall be subject to removal for cause by the council. The chairman of the committee shall notify the mayor, in writing, when any member is absent a third of all meetings within a 12-month period of service.

**ARTICLE VI  
ADOPTION AND AMENDMENT**

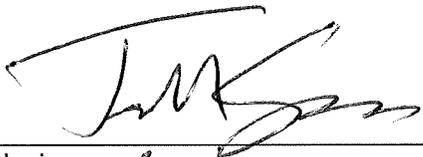
**SECTION 1 – ADOPTION**

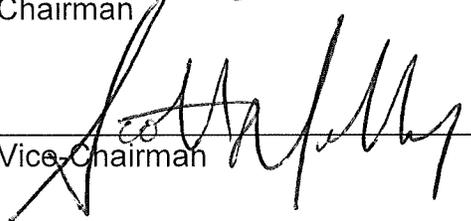
These rules were adopted by vote of a majority of the members of the board at a regular public meeting on January 23, 2023.

**SECTION 2 – AMENDMENT**

These rules may be amended at any regular meeting of the Board by majority vote of the members of the Board at least seven (7) days after the written amendment is delivered to all members.

Date Adopted Jan 23, 2023

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Vice-Chairman

**City of Cayce  
Board of Zoning Appeals  
BYLAWS**

**ARTICLE I  
ORGANIZATION**

**SECTION 1 – RULES**

These rules of procedure are adopted pursuant to S.C. Code 6-29-790 for the City of Cayce Board of Zoning Appeals, which consists of 5 members as provided in the City of Cayce Zoning Ordinance.

**SECTION 2 – OFFICERS**

The officers of the Board shall be a chairman and a vice-chairman elected for one-year terms in the month of ~~March~~ January. ~~The chairman may serve a maximum of two successive terms or until his successor is elected.~~ The Board shall appoint a member of the Staff of the City of Cayce as secretary of the Board.

**SECTION 3 – CHAIRMAN**

The chairman shall be a voting member of the Board and shall:

- a. Call meetings of the Board
- b. Preside at the meetings and hearings; and swear in witness
- c. Act as spokesperson for the Board
- d. Sign documents for the Board
- e. Have orders of the Board served on parties
- f. Perform other duties approved by the Board.

**SECTION 4– VICE-CHAIRMAN**

The vice-chairman shall exercise the duties of the chairman in the absence, disability, or disqualification of the chairman. In the absence of the chairman and vice-chairman, the members present shall elect an acting chairman.

**SECTION 5 – SECRETARY**

The secretary shall:

- a. Provide and publish notice of appeals and meetings
- b. Assist the chairman in the preparation of the agenda
- c. See the property involved in appeals for variances or special exceptions is properly posted
- d. Keep recordings and minutes of meetings and hearings

- e. Maintain Board records as public records
- f. Serve Board decisions on parties
- g. Attend to Board Correspondence
- h.        Perform other duties normally carried out by a secretary.

## **SECTION 6 – CONTINUING EDUCATION**

h. — All members shall maintain compliance with educational requirements under SC Code §6-29-1340.

## **ARTICLE II MEETINGS**

### **SECTION 1 – TIME AND PLACE**

An annual schedule of regular meetings shall be adopted, published and posted at Cayce City Hall in December-January of each year. The regular Board meeting date shall be the 3<sup>rd</sup> Monday of each month at 6:00 pm, as needed. Special meetings may be called by the chairman upon 24 hours notice, posted and delivered to all members and local news media. Meetings shall be held at the place stated in the notices, and shall be open to the public.

### **SECTION 2 – AGENDA**

A written agenda shall be furnished by the secretary to each member of the Board and the news media, and shall be posted at least five (5) days prior to each regular meeting, and at least twenty-four (24) hours prior to a special meeting. Items may be removed from the agenda or postponed at a meeting by majority vote.

### **SECTION 3 - QUORUM**

A majority of the members of the Board shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling the meeting.

### **SECTION 4 – RULES OF ORDER**

Robert's Rules of Order shall govern the conduct of meeting except as otherwise provided by these Rules of Procedure.

### **SECTION 5 – VOTING**

A member must be present to vote. Each member shall vote on every question unless disqualified by law. The question of disqualification shall be decided by the member affected, who shall announce the reason for disqualification, give it

to the chairman in writing, have it placed in the minutes, and refrain from deliberating or voting in the question.

## **SECTION 6 – CONDUCT**

Except for public hearings, no person shall speak at a Board meeting unless invited to do so by the Board.

## **ARTICLE III APPEALS PROCEDURE**

### **SECTION I – FORM OF APPEAL**

Appeals from administrative decisions, applications for variances, and applications for special exceptions shall be filed on forms approved by the Board and provided to applicants by the secretary. The Board may require additional information deemed necessary. The failure to submit adequate information may be grounds for dismissal. An application filed by an agent shall be accompanied by written designation of the agent signed by the applicant or party in interest.

### **SECTION 2 – TIME FOR APPEAL**

An appeal from an administrative decision must be filed within thirty (30) days after actual notice of the decision by delivery of the approved appeal form to the secretary of the Board who shall notify the official appealed form.

### **SECTION 3 – CALENDAR**

Appeals and applications shall be marked with the date of receipt and placed on the hearing calendar in the order in which received. Appeals shall be heard in the order on the calendar unless otherwise set by the Board for good cause shown.

### **SECTION 4 – WITHDRAWAL OF APPEAL**

Any appeal or application may be written notice delivered to the secretary prior to action by the board. An appeal from an administrative decision, which is withdrawn, may not be refiled after the fifteen (15) day time for appeal has expired. Withdrawn applications for variances and special exceptions may be refilled-refiled after six (6) months and shall be placed on the calendar according to the date refiled.

### **SECTION 5 – CONTINUANCES AND DEFERALS**

The Board, for good cause shown, may continue or defer the hearing of an appeal or application one time and to the next month's meeting.

## **SECTION 6 – NOTICE**

Public notice of a hearing of the Board shall be published in a local newspaper and posted on or adjacent to the property affected at least fifteen (15) days prior to the hearing. The notice shall contain a description of each matter to be heard and identify the applicant and property affected.

## **ARTICLE IV HEARING PROCEDURE**

### **SECTION 1 – APPEARANCES**

The applicant or any party in interest may appear in person or by agent or attorney. The Board may postpone or proceed to dispose of a matter on the records before it in the absence of an appearance on behalf of an applicant.

### **SECTION 2 - WITNESS**

Parties in interest may present testimony under oath. Witnesses may be compelled to attend by subpoena requested at least ten (10) days prior to a hearing and signed by the chairman. The Board may call its own witnesses when deemed appropriate.

### **SECTION 3 – CROSS-EXAMINATION**

No party shall have the right to cross-examine witnesses; however, the opportunity to examine opposing witnesses may be freely extended when conducted in an orderly manner. Intimidation of witnesses will not be allowed.

### **SECTION 4 – EVIDENCE**

Relevant documents, photographs, maps, plans, drawings, etc., will be received in the record without authentication in the form of legible copies. Relevant testimony, which is not cumulative, or hearsay will be received. The chairman will rule on all evidentiary matters. Evidence may be placed in the record with an objection noted.

### **SECTION 5 – CONDUCT OF HEARING**

The normal order of hearing, subject to modification by the chairman, shall be:

- a. Statement of matter to be heard (chairman or secretary)
- b. Presentation by applicant (5 minute limit)

- c. Presentation by official appealed (5 minute limit)
- d. Presentation by opponents (5 minute limit)
- e. Rebuttal by applicant (3 minute limit)
- f. Unsworn public comment when appropriate
- g. The Board may question participants at any point in the hearing
- h. Matters in which additional time is granted may be moved to the end of the agenda.

## **SECTION 6 – DISPOSITION**

The Board may deliberate and make a final disposition of a matter by majority vote of members present at the hearing and qualified to vote; provided that not less than a quorum are qualified to vote. The vote may be taken at the same time or a subsequent meeting. A member may not vote on a matter which the member has not heard. Deliberations shall be conducted and voting shall be public.

## **SECTION 7 – FORM OF ORDER**

An order shall be issued disposing of a matter by granting or denying relief with such conditions may be deemed necessary; or affirming, modifying, or reversing an administrative decision. A matter may be dismissed for lack of jurisdiction or prosecution. Findings of fact and conclusions of law shall be separately stated in an order.

## **SECTION 8 – SERVICE OF ORDER**

The secretary shall deliver a copy of an order to each party in interest by **certified** mail immediately upon execution of the order by the chairman.

# **ARTICLE V RECORDS**

## **SECTION 1 – MINUTES**

The secretary shall record all meetings and hearings of the Board on tape, which shall be preserved until final action is taken on all matters presented. The secretary shall prepare minutes of each meeting for approval by the Board at the next regular meeting. Minutes shall be maintained as public records.

## **SECTION 2 – ORDERS AND DOCUMENTS**

The secretary shall assist in the preparation and service of all orders of the Board in appropriate form. Copies of all notices, correspondence, documentary, evidence, and forms shall be maintained as public records.

**SECTION 3 – ATTENDANCE**

The minutes shall show the members in attendance at each meeting ~~and the reason for absence submitted by any member~~. In the event that any appointee to a committee misses one third of all meeting of the committee to which the member has been appointed, within a 12-month period of service, the member shall be subject to removal for cause by the council. The chairman of the committee shall notify the mayor, in writing, when any member is absent a third of all meetings within a 12-month period of service.

**ARTICLE VI  
ADOPTION AND AMENDMENT**

**SECTION 1 – ADOPTION**

These rules were adopted by vote of a majority of the members of the board at a regular public meeting on \_\_\_\_\_.

**SECTION 2 – AMENDMENT**

These rules may be amended at any regular meeting of the Board by majority vote of the members of the Board at least seven (7) days after the written amendment is delivered to all members.

Date Adopted \_\_\_\_\_

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Vice-Chairman