



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, September 20, 2023**

The September 20, 2023 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, Police Chief Chris Cowan, Fire Chief Steven Bullard, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley, Utility Director Betsy Catchings and City Attorney Danny Crowe were also in attendance.

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

Call to Order

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

Public Comment Regarding Items on the Agenda

No one signed up for Public Comment.

Presentation

- A. Presentation by the Members of the Columbia Area League of Voters on VOTE411

Ms. Amy Mikell stated that she and her colleagues were there to present on VOTE411. She stated that VOTE 411 was a nationally recognized website provided by the League of Women Voters. She stated that the website was designed to help voters and candidates. She stated that as a voter, the website tells whether that person was registered, which districts they belong to, where and when they vote and who the candidates were. She stated that the website also educates the users about early voting and mail-in votes, which were important options. Ms. Mikell stated that as a candidate, the website gives an easy, cost-free way to present their views on relevant issues.

Ms. Mikell stated that the Columbia Area League of Women Voters promoted the website as a way to encourage free and fair elections which was one of their primary goals. She stated that all candidates running in the fall would receive an email from the League President Kerry Elliot inviting them to make use of the website and would give

each candidate a link so they could share their vision for the community. Ms. Mikell thanked Council for the opportunity to discuss this valuable resource and invited them to explore all the information on the website.

Ms. Keller Barron, the co-chair of the League's 411 committee, spoke next. She stated that the VOTE411.org website was very easy to use. She stated that one could enter their address to find out who was running and their stand on various issues. She invited everyone to utilize the website.

Items for Discussion and Possible Approval

A. Discussion and Approval of a Service Contract to Rebuild a Major Water Reservoir Pump

Ms. Hegler stated that the City had four (4) pumps at the raw water reservoir site that were used to pump water from the Congaree River into the reservoir and then to the City's Water Treatment Plant and the largest of the pumps was in need of repair. She stated that the pump was pulled and required transport to a qualified contractor for a diagnostic evaluation to determine the cause of the issues and it was discovered that it had excess water coming out of the packing gland and some shaft movement. She stated that staff transported the pump to Charles R. Underwood Inc., because they had experience with these pumps and worked on the City's in the past.

Ms. Hegler stated that Underwood completed the evaluation to determine the cause of the issue which they indicated was due to normal wear and tear. She stated that it was estimated that the repairs would cost approximately \$52,000 before taxes and the cost of freight. She stated that the pump was currently at Underwood and had been disassembled for evaluation. She stated that this was a specialty line of work since it was difficult to find a company to evaluate or repair a pump of this size and type. Ms. Hegler stated that for this reason, staff was requesting that Council approve sole sourcing the repair to Charles R. Underwood Inc. which was afforded to them by the City's Ordinance. She stated that the existing utility maintenance line item within the Water Treatment Plant's budget would provide the funds for this work so the project was funded.

Mayor Pro Tem Jenkins made a motion to waive the formal bid process and allow the repair of the raw water pump by Underwood at a not to exceed cost of \$54,000 plus tax. Council Member James seconded the motion which was unanimously approved by roll call vote.

B. Discussion and Approval to Purchase a Replacement Police Vehicle

Ms. Hegler stated that the Police Department had a 2018 Ford Interceptor that was involved in a collision that was not the Officer's fault. She stated that the insurance

company determined the vehicle to be totaled. She stated that the City would receive a check once the insurance agency settled but staff anticipated that settlement would cover the current value of the vehicle and not a total replacement. She stated that once the money was received it would go into the General Fund's revenue account. Ms. Hegler stated that the total cost to replace the vehicle was \$63,800, which included the vehicle delivery and all associated equipment. She stated that staff was requesting to utilize funds from the General Fund balance for this unexpected and unbudgeted purchase. Ms. Hegler stated that the vehicle was currently available at Brandon Motor Company in Georgia and was on a State contract. She stated that staff was aware that these vehicles would not always be available and the next line of vehicles was several months out.

Council Member James made a motion to approve the purchase of one (1) police package Explorer, to replace the one that was involved in the accident, and associated equipment in the amount of \$63,800 and utilize the General Fund balance to fund that. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

C. Discussion and Approval of Request to Lexington County Board of Voter Registration and Elections for an Early Voting Center for the November 7, 2023 Municipal Election

Ms. Hegler stated that early voting was implemented in June 2022 for the November General Elections. She stated that the Lexington County Board of Voter Registrations and Elections Office evaluated Lexington County as a whole and created five (5) early voting centers for the municipalities within the county. She stated that the early voting centers were used in the 2022 election and the County had approached the City with the option of using them again in the upcoming election to make voting more accessible to voters throughout the county. Ms. Hegler stated that the closest early voting center for the City's residents would be the West Columbia Community Center on B. Avenue which was used in the last election. She stated that the County stated that the approximate cost for funding one (1) early voting center was approximately \$10,000 to \$12,000 depending on staffing costs.

Ms. Hegler stated that the Lexington County Board of Voter Registration and Elections reached out to staff and requested that each municipality take this matter before their Council and report back to them for their Board consideration at a meeting on September 25. She stated that the request before Council was to report back to the County on whether or not Council would like them to open additional early voting centers for the November 7 Municipal Election. She stated that the municipalities would be required to fund that cost depending on the number of municipalities that participated in the centers, and how many would be open. She stated that the cost would be no more than \$12,312 and staff was recommending letting them get back to the County with that approval.

Mayor Pro Tem Jenkins made a motion to approve staff's recommendation. Council Member Sox seconded the motion. Mayor Pro Tem Jenkins stated that the reason for early voting was to help elderly and sick people who could not go to vote on Election Day. He stated that if they were able to vote early, they would not have to stand in line. He stated that the sole purpose of early voting centers was to look out for the City's residents.

Council Member Sox stated that he had a couple of questions. He stated that you could not put a price tag on democracy. He asked when did Lexington County reach out to staff about the early voting centers regarding having to fund them considering the County had funded them in the past. He stated that he knew the General Assembly passed early voting centers last year, but he believed the County funded it for last year's elections, which would have been the 2022 general election. He stated that the County pushed municipalities, from what he understood, to have their elections on off cycle but now wanted them to fund the early voting centers. Council Member Sox stated that it was pretty late in the game to ask Council to approve that. He asked why did the City not just tell the County that they should fund it. He asked if the City was getting double taxed for this. He stated that the local early voting center was in West Columbia and asked if West Columbia was going to have to pay as well. He asked if the location would be West Columbia's or just the City's.

Mayor Partin stated that she agreed with Council Member Sox. She stated that the County had one job and that was to create fair and free elections. She stated that the fact that they approached the City and asked staff to change elections to an odd year but did not say the City would receive less services. She stated that now the County at the ninth hour was telling the City what needed to be done. She stated that she was pretty disappointed in that for the City's citizens. Mayor Partin stated that she did not know what the options were so late in the process but Council believed they should be standing up for their citizens and make it easy for people to have access to early voting. She stated that they knew people expected B Avenue to be open and if it was not open and people went there, they would not know what to do. She stated that meant they were impacting people's ability to vote.

Mayor Partin stated that it took roughly 30 minutes to get to Lexington and 30 minutes back and the early voting center was only open from 8:30am to 5pm. She stated that if one had a job it would be impossible to get there, vote and get back in an hour. She stated that she thought it was Council's duty to make sure they ensured that their citizens had access to the ballot. She stated that it was something they should absolutely do but that did not mean they had to be okay with how the Lexington County Board of Voter Registration and Elections was handling it. She said that Council could give approval just as the motion stated to not exceed that amount.

Council Member James stated that he was as frustrated as the rest of Council. He stated that first and foremost, Council wanted early voting centers for their voters

and wanted to make it extremely easy for their voters. He stated that Council was led by the Election Commission to have their elections off cycle and there was never any indication that if there were early voting centers it would cost the City. He stated that Ms. Hegler was good about getting information to Council quickly and he just learned about the early voting centers issue a couple of days prior. Council Member James stated that it was totally incorrect for the City to have to utilize the citizens of Cayce's \$12,000 for an early voting center. He stated that the County was holding a meeting on Monday night so they were not in the ninth hour yet. He stated that maybe it would be best that the City not tell the County that they were going to spend money on an early voting center because they felt it was the County's onus.

Mayor Partin stated that they were actually in the ninth hour per the law by the time the County met and started getting the notice of early voting centers out with their notice requirements. She stated that Council had to let the County know that night but that did not mean that the City expend that money. She stated that Ms. Hegler was really good at negotiating and that did not take an action that night. Mayor Pro Tem Jenkins stated that he saw emails from Irmo stating the cost for an early voting center was \$300. He asked where that number came from and if each municipality paid \$300 would that equal the \$12,000 cost. Mayor Partin stated that the cost had been a moving target and ideally it would come in a lot less than that. She stated that if the early voting center was in West Columbia like it had been in the past, then surely that costs would get shared.

Council Member Carter stated that the County stated that the approximate cost of one early voting center was \$12,000 and they stated they had created five. He stated that told him there were 12 municipal elections in Lexington County. Mayor Partin stated that 13 municipalities in Lexington County had elections in November. Council Member Carter asked if there were going to be five (5) early voting centers were all 13 municipalities going to equally participate in the financial obligation to have the remote locations. He stated that there was still an absentee ballot and curbside voting for the residents that had trouble getting in and out of the polls on Election Day. He stated that he believed that anyone from any municipality in Lexington County could vote at the early voting center in West Columbia and if that was the case, then why would the City of Cayce and perhaps West Columbia fund ballot box locations for the other 12 municipalities. He stated that he would not be opposed to an equitable share of the cost but he did not know if the other municipalities were willing to do that.

Council Member Carter stated that he just received the information on early voting centers in his agenda packet the Friday prior. He stated that he had not heard from any other municipalities or the Election Commission regarding if they initiated the early voting center discussion and did not know their position on it. He stated that he was certainly for voting and would never want to disenfranchise anybody from voting but did not think it was fair to the City's taxpayers to underwrite the cost of a county wide voting initiative.

Mayor Partin stated that she did not think Council needed to get bogged down in how complicated the County made the situation. She stated that they were making a decision for their citizens. She stated that if Council wanted early voting centers to happen the motion had been made that the cost of \$12,312.64 was the maximum amount the City would spend. Council Member Carter asked where that amount came from. Mayor Partin stated that the County provided that number. She stated that the rest of the negotiating would be left to Ms. Hegler to do with the County. She stated that she thought the City had options and all that needed to be said was that Council wanted early voting centers for their citizens and the maximum amount they were willing to pay. Mayor Partin stated that she also wanted to express Council's displeasure at the fact that this was the County's job and they should have planned for early voting centers a long time ago.

Council Member Sox asked for clarification on the rules on the dates. He stated that if the County needed to know by the following Monday why did Council need to decide that night. Ms. Hegler stated that Council was already scheduled to meet that day so that was when the discussion was taking place. Council Member Sox stated that if the County was meeting Monday, then Council could call a special meeting after that and make a decision then. He stated that would give Council some time and let the County know they were displeased with them and they made the wrong decision. Council Member Sox stated that he did not see the need to pay the money if there was a way to not.

Mayor Partin stated that Council as a body often gave the City Manager a motion that stated we commit to this, with no more than this amount, and we authorize you to negotiate and Ms. Hegler did that well. She stated that if Ms. Hegler went to the County with the mandate and she was good at negotiating the cost to a respectable position. Mayor Pro Tem Jenkins stated that Council needed to make sure that the citizens of Cayce understood if the early voting centers fell through it was not because of Council but because of the County.

Council Member James stated that he agreed with Mayor Partin that Ms. Hegler was an excellent negotiator but he thought it ought to be unified that Council deferred the vote to later because of the frustration that they were all feeling and not being given the answers to many of their questions. He stated that he felt they were treated unfairly about this coming at the ninth hour and the cost had to be put on the backs of the taxpayers of Cayce. Mayor Partin asked Council Member James if he knew that the City paid the County for their elections regardless. Council Member James stated that was correct but not up to \$12,000. Mayor Partin stated that if the County had done their job six months ago, the City would be paying for early voting. Council Member James stated not at the \$12,000 amount. Mayor Partin asked if they knew that for sure. Council Member James stated that he felt very sure if they had had been communicating with all the other municipalities there would have been other municipalities involved in the discussion.

Council Member Carter asked of the 13 municipal elections, how many of those municipalities were going to participate in the early voting centers. Mayor Partin asked what that had to do with the City. Council Member Carter stated that it spoke to shared costs. Council Member James asked if the City funded the early voting center were residents from other municipalities able to vote there and not share the cost. Mayor Partin asked if she was hearing that Council was willing to let their citizens be held hostage by other municipalities being a part of the early voting centers or not. Council Member James stated that he was willing to defer the vote until after the election commission met to discuss what they believed was fair and then if Council needed to have a special council meeting, then they would meet to be able to make that decision. He stated that he did not call for special council meetings often but this issue was different. He stated that he believed Council needed to do what they could to make it easy for voters but this did not feel like it was the right way to do that.

Mayor Partin asked what other questions Council had. Council Member James stated his questions were if the City did pay for an early voting center could other municipalities vote there and where would it be located. Council Member Carter stated he was curious about the costs of the early voting centers. He stated that Mayor Pro Tem Jenkins mentioned it had been a moving target and he wanted to know how long it had been a moving target and how long it had been going on. He stated that it was frustrating to him that he did not know about the issue earlier. Mayor Pro Tem Jenkins asked if the City got an answer back from the County stating that the City could pick a location in Cayce and the cost would be \$12,000, what was Council going to do then. He stated that the problem was the City paying \$12,000 for an early voting center but the location was in West Columbia and wanted to know if there was a location in Cayce and the cost was still \$12,000, would Council still have a problem. Mayor Partin stated that if the early voting center was in West Columbia, the cost would be at least half that. She stated that it concerned her that Council was saying they were not going to vote for the motion that was on the table, but just took a motion to get a raw water pump fixed at a cost not to exceed \$54,000 plus tax. She stated that that she thought their citizens being able to have access to the ballot was worth \$12,000. She stated that she was willing to risk that for their citizens and to take a vote to move forward so they could let their citizens know as soon as possible what they could plan on.

Council Member James stated that he did not usually get a lot of phone calls or emails but when he did he listened to all of them and in the past two (2) days he received a great deal and they all asked that Council not spend \$12,000 of their money. He asked if anyone else received any correspondences. Council Member Sox stated that he did and he thought the people wanted to see Council step up to the plate, get all the answers and make a more informed decision. He stated that he did not mind coming back the following week for their citizens to take a vote. He stated that it was being thrown on Council last minute and everyone was hyper focused with the election season. He stated that Council needed to do what was right by their citizens and it would still give them enough time to be able to plan accordingly to vote. Council

Member Sox stated that by pushing the issue a week there was still time to inform their citizens. He stated that he wanted to make sure that Council had all their answers and had the opportunity to actually negotiate. He stated that he would like to see the County pay for the early voting centers since they pushed the City to move the elections to off-cycle elections.

Mayor Partin stated that she had received 25 to 30 phone calls asking for an early voting center. She stated that early voting mattered a lot. She stated that she did not have any questions written down because she had not heard anything that was just for their citizens. She stated what other municipalities did should not affect the City. She stated that their goal was to be able to create a free and fair election and reduce confusion so they were not putting an undue burden on their citizens, especially the cost of gas money to drive all the way out to Lexington and back. Mayor Partin called the question. Council Members Carter, James and Sox voted no. Mayor Partin and Mayor Pro Tem Jenkins voted yes.

Committee Matters

A. Appointments

Beautification Foundation – Two (2) Positions

Ms. Hegler stated that there were two (2) applications in the agenda packet but Mr. Yackel withdraw his and asked to be considered for a different board or committee. Council Member Carter made a motion to appoint Ms. Corley to the Beautification Foundation. Council Member James seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that the City was hosting a cleanup in the Riverland Park neighborhood along Old State Road and the boat landing on Saturday, September 23 from 8am to 12pm. She stated that the City's Finance Department had made adjustments to the City's banking relationship with Synovus to leverage the City's combined bank balances and earn more interest. She stated that as of June 30, 2023, the City had earned a combined \$512,731 in interest across all funds and just three (3) years ago in FY2020, the City was paying service charges to BB&T and earning no interests. She stated that October was National Crime Prevention Month and the Police Department had planned a variety of events for that month. Ms. Hegler stated that the Museum was again the selected location for the South Carolina Federation of Museums Conference Reception that was being held that night. She stated that it was being attended by museum curators and others in the profession around the state. She stated that the City's curator, Andy Thomas, was also presenting at the conference that week about their work on creating an African American exhibit. She stated that she was extremely proud of the attention that Mr. Thomas was bringing to the City's museum.

She stated that the museum would be hosting a public presentation on October 3 from 5pm to 6pm of the findings of the City's African American Cemetery Survey that was funded by a grant.

Ms. Helger stated that Mayor Partin received an email commending Sanitation staff David and Emilio for their excellent work collecting recyclables. The email stated that they always left a clean area around the containers and Emilio did his best to pull over out of the way of traffic, while David emptied the recycling containers. The resident stated that they were always very polite and thanked them for a job well done.

Council Comments

Council Member James stated that he spoke to Ms. Hegler about the November Council Meeting being moved ahead a week to November 14 since November 7 was Election Day. He stated that it was moved to create a special council meeting the day before the regular standing Wednesday Council Meeting. Mayor Partin stated that the next meeting got moved as well. Council Member James asked why not just meet on that Wednesday versus making a special Tuesday meeting. Mayor Partin stated that was what was always done. She stated that if the Tuesday Council Meeting was moved because of July 4 or Election Day, it was moved to the next Tuesday. Council Member James stated that the third Wednesday Council Meeting did not usually follow the day after. Mayor Partin stated that Council voted on the Council Meeting dates at the beginning of the year. Council Member James stated that he thought that maybe it was an oversight being that the 15th, the day after was a regular standing council meeting, the 14th is where it was moved it to but the next day was really the third Wednesday. Mayor Partin stated that when Council met the beginning of the year, they looked at the calendar and that date got moved. Council Member James stated he had a feeling that it must have been an oversight, because it would have been so much easier just to make it the next day, which was already a Council Meeting. Mayor Partin asked if Council Member James had a conflict. Council Member James stated that he did have a conflict and asked if Council could not meet that third Wednesday of that month being as it was the next day. Mayor Partin stated that there were two (2) Council Meetings on the calendar so they would be changing two (2) meetings. She stated that if Council Member James needed to miss one that was fine but there were already two (2) that their citizens had on the calendar for that month. Council Member James asked if they could change the November 14th meeting to the 15th. Mayor Partin stated that staff would have to look at everybody else's calendars. Council Member James stated that he did not think Ms. Hegler was planning on meeting on November 29th. Ms. Hegler stated that they had discussed not having the November 29th meeting because it was back-to-back with the first one in December. She stated that it was difficult for staff to have the back-to-back meetings since it was a lot of work. Council Member Sox stated that he was open to considering it if Ms. Hegler did not mind looking into it.

Council Member Sox stated that there were a couple of tickets left for the Beautification Foundation's Brickworks Dinner. He stated that it was a great fundraising event last year and he encouraged everyone to buy a ticket and support the Beautification Foundation.

Mayor Partin stated that she wanted to thank Council Member James. She stated that they were working together on some recreational opportunities for the City. She stated that the City had great parks but they could always be made better.

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

There were no items for 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 5:49pm.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk

