

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, August 16, 2023
5:00 p.m. – Cayce City Hall – 1800 12th Street
www.caycesc.gov**

**To Access Council Meeting Livestream, click
<https://www.youtube.com/@cityofcayce1137/streams>**

I. Call to Order

- A. Invocation and Pledge of Allegiance
- B. Approval of Minutes
July 11, 2023 Regular Council Meeting
July 26, 2023 Regular Council Meeting

II. Public Comment Regarding Items on the Agenda

III. Presentation

- A. Presentation of a Check from the South Carolina Rural Infrastructure Authority for the Cayce Avenues Drainage Improvements Project
- B. Presentation on the Walkability Action Institute

IV. Items for Discussion and Possible Approval

- A. Discussion and Approval to Enter into an Agreement with Two (2) General Contractor Firms to Serve for “On Call” General Contractor Services for the City
- B. Discussion and Approval for Agreement for Professional Engineering Services for the Cayce Avenues Drainage Improvements Project – Phase 2
- C. Discussion and Approval of Selection of Community Development Software Program

V. Committee Matters

- A. Appointments
Beautification Foundation – One (1) Position

VI. City Manager’s Report

VII. Council Comments

VIII. 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

IX. Reconvene

X. Possible actions in follow up to Executive Session

XI. Adjourn

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



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**City of Cayce
Regular Council Meeting
Wednesday, July 11, 2023**

The July 11, 2023 Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Mayor Pro Tem James Jenkins and Council Members Phil Carter, Tim James and Hunter Sox. City Manager Tracy Hegler, Deputy City Manager Jim Crosland, Assistant City Manager Michael Conley, Municipal Clerk Mendy Corder, Police Chief Chris Cowan, Fire Chief Steven Bullard, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley and Utility Director Betsy Catchings 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 Ten Jenkins gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

Approval of Minutes

Mayor Pro Tem Jenkins made a motion to approve the June 6, 2023 Regular Council Meeting and the June 21, 2023 Public Hearings and Regular Council Meeting minutes as written. Council Member James seconded the motion which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

Ms. Cindy Pedersen – Item V. B. Ms. Pedersen stated that she wanted to speak on the open position on the Board of Zoning Appeals. She stated that she applied to serve on the Board in the 1990s and was told by the City of Cayce that they did not appoint females to that Board. She stated that she wanted to make sure that was not still the case and everyone was allowed to serve on boards. She stated that she had served on many City boards over the past 20 years but the Board of Zoning Appeals was what she was really interested in. Ms. Pedersen stated that she submitted a potential member application quite some time ago, and just waited until her application came next in the que. She stated that she hoped Council would appoint her to the Board.

Ordinances

A. Discussion and Approval of Ordinance 2023-12 Establishing New Municipal District/Ward Lines for the Election of Council Members Reflecting Population Changes in the Year 2020 Census and Repealing All Previous Ordinances Establishing District/Ward Lines – Second Reading

Ms. Hegler stated that there was no change to the Ordinance between First and Second Reading. She stated that however, at the previous Council Meeting, Council Member Carter asked a question about parts of Dogwood Street that had not been proposed to be moved from District 4 to District 3. She stated that Council Member Carter indicated specifically the area between Cypress Street and Haynes Lane since it would break up a neighborhood as proposed. She stated that she did reach out to the Revenues and Fiscal Affairs Office, the agency that proposed and designed the map and the redistricting, and they suggested that addition/change could be made. Ms. Hegler stated that Council could amend the proposed redistricting even further to include the piece that Council Member Carter inquired about. She stated that then what would be proposed would include approximately 30 parcels additional that would potentially go from District 4 to District 3. Ms. Hegler stated that the RFA advised that would be okay and it would still be under the City's aggregate population deviation of the recommended 5%.

Mayor Partin stated that with that new information she wanted to make sure the City did a really good job of communicating with the citizens to make sure to let those people know that there might be a change just like what was done with the first group who had the benefit of getting a letter about a potential change and now the benefit of being able to come to a public hearing. She stated that she would like to recommend that the redistricting be deferred so everyone had time to review the new information. Mayor Pro Tem Jenkins made a motion to defer the redistricting until after the November 2023 election. Council Member Carter seconded the motion. Council Member Carter thanked Ms. Hegler for getting that information from the RFA but stated that they gave an explanation and did not give an answer. He stated that his question was why did they carve out that odd little rectangle area, not the fact that they did. He stated that he knew Ms. Hegler was limited by what they told her but it did not make geographical sense to do that to just 30 homes. Mr. Carter stated that the RFA did not give a really thorough answer as to their rationale in their thinking and just said what could be done to change it.

Mayor Partin stated that Council Member Carter brought up an interesting point. She stated that every single vote mattered and she wanted to make sure that the redistricting proposal was given the time needed to make sure that Council and staff got a thorough answer. She stated that she knew that Lexington County Elections office needed the redistricting information as soon as possible so she was concerned that if it was postponed even a little bit, it did not give the City time to let the citizens know that would be affected. She stated that deferring it until after the election would help to make sure Council was doing the right thing. Council Member Carter asked if they

could legally do that. Ms. Hegler stated that she was not giving a legal response but there was no statute that required the redistricting to be done by a certain time, as it required with counties. Council Member Sox asked if theoretically, the City could just never redistrict. Ms. Hegler stated that it was supposed to be done as soon as reasonably possible but there was not a requirement. Council Member Carter stated that it appeared to him by the motion, that it was preferred to postpone until after the election to get more information and more clarification, rather than just geographically clean up Dogwood. Mayor Partin stated that Council could do that but she would not feel comfortable doing that because those citizens had not been informed. She stated that Council was very thorough about everything they did as a body and sent letters to educate and communicate. She stated that they gave people the opportunity in this case since legally they had the right to the public hearing and the people affected would not know anything. Council Member Carter stated that the citizens affected would need a letter if Council chose to move them. Mayor Pro Tem Jenkins stated that Council needed to make sure that they were doing it right since they did not want the Federal government getting involved if it was done incorrectly. Council Member James stated that his intent was to put on the table that if Council did move any of the lines from what they had been educating the community about than they would need to give some time to make sure that the community absorbed it and understood what it was and were able to reply back to Council if they had any concerns. He stated that if there was not a requirement to move quickly than they certainly should not. Mayor Partin called the question which was unanimously approved by roll call vote.

Items for Discussion and Possible Approval

A. Discussion and Approval for one (1) School Resource Officer Position and Memorandum of Understanding

Ms. Hegler stated that currently the Police Department had nine (9) School Resource Officers that were assigned to each school located within the City limits and as part of School District Two. She stated that Lexington Two School District approved funding in their FY24 budget year for an additional 10th SRO and would provide 100% funding for salary, vehicles, equipment and training for at least the first year. She stated that subsequent years would be negotiated the same time as annual MOU renewals if Council should move forward and that amount would be included in the budget as appropriate (assuming in the future it would be as with most of the City's SRO's, a 75/25 split). Ms. Hegler stated that the City did currently have two (2) SRO's that were funded by the State at 100% and the additional one would be a third one being offered at 100% from the School District. She stated that if the Officer was approved that additional Officer would be assigned to Cayce Elementary School, which would place two (2) SRO's in that school. She stated that was simply because Cayce Elementary had a very high population count.

Council Member James made a motion to approve adding one (1) new School Resource Officer position within the Cayce Police Department with 100% of the funding coming from Lexington School District Two and authorized the City Manager to sign the related agreement with Lexington School District Two. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

B. Discussion and Approval of Contractor Selection to Repair the Railroad Avenue and State Street Sewer Line

Ms. Hegler stated that the sewer line that crossed the railroad tracks from Railroad Avenue to Cayce Street and was near State Street in the City's River Arts District, collapsed in November of 2021. She stated that line was unable to be fixed or removed and staff had been using one of the City's pumps to bypass the collapsed line since that time. She stated that the City contracted with its on-call engineer American Engineering to oversee the permitting, design and construction of the project. She stated that staff obtained from Norfolk Southern in May the approval needed to bore under their railroad and since that time, staff had advertised for bids the work that would need to be done to repair that sewer line.

Ms. Hegler stated that on June 1, 2023, in Council Chambers, a bid opening was held for the project that was administered by American Engineering. She stated that the project would include a construction of approximately 116 linear feet of 10-inch PVC gravity sewer and would bore approximately 130 linear feet of 24-inch steel casing with 10-inch PVC carrier pipe and install three (3) new manholes connections to the existing system. She stated that the existing gravity sewer line would be abandoned and all other appurtenances that were needed to complete the job were included in the project. She stated that four (4) bids were received and read out loud and the lowest responsive bidder for the project was TCO Construction with the unit price total amount of \$274,559 which was within the budgeted amount that Council approved in FY23 ARPA expenditures for this project. She stated that American Engineering had reviewed all the bids and provided the recommended award letter that was in Council's agenda packet.

Council Member Sox made a motion to approve the lowest responsive bid from TCO Construction Inc. in the amount of \$274,559 and authorize the City Manager to execute a contract between the City of Cayce and TCO. 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
Cayce Housing Authority – February 21, 2023
Cayce Housing Authority – April 11, 2023

Museum Commission – May 3, 2023

Events Committee – May 11, 2023

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

B. Appointments

Events Committee – One (1) Position

Zoning Board of Appeals – One (1) Position

Mayor Partin stated that the Events Committee had an opening and the City had received a potential member application from Ms. Alyssa Daniel. Council Member Sox made a motion to appoint Ms. Daniel to the Events Committee. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

Mayor Partin stated that the Board of Zoning Appeals had an opening and the City had received a potential member application from Ms. Cindy Pedersen. Council Member Sox made a motion to appoint Ms. Pedersen to the Board of Zoning Appeals. Mayor Pro Tem Jenkins seconded the motion. Council Member Sox stated that he wanted to echo what he had brought up four (4) times concerning the process the City had which really was not a process. He stated that there seemed to keep being questions and eventually he would love to talk about them and get a solid process in place. He stated that he thought Council were all on the same page and were not questioning things as much. Mayor Partin stated that she thought they did have a process in place. She stated that they had citizens who wanted to apply and wanted to be involved and Council took their applications in line as they came in. She stated that they just wanted to make sure that one (1) person was not on a lot of different committees and outside of that, she was not sure what other rules or guidance Council needed. She asked if there was something else Council thought would be helpful. Council Member Carter stated that he would like to know of openings on a City committee prior to opening his council packet. He stated that the opening on the Board of Zoning Appeals came available on June 2, a Friday, and there was a Council Meeting that next Tuesday and there was ample, perfect timing to let Council know there was an opening. He stated that a large percentage of applications Council saw happened in between Council Meetings, a resident would move or their work situation would change, and they could not fulfill their term and the position becomes available, the City receives an application and then it shows up in Council's packet. He stated that he had people that would like to apply for committees too but he did not know about them until Council voted on them. He stated that he would like Council to receive notice on openings. Mayor Partin stated that she absolutely thought that was something staff could do, they could notify Council as soon as there was an opening. She stated that citizens did not have to wait until there was an opening to put in an application. She stated that was why the City had a queue. She stated that there were several in line for the Planning

Commission and they were taken as they came in. Council Member Carter stated that a lot of people probably would not be interested in putting in an application for a potential position that may not come open for months or years. He stated that he would just like to be aware of openings prior to his backing. Mayor Partin stated that the committee openings memo in Council's packet lists all the openings on committees. Council Member Carter stated that when Council tabled this particular application at the last meeting, he did not have prior notice. He stated that it was not in the June 6 packet but in the June 21 packet even though the position became available on June 2. He stated that there was a Council Meeting that next Tuesday, June 6, then the application appeared before Council on June 21. He stated that he did not know about the opening for almost three (3) weeks. Mayor Partin asked if that had any influence on Council Member Carter not appointing the applicant. Council Member Carter stated that it was not a matter of influence. He stated that it was just a matter of informing Council of what was going on so they could make informed decisions. He stated that if Council was just going to simply take the next application in line, then why did they need to vote on it. Mayor Partin stated that it was Council's right to appoint. She asked why would Council not let citizens have a voice and take them as they want to come and get involved. Mayor Pro Tem Jenkins stated he wanted to see if he understood what Council Member Carter was saying. He asked if it would make more sense if Council got an application for someone to serve on a committee before there was a vacancy so the application would be on file maybe a year and a half prior to serving someone on it. He stated that sounded like what Council Member Carter was proposing. Council Member Carter stated that was not what he was proposing. He stated he was just asking that when there was an opening, that Council be informed, regardless of the queue. He stated there could be one (1) person or five (5), but if there was one (1), and Council knew that person would be next to fill that slot that would be a perfect opportunity for him to go to somebody and tell them Council was about to fill a slot and they could be first in the queue. Mayor Pro Tem Jenkins stated that he understood the problem now. He stated that whoever was applying to serve on a committee did not know that they got an opening, instead of coming up to open but one needed to recruit the individual they wanted to serve on the committee prior to them putting in an application.

Mayor Partin stated that Council had all the openings in their packet. Council Member Carter stated that he understood that completely but he was talking about the ones where somebody had a job transfer and it happened quick. He stated those were the ones he was not privy to. He stated that it would be nice to know if there is a short-fused opening. He stated that it could be a text informing Council of the opening and how many people were in the queue for that opening in case they had any potential people that wanted to apply. He stated that then there was ample time for him to let them know if they wanted to get into the queue, they could put an application in. Mayor Pro Tem Jenkins asked Council Member Carter if he thought it would work better if each Council Member had a folder and if they had someone they wanted to recommend to serve on a committee, they get the application and put it in their folder. He stated that

when there was an opening, Council could draw out whoever they wanted to recommend to serve. He stated that was the only way he could see that a Council Member could get something unless they took an application this council meeting that lets everyone know that this person put in to serve on a committee and Council voted on them the next council meeting that way they had a whole month to resolve what had been put before them. Council Member Carter stated that he was certain it had its possibilities if Council had a work session they could possibly work those details out. He stated that all did not have any beef on the application side. He stated that his request was just to let him know if somebody resigned prior to opening his packet and finding out about the opening then. He stated that he did not have a problem with the application process.

Mayor Partin stated she did not think anybody was disputing making sure Council Member Carter knew when there was an opening. She stated that she thought Mayor Pro Tem Jenkins was concerned with the way Council Member Carter phrased it, which was he wanted to make sure he got his people in as opposed to what just happened. She stated that there was an opening with one person in the queue. Council Member Carter stated that he did not say his people. He stated he just said people that he knew that wanted to be on a committee, he would like for them to have an equal and ample opportunity, like everybody else. He stated that he just wanted to know when there was an opening. He stated that he did not want to argue and fight about it because they had been fighting about it for a year and a half. He stated that if they were to sit down as a group, like Council Member Sox mentioned, they probably could have resolved it before now. Mayor Partin asked what was there to resolve. Council Member Carter stated that ever since November 2021 Council had challenges with potential member applications and unfortunately, their citizens got caught up in the crossfire of their untidiness. He stated that he simply wanted to know if there was an opening and if that was a problem then don't tell him and he would see it when he opened his council packet. Mayor Partin stated that she had already said she agreed on giving notice to make sure staff would say when a resignation comes in but Council Member Carter also just said he did not have a problem with the appointment process so what did Council need to discuss. Council Member Carter stated that he said he did not have a problem with the application process. Mayor Partin stated that Council Member Carter said in the same sentence, if Council would sit down and work it out, but it was worked out. Council Member Carter stated that he thought if Council sat down as a group, they would certainly have other ideas and other suggestions and could probably come up with a process. He stated that while Mayor Partin maintained that they had a process, the City Attorney was there a year and a half ago and said the City's process was they did not have a process. He stated that was exactly what he said. Mayor Partin stated that the City Attorney also said they did not need to overcomplicate it. She stated that Council was sitting down together right then working so what was needed. She stated that there was currently six (6) openings Council could ask citizens to get involved in and if they got more than six (6) applications, then they would be put in the queue. She stated that the only other thing that seemed to make sense besides that was to say,

they did not want one (1) citizen to take all of those positions. She stated that they wanted to make sure to share that.

Mayor Partin stated that Council did a lot of big, complicated, important things and this was the easy stuff. She stated that it was just their citizens who wanted to be involved. She stated that the process was not the problem at the last meeting. She stated that they heard the citizen who read the minutes and the minutes show that was not the question at the last meeting. Council Member Sox stated that it should be clarified that if folks would like to join a different committee, but they already served on one, they could step down and then apply. He stated that seemed to be the question last time. He stated that they should clarify that someone steps down then applies Council could appoint them but if they did not step down and apply then Council did not and could they apply and then step down if they got approved? He stated that he thought those were the questions that they were mulling over for the past couple of weeks here. Council Member Sox stated that if they got some clarification on that he would be more than happy to move forward with the appointment that night.

Mayor Partin stated the citizen did what Council Member Sox just said, they got off another committee right before that person's appointment came up and Council appointed the person to fill the position she had vacated. She stated what Council discussed at the last meeting was completely another issue. Council Member Sox stated that the question at the last meeting was to go back and look at what Council did before to remain consistent. He stated that was why he was not trying to change the whole process currently but he thought it was good to discuss so they knew moving forward. He stated that he wanted to make sure that one citizen was not wronged and then Council did something for another citizen and vice versa. He stated he wanted to make sure Council remained consistent in who they appoint, or the way they appoint people to certain committees, or especially people that have been on other committees and are moving from committee to committee, he wanted to make sure they were consistent with each person.

Mayor Pro Tem Jenkins stated that he guessed the question and the answer was that if no one else applied for the opening, Council did not have a timeframe on once one got off a committee, one had to wait a certain length of time, a probationary period so to speak, before one could get on another committee. He stated that if that was what they were trying to interact but no one said how long one had to be off the committee before getting on another. Council Member Sox stated that wasn't really what he was getting at. He stated that he wanted to make sure that they were all clear so what happened at the last meeting did not happen again. Mayor Partin stated that citizens submitted an application and when there was an opening Council would take them in the order that they came in and would state that they did not want someone on a lot of committees at the same time so it would be nice if they did what this person did and got off of one (1) before they got on another one (1). She asked if that was ok with the rest of Council. Council Member Sox stated that was fine with him, he just wanted to make sure they were all on the same page and clear. He stated that he thought that was what

the conversation really needed to be and asked if they should put that on the website. He stated that he was looking on the City's website to see if somewhere on there it said one could not be on two (2) committees at one (1) time. Mayor Partin stated that there was somebody in the room serving on two (2) committees. She stated that to her this was big government. She stated that this was not complex or tough. She stated that they had citizens who just wanted to volunteer. She stated that there was one at the last meeting that Council would not take on and she was the only one before Council. She asked how egregious would it have been to just say, "You know what, let's put her on because she wants to be involved. And we'll figure this out later." She stated that this was not life or death stuff, it was just letting citizens have a voice in their government and be involved. Mayor Partin stated that this person served for 22 years and did not exactly leave the City in a lurch. Council Member Sox stated that he was not saying that at all. He stated that her serving 22 years was most of his life and he appreciated the volunteering. He stated that he just wanted to make sure that they remained consistent. Mayor Partin called the question which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that the Museum staff and Commission had been working hard on starting their strategic planning process and were looking at consultants to help them facilitate that. She stated that they would be moving forward soon doing some big vision planning on how they continue to evolve, not only the Museum, but the historical work that they do on Council's behalf. She stated that staff issued an RFQ for a general contractor to have somebody on call, much like they did with the City's engineering and landscape architecture, but only received one (1) response. She stated that staff was going to put the RFQ back out for notice to try to get some fair competition. She asked everyone to spread the word if they knew of anybody that did general contracting work to help with sidewalk repairs, repairs at the Riverwalk that were more than staff could handle, just to be able to be nimble and move on those items. She stated that the Cayce Police Department's Cayce Character Camp was being held July 17 through July 27. She stated that the Police Department was putting that on and were really proud of it. She stated that it was the second annual camp where local students and children would be able to interact with the City's Officers and local community leaders, all while having fun and learning about character traits that would help them succeed. She stated that they would be meeting at Cayce Elementary School, from 8am to 3pm and would have various field trips, including to the City's Wastewater Treatment Plant. Ms. Hegler stated that she was continuing on her promise to make sure to get youth involved in great government jobs as early as possible. She stated that each day, they would focus on character traits that would help them become better adults and to learn about honesty, dependability, being motivated and being thoughtful, and have great presentations throughout the two (2) weeks. She stated that she had one staff kudo to share. She stated that in June the

City's Fire Department rescued some stranded rafters in the river. The Fire Department and that shift received a letter from the Lieutenant Governor thanking them and applauding them for their hard work every day and stated that it did not go unnoticed.

Council Comments

There were no Council comments.

Executive Session

A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege

B. Discussion of negotiations incident to proposed contractual agreements

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

Reconvene

After the Executive Session was concluded, Council Member Sox made a motion to reconvene the Regular meeting. Council Member James 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 in follow up to Executive Session

Council Member Sox made a motion to authorize the City Manager to enter into an agreement with SCDOT, agreeing the City would fund upfront on a reimbursable basis over the next three (3) years up to the SCDOT's total 25% match for the SCIIP Grant and these funds would come from the unallocated fund balance as invoiced if the SCDOT should not participate at their full previously agreed level, the City should allocate no more than \$750,000 towards the SCIIP Grant, with the expectation that funds from the sources discussed and reported back to the Council at the next meeting. Council Member James seconded the motion which was unanimously approved by roll call vote.

Adjourn

Council Member James made a motion to adjourn the meeting. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 7:19pm.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk



Mayor
Elise Partin

Mayor Pro-Tem
James E. Jenkins

Council Members
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Deputy City Manager
Jim Crosland
Assistant City Manager
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City of Cayce
Regular Council Meeting
Wednesday, July 26, 2023

The July 26, 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 Council Member Sox 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. Recognition of US Department of State-Sponsored Group from Israel

Mayor Partin stated that she had the honor of recognizing five (5) Israeli leaders that were in attendance and were part of the International Visitor Leadership Program. This program is the US Department of State's Bureau of Educational and Cultural Affairs premier professional exchange program. It builds mutual understanding between the United States and other nations through short term visits to the US for current and emerging foreign leaders. Mayor Partin stated that participating leaders get to experience our country firsthand, like the Council Meeting they were attending, and cultivate lasting relationships with their American counterparts. She stated that the professional meetings that they attend reflect the participants' professional interests and support the foreign policy goals of the United States. Mayor Partin stated that each year nearly 5,000 international visitors come to the United States on the International Visitor Leadership Program and more than 200,000 international visitors had engaged with Americans through the program, including more than 500 current or former Chiefs of State or heads of government. Mayor Partin introduced the Israeli leaders and thanked them for being there.

Resolutions

A. Consideration and Approval of Resolution Declaring Filing Dates for Candidacy for Municipal Elections

Council Member James made a motion to approve the Resolution. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

B. Consideration and Approval of Resolution Authorizing and Approving Financing through Lease Purchase and Award of Lease Purchase Contract - General Fund Vehicles and Equipment

Ms. Hegler stated that Council approved in the current fiscal year budget, the purchase of 11 General Fund vehicles and equipment that included six (6) Police Department vehicles, a Fire Department vehicle, an Information Technology vehicle, a Planning and Development vehicle, a Sanitation vehicle and an Administrative vehicle through a lease program. She stated that staff contacted 18 financial institutions requesting their lease purchase financing proposals and received responses from two (2). She stated that the best response was from First Community Bank for four (4) years financing at 4.78%. Ms. Hegler stated that if Council approved the First Community Bank quote the annual payments, with no down payment, would be \$137,579 for four (4) years. She stated that the total interest paid over those four (4) years would be \$50,314.45. She stated that the payments would be monthly in arrears. She stated that funding for the lease purchase contracts was included in the current budget and would be included in successive years. Ms. Hegler stated that staff recommended that the lease purchase contract be awarded to First Community Bank for a four-year term contract at 4.78% with annual payments in arrears of \$137,579 which would include principal and interest. She stated that staff also recommended that Council approve a Resolution approving financing through First Community Bank and that the City Manager be authorized to execute the contract documents.

Council Member James made a motion to award the lease purchase to First Community Bank and approve a Resolution approving financing and authorize the City Manager to execute the contract documents. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

Items for Discussion and Possible Approval

A. Discussion and Approval of the Accommodations Tax Committee's Recommendation for Distribution of Funding for FY23/24

Council Member James stated that he had asked to be recused from discussion pertaining to Item I. A. and B. because of his professional relationship of employment and with the Mayor's permission he would excuse himself (see attached recusal form).

Ms. Hegler stated that during FY23 the City awarded \$35,000 in Accommodations Tax funds to grant recipients. She stated that the City received eight (8) tax fund requests for FY24 totaling \$50,850.00. She stated that the Accommodations Tax Committee recommended awarding a total of \$50,850 for the eight (8) projects. She stated that in addition, the Accommodations Tax Committee recommended awarding a total of \$36,585 to the dedicated tourism organizations, the 30% designees, for the upcoming year. She stated that the State's Tourism Expenditure Review Committee advised the City that starting in 2023 the City's Accommodations Tax Committee would be responsible for making the 30% funding allocations. Ms. Hegler stated that State law dictated that an automatic 30% of what the City received in accommodations taxes was to be given to tourism related entities. She stated that a breakdown of the grant requests and recommendations from the Accommodations Tax Committee review was in the agenda packet along with the return-on-investment figures Council had requested the previous year. She stated that each of the entities that received grant funding from the City, including the 30% designees, provided information on the value of their work for the City and what those monies were used for. She stated that Council could approve, deny or reduce any of the grant requests and the reserve amount. She stated that staff estimated the City would receive \$121,950 in Accommodations Tax funds and had received requests totaling \$189,000. Ms. Hegler stated that the Accommodations Tax Committee recommended a total award of \$87,435 based on their review of the applications.

Mayor Pro Tem Jenkins made a motion to accept the Accommodations Tax Committee's recommendations. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

B. Discussion and Approval of Hospitality Tax Grant Funding for FY23/24

Ms. Hegler stated that \$99,200 in Hospitality Tax funds were awarded to grant applications in FY23. She stated that the City received seven (7) Hospitality Tax fund grant requests totaling \$92,505 for FY24. She stated that the Hospitality Tax fund requests was a staff review process. She stated that staff recommended awarding a total of \$81,455 for the seven (7) projects in the upcoming year. She stated that during the current fiscal year Council approved using \$1.27 million in Hospitality Tax funds for FY24 operation and maintenance of tourism related activities, City events and capital items. Ms. Hegler stated that staff typically recommended holding back \$100,000 in the fund balance as reserve which left approximately \$90,000 available for qualifying grant awards. She stated that a breakdown of the grant requests and recommendations from the staff review could be seen in the chart in the agenda packet. She stated that Council could approve, deny or reduce any of the grant requests and the reserve amount.

Council Member Sox made a motion to approve \$81,455.00 in grant awards for FY2023/2024. Council Member Carter seconded the motion. He stated that he

appreciated that almost all of the events were City events and liked that the money was staying in the City. He stated that it was earned in the City and was staying in the City. Mayor Partin called the question which was unanimously approved by roll call vote. Council Member James rejoined the meeting at this point.

C. Discussion and Approval of Memorandum of Agreements (MOA) with the South Carolina Department of Transportation (SC DOT) for Utility Relocation (Sewer and Water) at the US 21 (Charleston Hwy) and S-1258 (Old Wire Rd.) Intersection Improvements and Associated Funding

Ms. Hegler stated that this item was a multi-part request. She stated that the SCDOT was pursuing an intersection improvement project at US Highway 21 and Old Wire Road where they were recommending a roundabout be constructed. She stated that the City had utilities in the area that must be relocated as part of the project, and the project had been designed to do so. She stated that State Code Section 57-5-880 required that the SCDOT pay for relocation costs for all small utilities and for large utilities the SCDOT was only required to pay for relocation costs if the funds were available after an equation of sorts and after paying for the small utilities.

Ms. Hegler stated that the City was considered a small utility for its water system and a large utility for sewer. She stated that SCDOT had indicated that funds were not available to pay all the costs for this project. She stated that the total allocated for utility relocations per the project was 4.5% of the total estimated construction cost for the roundabout. She stated that SCDOT's estimated cost for the roundabout was approximately \$2.5 million, which would allow \$112,500 for all utility relocations. She stated that staff had an estimate that the water relocation costs alone would be \$288,500 which exceeded the amount as required by law. Ms. Hegler stated that SCDOT had to pay for the small utilities which meant there was not any money left for sewer. She stated that staff estimated the City's cost to relocate the sewer to be \$326,100 in order for the City to receive the funding to even relocate the water under the law. She stated that if Council chose to move forward than Memorandum of Agreements for in-contract utility relocation for the project must be approved. She stated that Council would also need to authorize staff to allocate \$326,100 from the utilities unreserved fund balance to cover the costs of the sewer.

Council Member Sox made a motion to approve both In-Contract Utility Relocation MOA's for the US Highway 21 and Old Wire Road Intersection Improvements Project (one for sewer and one for water) and authorize the City Manager to execute and approve payment for the sewer relocation portion of the project, of up to \$326,100, from the Utilities O&M unreserved fund balance. Mayor Pro Tem Jenkins seconded the motion. Council Member Carter asked if the City was required to relocate the lines. He asked if SCDOT would be the prime contractor that sub-contracted the work out to a water and sewer contractor or would City staff do the work. He also asked if the City would have oversight on the City's behalf to make sure

the work was done correctly. Ms. Hegler stated that the City had the relocation work designed and it would be covered under the SCDOT's contractor but it would be per the specifications of the City's design work. She stated that they were designed to make sure they were appropriate for the City's system. She stated that SCDOT would oversee the subcontractor as part of their overall project budget to do the work. Council Member Carter asked if staff had the ability to go on site and inspect the work. Ms. Hegler stated that staff would be involved and would review and inspect the project. Mayor Partin called the question which was unanimously approved by roll call vote.

D. Discussion and Approval of Bid Award for the Lloydwood Pump Station Generator

Ms. Hegler stated that Council was previously informed of an award in the amount of \$72,278 from the FEMA Hazard Mitigation grant to purchase an emergency generator for the Lloydwood sewer pump station. She stated that the project included the purchase and installation of the generator as well as the construction of a concrete pad upon which the generator would sit. She stated that the City was required to pay 10% of the total eligible costs, which was estimated at approximately \$8,000 and would be funded in the existing Utility budget. She stated that on June 2, 2023, staff had a grant kickoff meeting with representatives from SCEMD, who administers the FEMA grant. Ms. Hegler stated that during the meeting, staff was instructed that FEMA would allow the City to sole source the project if it was allowed in the City's procurement procedures. She stated staff brought Council a request at the June 21, 2023 Council Meeting to sole source a generator from Blanchard Power Systems that was in stock, available for purchase and met the specifications of what was needed. She stated subsequent to that, SCEMD informed staff that they inaccurately advised staff and the City would need to obtain three (3) quotes for the generator.

Ms. Hegler stated that staff did receive three (3) quotes for the generators needed to meet the specifications. She stated that the lowest quote received was the Generac Industrial Diesel Engine Generator from National Power and the total quoted price was approximately \$55,000 plus tax. She stated that there was a little bit longer lead time but that was what FEMA would approve as the grantor of the project. She stated staff was bringing this item back to Council for approval to purchase a 150-kilowatt Generac generator for approximately \$55,000 plus tax from National Power. She stated that action would supersede Council's previous action for a different contractor.

Council Member James made a motion to approve the purchase of the generator for approximately \$55,00 plus tax. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that the City's Utility Field Crew staff were completing a major sewer bypass project near the Cayce Tennis & Fitness Center and were doing an amazing job. She stated that Museum Curator Andy Thomas was nearing the completion of the new African American Exhibit in the Cayce Museum. She stated that he had worked very hard on the exhibit alongside the African American subcommittee and members of the Museum Commission. She stated that they looked forward to scheduling a grand opening reception soon. Ms. Hegler stated that the City's School Resource Officers were wrapping up Character Camp that week and had done an incredible job scheduling ways for the kids to stay active, have fun and learn so many new things. She stated that she wanted to thank staff from the Wastewater Treatment Plant and outside organizations who had really been instrumental in making sure the kids had a fantastic two (2) weeks.

Ms. Hegler stated that staff volunteered the previous morning to do a trash pickup along the Monkey Springs Branch Creek area next to City Hall. She stated that the Congaree River Keeper had asked if they might be interested in doing it and it was a good team building effort for staff. She stated that in 45 minutes, staff picked up close to 800 pounds of trash. She stated that Council had at their seats a Corporal Drew Barr challenge coin that were designed and ordered by the City's Police Department. She stated that they were being sold for fundraising by the Public Safety Foundation. She stated that the coin was another way to honor Drew's great life.

Ms. Hegler stated that she had received two (2) great compliments for staff recently. She stated that a resident who had lived on Clark Street for the past six (6) years called Ms. Corder to say what an amazing sanitation team the City had. She stated that she was moving to the mountains but had loved living in Cayce. She stated that the staff was by far the best she had ever had the pleasure to get to know particularly the Sanitation team. Ms. Hegler stated that the resident mentioned Sanitation manager Mr. Thomas White by name and also said how kind all of his team was and how they always bent over backwards to help in any way they could. Ms. Hegler stated that she also received a thank you note from a gentleman who said he wanted to simply say thank you for the gem that Cayce had with the Timmerman Trail, the Riverwalk Park and the 12,000 Year History Park. He stated that he grew up in Cayce and as a retiree, had begun to explore what Richland and Lexington counties had to offer. He stated that he and his wife were left in disbelief that Cayce had the diamond of the Midlands. He thanked the City for not only providing the great trails, but the upkeep involved in maintaining them giving further kudos to City staff.

Council Comments

Council Member Sox stated that adding to kudos for the Sanitation Department, the headline story for the Lexington Chronicle was a story on Luke Thompson and the friendships he had with the Sanitation Department. Mayor Partin thanked staff for the Corporal Drew Barr coin and said it was one she never wanted since it meant he was

killed in the line of duty. She thanked Chief Cowan and the Public Safety Foundation for finding ways to continue to honor Drew Barr's life and the way that he lived. She thanked Chief Cowan for everything he and his team did to keep the community safe by being out in the community. She stated that she was just telling the guests from Israel, what an amazing job Chief Cowan did and how he used community-oriented policing and really connected with citizens to help keep everyone safe.

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 arrangement for a sewer line project and the Joint Municipal Water and Sewer Commission Utility Service

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

Reconvene

After the Executive Session was concluded, Council Member Carter made a motion to reconvene the Regular meeting. Mayor Pro Tem Jenkins 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 in follow up to Executive Session

- A. Discussion and approval of proposed contractual arrangement for a sewer line project and the Joint Municipal Water and Sewer Commission Utility Service

Council Member Sox made a motion to approve the proposed contractual agreement for sewer line projects with the Joint Municipal Water and Sewer Commission Utility Service. Council Member James seconded the motion which was unanimously approved by roll call vote.

Adjourn

Council Member James made a motion to adjourn the meeting. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 5:42 p.m.

Elise Partin, Mayor

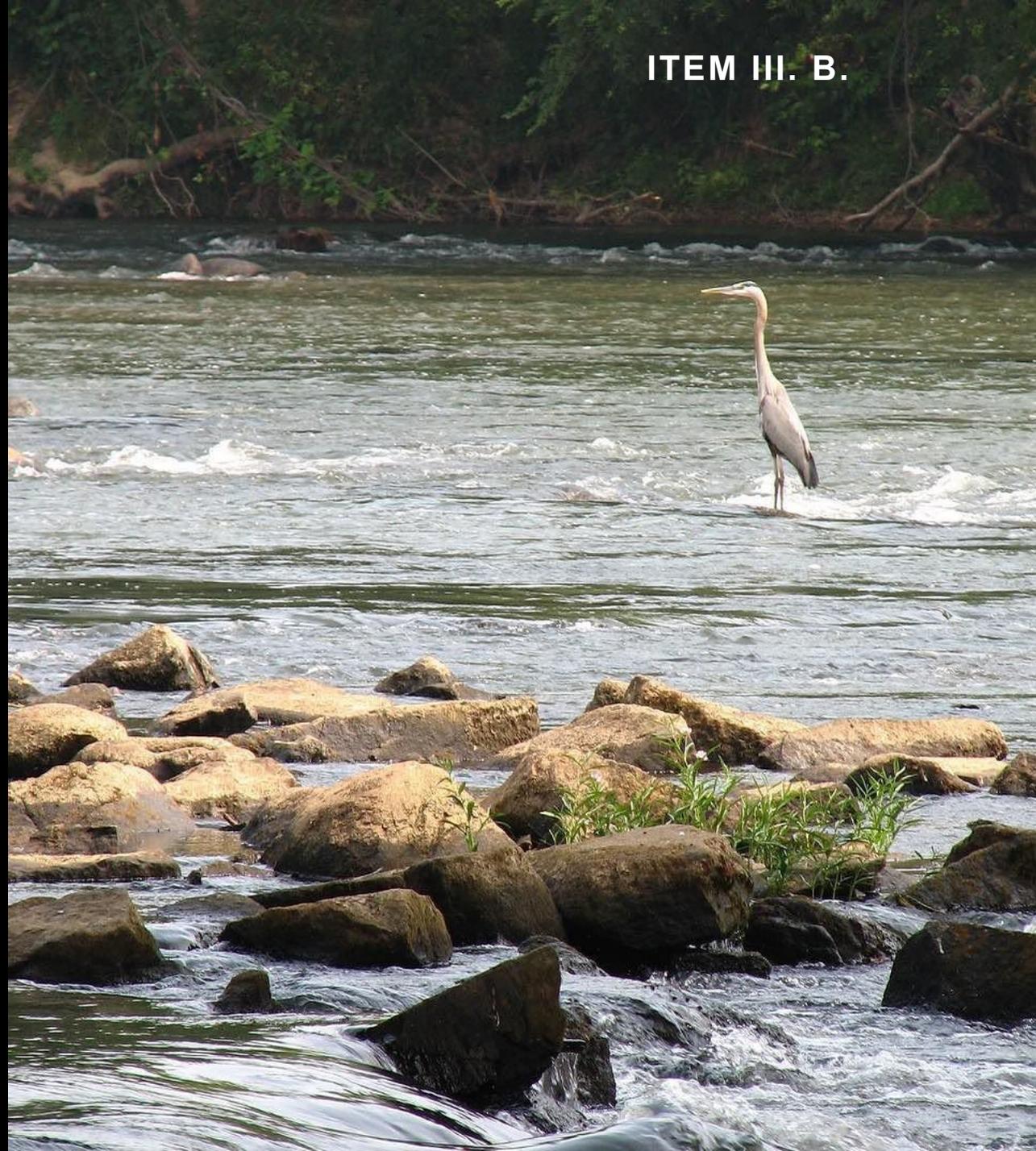
ATTEST:

Mendy Corder, CMC, Municipal Clerk

WALKABILITY ACTION INSTITUTE

TEAM CAYCE-WEST COLUMBIA

- Dara Brown (BLEC)
- Katherine Call (City of West Columbia)
- Skip Jenkins (City of Cayce Councilman & Comet Advisory Board)
- Monique Ocean (City of Cayce)
- Ali Ruegamer (Able SC)
- Brenda Thorpe (DHEC)



Anderson, SC



Georgetown County, SC



**Williamsburg
County, SC**



Fairfield County/Winnsboro, SC



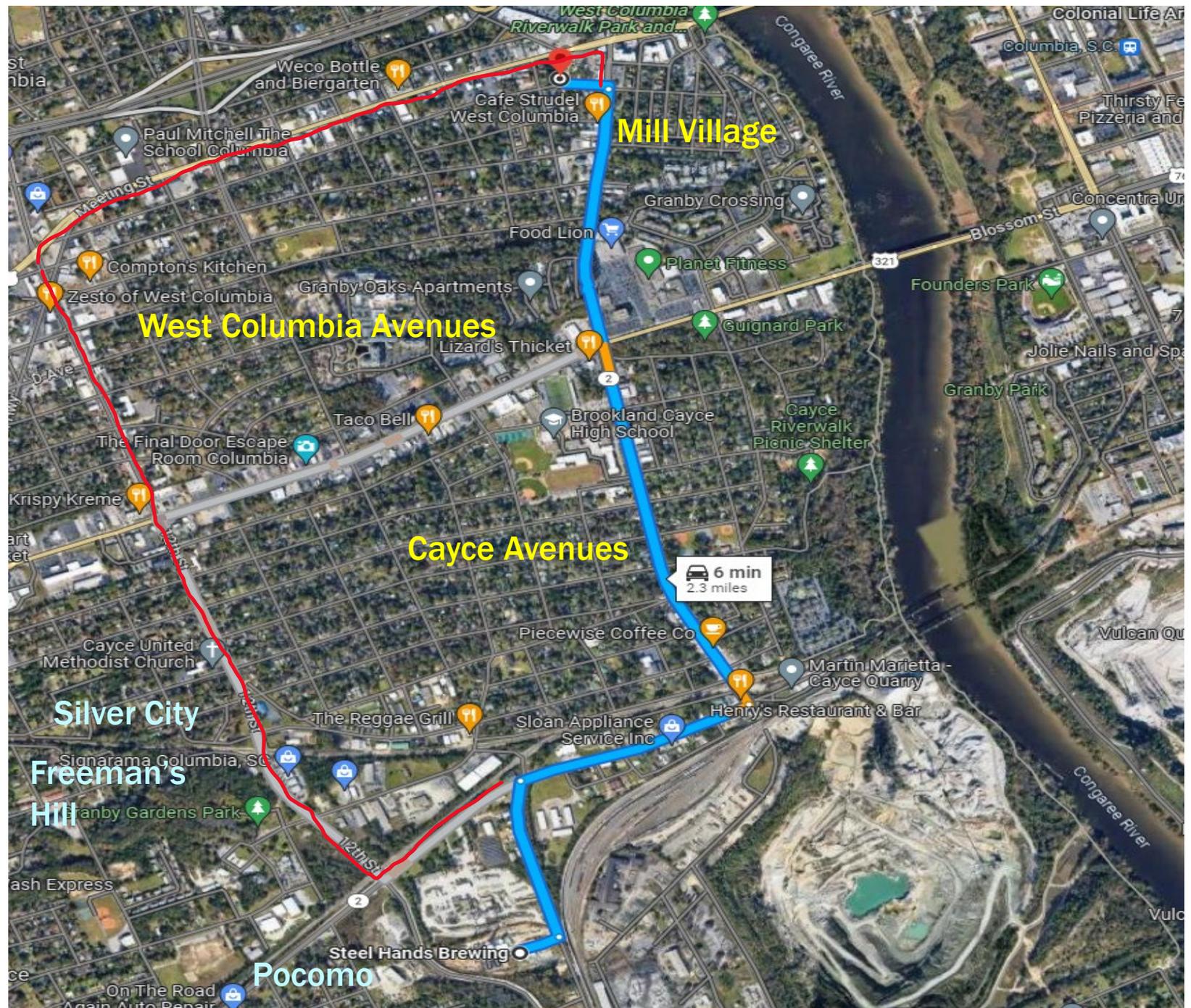
**West
Columbia/
Cayce,
SC**



Arts District 'Loop'

By 2033, create a safe and inclusive walk/bike Arts District Loop that:

- connects West Columbia and Cayce using Savage Craft and Steel Hands Breweries as anchors
- to increase active tourism & economic development
- and improve connectivity for lower income and historically Black areas to access everyday destinations and opportunities.



Florida



ECONOMIC IMPACT OF OUTDOOR RECREATION & TRAILS

\$17.9 BILLION
IN WAGES

Recreation has long served as an economic driver in Florida, as the state remains a major destination for national and international tourism.

485,000 DIRECT
JOBS

With more than 1,600 miles of multi-use trails, Florida State Parks receive over 32 million visitors annually, creating 48,622 jobs.

75% of all Florida visitors participate in nature-based activities during their visit. (Visit Florida, 2012)

RESIDENTS DOING OUTDOORS?

EQUESTRIAN ACTIVITIES

According to the Florida Department of Agriculture and Consumer Services, the equestrian industry's economic impact on the gross state product is \$6.5 Billion. Florida's State Parks offer 1,889 miles of equestrian trails.

BIKING

Bicycle riding on paved roads and trails brings in more than \$6 Billion in Florida annually and riding on unpaved trails brings in almost \$2 Billion (Balmoral 2017). Outdoor fitness walking/jogging brings in \$13.5 Billion annually and paddling activities bring in almost \$3 Billion annually.



SSD BENEFITS TO THE COMMUNITY

A Special Service District (SSD) will provide critical funding for trail completion, which will drive community benefits and achieve equitable implementation of the BeltLine by catalyzing:

\$45 MILLION

in additional Affordable Housing funding unlocked from the BeltLine Tax Allocation District (TAD) that will ensure that the BeltLine reaches its goal of 5,600 units of affordable housing by 2030



\$350 MILLION

FOR TRAIL COMPLETION

\$100 million from SSD unlocks \$250 million from philanthropy, BeltLine TAD, and other sources.



\$12.5 MILLION

COMMUNITY RETENTION FUND

to help **keep legacy residents in their homes** and alleviate increasing property tax burdens



50,000

JOBS CREATED near the Atlanta BeltLine, approximately **20,000 more** than originally projected

\$12 MILLION

in additional support for small businesses



UP TO \$150 MILLION

IN CONSTRUCTION FUNDING

targeted to **minority-owned contractors**



Once completed, the Atlanta BeltLine is expected to deliver a total impact of **\$10 billion for Atlanta** and its residents, serving as a national and international model of excellence in equitable economic development.

Georgia

YEAR 3 IMPACT STUDY

13%

INCREASE IN MINORITY USE

501,236

TRAIL USERS

20%

INCREASE IN OVERALL USE

61-70

DEGREES

MOST POPULAR TEMPERATURE FOR TRAIL USE:

\$6.7

MILLION

25% OF TRAIL USERS ARE TOURISTS, BOOSTING OUR ECONOMY BY:

1.5

HOURS

AVERAGE TIME USERS SPEND ON THE TRAIL:

To view the complete Year 3 Impact Study visit www.GreenvilleRec.com

For more information please contact Bob Mihalic - bmihalic@greenvillecounty.org - (864) 467-7055

Gen Z, more than any other generation, is willing to spend more for a dwelling in a walkable community.



More than any other generation, Millennials want their community leaders to provide convenient alternatives to driving such as walking, biking, and public transportation.



This study shows that a substantial demand for walkability persists among Americans of all ages.

2023 COMMUNITY & TRANSPORTATION PREFERENCE SURVEY

Gen Z wants to live near transit more than any other generation.



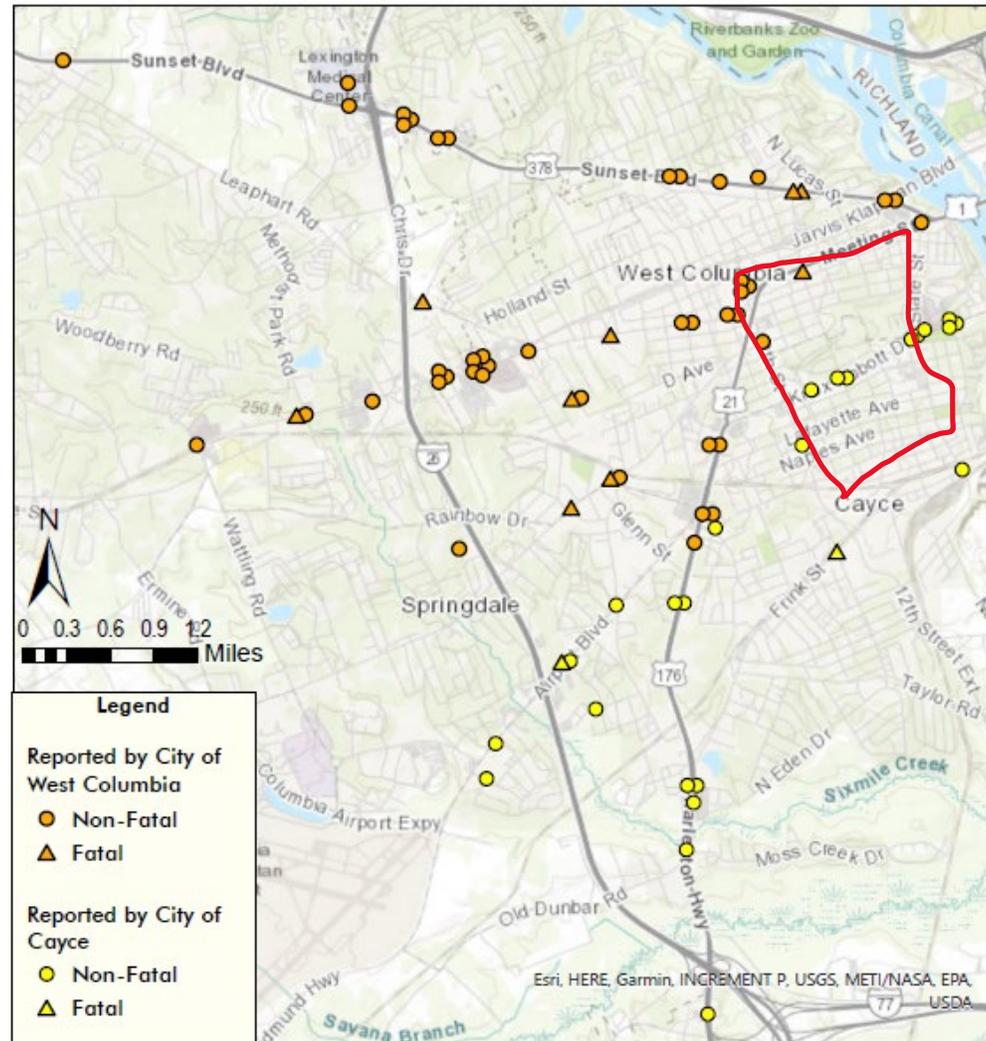
Baby Boomers prefer living in a detached, single-family home where they must drive to places they need to go.



Respondents who strongly agree that there are “lots of places to walk nearby” are more likely to be satisfied with their quality of life.

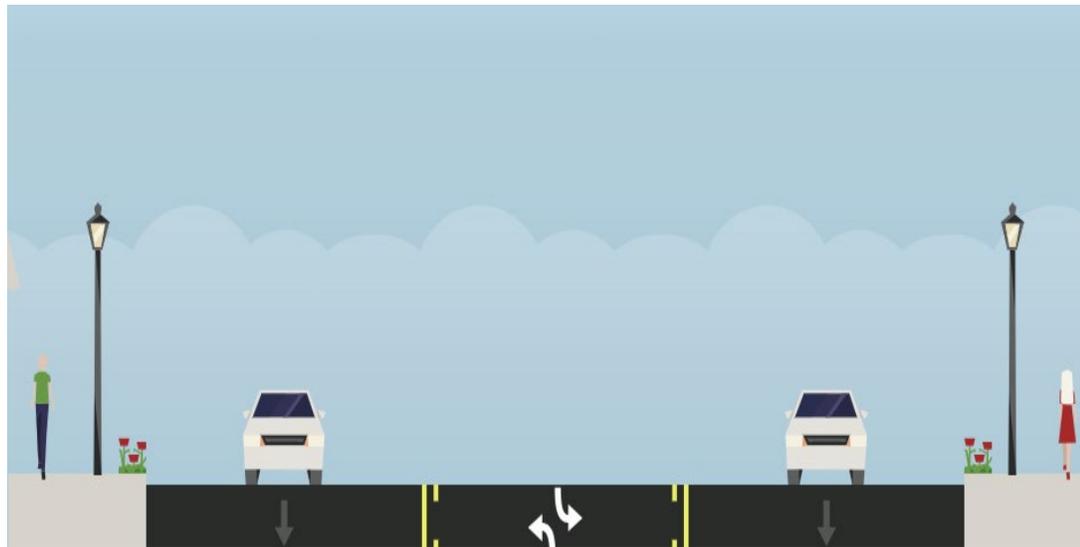


Pedestrian-related Accidents, Cities of West Columbia and Cayce, 2017-2022*



* West Columbia Data is for 2017-2021; Cayce Data is for 2018-2022

WHAT COULD IT LOOK LIKE?



WHAT COULD IT LOOK LIKE?



NEXT STEPS

Action plan

Grants already applied for

Invitation

Thank You

Memorandum

To: Mayor and Council

From: Tracy Hegler, City Manager

Date: August 16, 2023

Subject: Selection of “on-call” General Contractors

ISSUE

Council approval is needed to enter into an agreement with two separate General Contractors to serve for “on-call” general contracting services.

DISCUSSION

As part of the City’s efforts to update contracts and ensure best practices for procurement of services, the City issued a General Contractor RFQ to select a firm or firms to serve as the City’s “on-call general contractor.” Two firms responded to the RFQ: 3D Dirtworks and Mashburn Construction Company. Both firms were responsive to the RFQ.

After review of the proposals and staff discussion, staff recommends entering into an agreement with both firms as being qualified vendors for City construction work. As qualified vendors, both will provide quotes when a general contracting-related project arises, and the City will select the one most suited for the particular project. Appropriate Council approval processes will be followed for each project. It is recommended these agreements offer a two-year term.

RECOMMENDATION

Staff recommends that City Council approve qualifying 3D Dirtworks and Mashburn Construction for “on-call” general contractor services and give approval for the City Manager to negotiate and enter into an agreement with them for a two-year term.

Memorandum

To: Mayor and Council

From: Tracy Hegler, City Manager

Date: August 16, 2023

Subject: Engineering and Construction Services Agreement related to a South Carolina Infrastructure Investment Program (SCIIP) Grant from the South Carolina Rural Infrastructure Authority (RIA) for Stormwater Infrastructure Improvements in the Avenues

ISSUE

The City of Cayce received a South Carolina Infrastructure Investment Program (SCIIP) grant from the South Carolina Rural Infrastructure Authority (RIA) for \$10,000,000 to undertake further phases of the Avenues Drainage Improvements Project to improve stormwater infrastructure in the Avenues neighborhood. As part of this grant project, engineering services are required for design, permitting, construction management and observation.

DISCUSSION

The City of Cayce has long been working to address drainage issues in the Avenues. As a result of persistent localized flooding in the Avenues portion of the City of Cayce, a multi-year storm drainage improvements program is currently underway.

On August 2, 2022 Cayce City Council approved the plans to submit a grant application to RIA for SCIIP funding. This SCIIP grant opportunity affords the City a unique way to address that further, without burdening our general fund, which does not collect money for street and/or drainage repairs. The City of Cayce has recently completed the first phase of improvements under this program which only addressed a limited amount of the needs identified by the 2015 Avenues Area Drainage Study. The SCIIP grant will address a large portion of the remaining drainage improvements identified by the study.

On June 6, 2023, Council authorized the City Manager to sign the award letter accepting the \$10,000,000 grant to address chronic stormwater issues in the Avenues and the Notice to Proceed was received on August 8, 2023 (attached).

This project will make various drainage improvements (the construction of bypass diversions and correcting undersized pipes and culverts) to two drainage basins in the Avenues neighborhood, as shown in the attached plan. The "Indigo" and "Naples" drainage basins discharge to outfalls that are centered about Indigo and Naples Avenues, respectively.

As part of this grant project, engineering services are required for design, permitting, construction management and observation. Staff seeks to contract with American Engineering, the City's on-call engineer and author of the 2015 Avenues Area Drainage Study, to perform the design and construction management services (attached). Compensation for the engineering services is as follows:

\$1,165,800	Design Phase Services
<u>\$574,200</u>	<u>Construction Phase Services</u>
\$1,740,00	Total

As the author of the 2015 Avenues Area Drainage Study, American Engineering is intimately familiar with the drainage engineering needs of the City. Since study publication, staff has worked on a regular basis with American Engineering to plan for stormwater and drainage improvements.

Funding for engineering and construction services will be covered by the South Carolina Department of Transportation (SCDOT), which is providing the required SCIIP 15% match, under a previous agreement with them, recognizing that a large portion of the stormwater improvements will occur on state-owned right of way. Thus, no City funding is being utilized for this project under the current scope of work.

Approval of these services is in conformance with SCIIP guidelines and SCDOT policy.

RECOMMENDATION

Staff recommends that City Council approve the engineering and construction services agreement with American Engineering, Inc. in the amount of \$1,740,00 and authorize the City Manager to execute the contract.

Harry M. Lightsey III
Chairman



Bonnie Ammons
Executive Director

South Carolina
Rural Infrastructure Authority

August 8, 2023

via email

Ms. Tracy Hegler
City Manager
City of Cayce
1800 12th Street
Cayce, South Carolina 29033

RE: SCIIP Grant A-23-C030 – Avenues Drainage Improvements - NOTICE TO PROCEED

Dear Ms. Hegler,

The South Carolina Rural Infrastructure Authority (RIA) has received the signed South Carolina Infrastructure Investment Program (SCIIP) grant award agreement and other required documentation for the above-referenced project.

The RIA has reviewed the documentation submitted and found it to be acceptable. The City of Cayce may proceed with plans for implementation of the project as outlined in the revised application and consistent with the requirements contained in the SCIIP Project Management Procedures (located on our website at www.ria.sc.gov) as well as the terms and conditions of the SCIIP Grant Agreement. Please note grant funds may not be used to reimburse work conducted on private property.

Per the Special Conditions of the Grant Award, the City must provide the proposed construction bid form for RIA review prior to advertising the project. In addition, prior to execution of any contract for which SCIIP funding is expected to be used, the complete bid package and procurement information must be submitted to RIA for review and approval.

If I can be of further assistance, please don't hesitate to contact me at (803) 360-2252 or vwetzel@ria.sc.gov.

Sincerely,

A handwritten signature in cursive script that reads "Virginia Wetzel".

Virginia Wetzel
Grant Program Manager

cc: Jim Crosland, City of Cayce (via email)
Mike Couley, City of Cayce (via email)
Taylor Gray, City of Cayce (via email)
Kelly McMullen, City of Cayce (via email)
Chris Waddell, American Engineering Consultants (via email)
Maggie Hendry, South Carolina Department of Transportation (via email)



ENGINEERING CONSULTANTS, INC.

1300 12th Street, Suite A • P.O. Box 2299 • Cayce, SC 29171 • (803) 791-1400 • FAX: (803) 791-8110

June 16, 2023

Ms. Tracy Hegler
City Manager
City of Cayce
1800 12th Street
Cayce, South Carolina 29033

Attn: Agreement for Professional Engineering Services for the
Avenues Drainage Improvements Project – Phase 2 (**via email**)

Dear Ms. Hegler:

American Engineering Consultants, Inc. (AEC) appreciates the opportunity to provide you with an agreement to perform engineering services related to storm drainage improvements related to the City's SCIIIP grant project. The scope of work outlined in the attached agreement is based upon our understanding of the services that are being requested, but the scope of services can be modified as necessary to meet your needs.

We appreciate the opportunity to provide you with these services and look forward to continuing our relationship with the City on this project. If this agreement meets your approval, please execute and return one copy to our office. If you have any questions or need additional information, please do not hesitate to call. We look forward to starting the second phase of improvements to the Avenues storm drainage system, and are ready to begin upon receipt of this executed agreement.

Sincerely,
American Engineering Consultants, Inc.

Christopher S. Waddell, P.E.
Project Manager
Enclosures

AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES

This Agreement is hereby made this _____ day of _____ 20____ between American Engineering Consultants, Inc. (hereinafter referred to as the ENGINEER) and the City of Cayce (hereinafter referred to as the OWNER). The ENGINEER hereby agrees to serve as the OWNER'S professional engineering representative in connection with the following project: **AVENUES DRAINAGE IMPROVEMENTS PROJECT – PHASE 2** (hereinafter known as the PROJECT as outlined in the Project Description below). The ENGINEER proposes to assist and advise the OWNER and nothing contained herein shall confer any rights or create any duties on the part of the ENGINEER toward any person or persons not a party to this Agreement.

PROJECT DESCRIPTION:

The PROJECT consists of preliminary design, surveying, final design, permitting, bidding, contract administration, construction observation services, and erosion control inspections associated with storm water improvements within the City of Cayce's Avenues neighborhood, as shown in Exhibit "A". The project design will include four (4) divisions of work including an Indigo Avenue bypass line, Karlaney Avenue bypass line and outfall, Naples Avenue outfall, and will include all necessary appurtenances for a complete project as directed by the OWNER and authorized permitting agencies for this project.

WITNESSETH:

That for and in consideration of the mutual covenants and promises between the parties hereto, it is hereby agreed:

SECTION A - ENGINEERING SERVICES

The ENGINEER shall furnish engineering services as follows:

1. The ENGINEER will conduct preliminary investigations, perform the necessary design surveys for the PROJECT and prepare a preliminary itemized list of probable construction costs.
2. The ENGINEER will attend conferences with the OWNER, or other interested parties as may be reasonably necessary.
3. The ENGINEER will develop the detailed design of the project, prepare construction drawings, specifications and contract documents, and prepare a final opinion of probable costs based on the final design for the PROJECT. Services will include site visits to review existing conditions and collect data; preparation of a preliminary engineering report; and development of drawings and specifications detailing the new storm water improvements and associated roadway and utility restoration. Roadway and utility engineering will be limited to restoration of existing facilities. Re-routing of utilities outside of the project area and widening of the existing roadway are not included in this scope of services.
4. The ENGINEER will conduct subsurface explorations such as borings, soil tests, rock soundings and the like as required for preparation of the PROJECT'S design.
5. Prior to the advertisement for bids, the ENGINEER will provide detailed drawings, specifications, and contract documents for use by the OWNER and appropriate Federal, State, and local agencies from whom approval of the project must be obtained. The printing cost for such drawings, specifications, and contract documents shall be paid for by the OWNER as an additional cost as set forth in the ENGINEER'S attached Rate Schedule.

6. The ENGINEER will furnish additional copies of the drawings, specifications and contract documents as required by perspective bidders, material suppliers, and other interested parties, and will charge them for the cost associated with providing them these copies.
7. Upon award of the contract, the ENGINEER will furnish to the OWNER, three (3) copies of the drawings, specifications, and contract documents for execution. The ENGINEER will furnish the CONTRACTOR, up to seven (7) copies of the drawings, specifications, and contract documents for their use in constructing the PROJECT. The printing cost for these drawings, specifications, and contract documents shall be paid for by the OWNER as an additional cost as set forth in the ENGINEER'S attached Rate Schedule.
8. Original documents, survey notes, tracings, and the like, except those furnished by the OWNER to the ENGINEER, are and shall remain the sole property of the ENGINEER as instruments of service and cannot be used by the OWNER for any reason other than to bid and construct the above named PROJECT. Construction documents may be used by the OWNER for planning purposes only of future connections and extensions and for determining the location of lines and equipment during the course of system operation.
9. The drawings prepared by the ENGINEER under the provisions of SECTION A - 3 above shall be in sufficient detail to permit the actual location of the proposed improvements on the ground. The ENGINEER shall prepare and furnish to the OWNER without any additional compensation, plats/easements for five (5) total easements/right-of-way acquisitions. Property surveys, property plats, property descriptions, abstracting and negotiations for land rights shall be accomplished by the OWNER. In the event the ENGINEER is requested to provide these services, the ENGINEER shall be additionally compensated as set out in SECTION C of this contract.
10. The ENGINEER will attend the bid opening and tabulate the bid proposals, make an analysis of the bids, and make recommendations for awarding contracts for construction.
11. The ENGINEER will review and approve, for conformance with the design concept, any necessary shop and working drawings furnished by the CONTRACTOR.
12. The ENGINEER will interpret the intent of the drawings and specifications to protect the OWNER against defects and deficiencies in construction on the part of the CONTRACTOR. The ENGINEER will not, however, guarantee the performance by any CONTRACTOR.
13. The ENGINEER will establish baselines for locating the work together with a suitable number of benchmarks adjacent to the work as shown in the contract documents.
14. The ENGINEER will provide general engineering review of the work of the CONTRACTOR, as construction progresses to ascertain that the CONTRACTOR is conforming with the design concept.
15. The ENGINEER will provide construction observation services. The ENGINEER'S undertaking hereunder shall not relieve the CONTRACTOR of his obligation to perform the work in conformity with the drawings and specifications and in a workmanlike manner. It also shall not make the ENGINEER an insurer of the CONTRACTOR'S performance, and shall not impose upon the ENGINEER any obligation to see that the work is performed in a safe manner.
16. The ENGINEER will review the CONTRACTOR'S applications for progress and final payment and, when approved, submit same to the OWNER for payment.
17. The ENGINEER will prepare necessary contract change orders for approval of the OWNER.
18. The ENGINEER will make a final review prior to the issuance of the statement of substantial completion of all construction and submit a written report to the OWNER. Prior to submitting the final pay estimate, the ENGINEER shall submit a statement of completion to the OWNER.

19. The ENGINEER will provide the OWNER with digital and paper copies (three sets) of the Record Drawings. Such drawings will be approved by the project engineer, based upon construction records provided by the CONTRACTOR and the ENGINEER'S onsite representative for the project. The printing and reproduction cost for these drawings shall be paid for by the OWNER as an additional cost as set forth in the ENGINEER'S attached Rate Schedule.
20. The ENGINEER will provide SCIIP grant administration services for all contracts. Services include conforming plans, specifications, and contract documents with SCIIP program requirements, submitting documents for review by Rural Infrastructure Authority (RIA) and responding to review comments, preparing and submitting grant progress reports, and construction phase grant administration including Davis-Bacon compliance verification.

SECTION B - COMPENSATION FOR ENGINEERING SERVICES

1. The OWNER shall compensate the ENGINEER for the services as described above for the following LUMP SUM FEES:

Design Phase Services:	\$1,165,800
<u>Construction Phase Services:</u>	<u>\$ 574,200</u>
Subtotal Engineering Services:	\$1,740,000

2. The OWNER will compensate the ENGINEER on a monthly basis for all design phase services.
3. The OWNER shall pay the ENGINEER on a monthly basis for construction phase services. Construction observation and other construction phase services will be provided for the duration of the original Contract Times established in the PROJECT Contract Documents for the fee outlined in Section B-1. The fee for construction phase services is based upon an eighteen (18) month construction contract, for each division of work progressing concurrently. AEC's engineer or its Construction Observation Representative will perform site visits periodically as necessary based on the nature of the work being performed. The ENGINEER shall be compensated for any services rendered beyond the original Contract Times as established in the PROJECT Contract Documents on an hourly basis based on the ENGINEER'S most current Rate Schedule.

SECTION C - ADDITIONAL ENGINEERING SERVICES

The OWNER reserves the right to amend this Agreement so that the CONSULTANT may furnish additional services such as those listed below:

- Professional engineering services related to extended design, bidding and construction services.
- Additional site visits during construction period by Project Engineer.
- Site visits by on-site representative during construction period.
- Easement acquisition services
- Wetlands Permitting
- Arborist

Compensation to the ENGINEER for Additional Services will be negotiated with the OWNER or on an hourly basis based on the ENGINEER's Rate Schedule included herewith and which may be revised from time to time over the course of the PROJECT.

SECTION D - INTEREST ON UNPAID SUMS

If the OWNER fails to make any payment due the ENGINEER within 30 days for services and expenses, then the ENGINEER shall be entitled to interest at the rate of 1 1/2 % per month (18 % per annum).

SECTION E - GENERAL CONDITIONS

1. **Ownership of Documents:** All documents, including original drawings, estimates, specifications, field notes, and data are and remain the property of the ENGINEER as instruments of service.
2. **Termination:** This agreement may be terminated by either party for cause upon seven (7) days written notice should the other party fail substantially to perform in accordance with the terms of this agreement through no fault of the other. In the event of termination, the ENGINEER will be paid compensation for services performed and reimbursables incurred up to the time of termination.
3. **Cancellation:** Because of potentially significant revenues from other projects forgone by the ENGINEER in order to take on this project, if this project is canceled by the OWNER, a cancellation fee of 20% of the lump sum fee shall be immediately due and payable.
4. **Project Restart:** Because of the costs involved in stopping and restarting a project once it is underway, should the projects progress be halted by the OWNER at any time, for any reason other than Force Majeure defined herein, for a period exceeding 30 calendar days, a project restart fee of 10% of the total fee earned to date not to exceed 5% of the total fee nor less than \$1,000.00 will be immediately due and payable.
5. **Force Majeure:** Neither party will be liable for failure or delay to perform obligations under this Agreement, which have become practicably impossible because of circumstances beyond the reasonable control of the OWNER or ENGINEER. Such circumstances include without limitation natural disasters or acts of God; acts of terrorism; labor disputes or stoppages; war; government acts or orders; epidemics, pandemics or outbreak of communicable disease; quarantines; national or regional emergencies; or any other cause, whether similar in kind to the foregoing or otherwise, beyond the party's reasonable control. All delivery dates under this Agreement affected by force majeure shall be tolled for the duration of such force majeure. The parties hereby agree, when feasible, not to cancel but reschedule the pertinent obligations and deliverables for mutually agreed dates as soon as practicable after the force majeure condition ceases to exist.
6. **Modifications to this Agreement:** The OWNER may, from time to time, request changes in the scope of services of the ENGINEER to be performed thereunder. Such changes, any increase or decrease in the amount of the ENGINEER'S compensation or any other changes, modifications, additions to, or deletions from this Agreement shall only be effective upon the mutual agreement of both the OWNER and ENGINEER in writing.
7. **Successors and Assigns:** This Agreement shall be binding upon the parties hereto, their respective successors, heirs, executors, administrators, and assigns with the stipulation that this Agreement and any rights or responsibilities arising therefrom cannot

be assigned without the prior written approval of the parties, and in the event of such assignment, this Agreement may be terminated by the non-assigning party for cause or convenience, as appropriate.

8. **Notice:** Any notice by the OWNER to the ENGINEER, or any notice by the ENGINEER to the OWNER, may be given and shall be deemed to have been duly served if either delivered personally or mailed in any general or branch post office enclosed in a certified or registered postpaid envelope addressed as follows:

As to the OWNER:

The City of Cayce
1800 12th Street
Cayce, South Carolina 29033

As to the ENGINEER:

American Engineering Consultants, Inc.
PO Box 2299
Cayce, South Carolina 29171

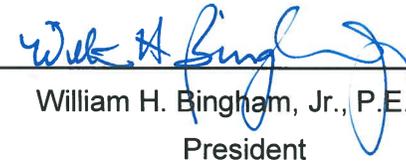
9. **Period of Service:** The ENGINEER'S period of service will begin upon notice from the OWNER to proceed and shall expire 30 days after the construction contractor has completed the final punch list, and after final approval has been obtained from SCDHEC for the PROJECT. If the OWNER requests significant modifications or changes in the scope of the PROJECT, the time of performance shall be appropriately adjusted.
10. **Applicable Law:** Both the ENGINEER and OWNER agree that they will comply with all applicable Federal, State, and Local laws, ordinances, and codes in the performance of this Agreement. This Agreement shall be governed by and construed in accordance with the laws of the State of South Carolina.
11. **Entire Agreement:**
 - a. If any provision in this Agreement shall be held to be invalid or unenforceable, the remaining portions shall remain in effect. In the event such invalid or unenforceable provision is considered an essential part of this Agreement, the parties shall promptly negotiate a replacement provision.
 - b. The failure of either party to insist upon the strict performance of any terms, conditions, and covenants herein set forth shall not be deemed a waiver of any rights or remedies that such party may have and shall not be deemed a waiver of any subsequent breach or default in the terms, conditions, and covenants herein contained.
 - c. This document contains the entire Agreement between the parties and no statement or representation not contained herein shall be valid.

By authority of the execution and witness below, the parties hereto have made and executed this Agreement this _____ day of _____ 20____

WITNESSES:

American Engineering Consultants, Inc.

_____ 

BY: 
William H. Bingham, Jr., P.E.
President

City of Cayce

BY: _____
Tracy Hegler
City Manager

APPENDIX A

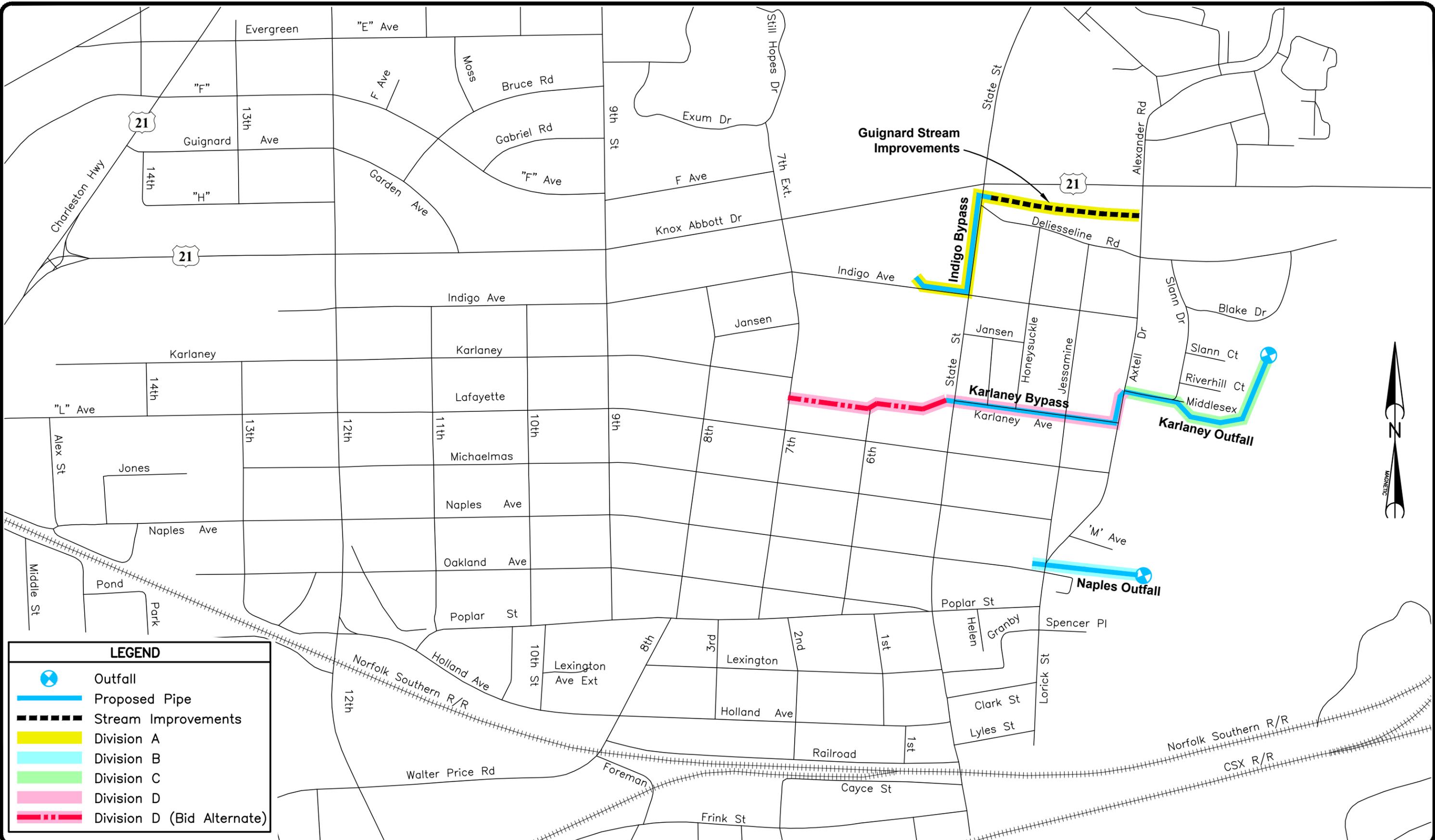
RATE SCHEDULE

2023

PRINCIPAL ENGINEER	\$230.00	PER HOUR
PROJECT MANAGER	\$190.00	PER HOUR
PROJECT ENGINEER	\$165.00	PER HOUR
REGISTERED LAND SURVEYOR	\$155.00	PER HOUR
DESIGN ENGINEER	\$150.00	PER HOUR
SURVEY MANAGER	\$115.00	PER HOUR
DESIGN TECHNICIAN	\$110.00	PER HOUR
SENIOR CAD TECHNICIAN	\$100.00	PER HOUR
CAD TECHNICIAN	\$90.00	PER HOUR
SENIOR FIELD TECHNICIAN	\$100.00	PER HOUR
FIELD TECHNICIAN	\$85.00	PER HOUR
ADMINISTRATOR	\$90.00	PER HOUR
CLERICAL	\$65.00	PER HOUR
SURVEY CREW – 2 MAN	\$200.00	PER HOUR
SURVEY CREW – ROBOTIC – 1 MAN	\$200.00	PER HOUR
SURVEY CREW – 3 MAN	\$285.00	PER HOUR
B/W PRINTS (8 ½ x 11)	\$0.60	PER EACH
B/W PRINTS (8 ½ x 14 or 11 x 17)	\$0.80	PER EACH
B/W PRINTS (24" x 36")	\$2.50	PER EACH
B/W PRINTS (30" x 42")	\$3.50	PER EACH
COLOR PRINTS (8 ½ x 11)	\$0.80	PER EACH
COLOR PRINTS (8 ½ x 14 or 11 x 17)	\$1.25	PER EACH
COLOR PLOTS (24" x 36")	\$20.00	PER EACH
COLOR PLOTS (30" x 42")	\$30.00	PER EACH
MILEAGE	\$0.60	PER MILE
DIRECT EXPENSES	COST PLUS 15 %	

SPECIAL SERVICES: The above Hourly Rates shall be increased by a factor of 1.5 for courtroom appearances (including preparation) and for overtime hours.

CONDITIONS: The above Rate Schedule shall be in effect through December 31, 2023. Rates are subject to change upon notification. Any revision shall be included in Documents of which this schedule is a part.



LEGEND

-  Outfall
-  Proposed Pipe
-  Stream Improvements
-  Division A
-  Division B
-  Division C
-  Division D
-  Division D (Bid Alternate)

AMERICAN ENGINEERING CONSULTANTS, INC.
 1300 12th Street • P.O. Box 2299 • Cayce, SC 29171
 Phone: (803) 791-1400 • Fax: (803) 791-8110
 Internet: www.aec-sc.com • Email: info@aec-sc.com

600 0 600 1,200

 Scale 1" = 600 ft

Exhibit "A" - Revised 8/11/23
City of Cayce
Proposed Drainage Improvements

DATE 06/15/2023
 SCALE AS SHOWN
 DRAWN AFH
 JOB NO. 19-009
 CAD FILE EXHIBITA

DRAWING NO.
 1
 OF 1

Memorandum

To: Mayor and Council

From: Tracy Hegler, City Manager
Rochelle Smith, Business Services Administrator

Date: August 16, 2023

Subject: Community Development Software Program

ISSUE

Council approval is needed to approve the purchase of a Community Development software program that will greatly enhance the efficiency and effectiveness of our Planning and Development Department.

BACKGROUND

Council approved the purchase of a Community Development/Business Licensing/Permitting software in the FY24 budget. The upgraded software will streamline the Planning Department's processes and enhance their abilities to process business licenses, permitting, code enforcement, inspections, and zoning requirements, in an efficient and effective way. The software will work in line with the Finance Department and will supply solutions for every position in Planning and Development Department.

Staff performed an extensive evaluation process, receiving proposals from and/or reviewing, seven (7) different software companies that provide this service. They evaluated these programs on the basis of being able to provide the services needed by the Planning Department for the most effective and efficient program and in a way that is compatible with our existing programs and IT system. In doing so, Central Square Community Development software was the only program that met all our needs at the best value and will include the following:

- Geographical information system mapping
- Planning and zoning
- Permitting and inspections
- Code compliance
- Business and regulatory licensing
- Directory for architects, engineers, & contractors
- Customer relations management
- Online portal for contractors and residents
- Mobiles

Central Square also provides seamless integration with all other City departments, ensuring a cohesive and interconnected system, if desired later.

The total cost for implementation of the Central Square Community Development software is \$104,140 which includes an implementation fee of \$83,240 and an annual subscription fee of \$20,900. The budget for this purchase has been allocated from the ARPA funding, (\$88,000) and within the Planning and Development's FY24 operating budget (\$20,900).

RECOMMENDATION

Staff recommends Council approve the purchase of Central Square Community Development Software in the amount of \$104,140.

**City of Cayce
Committee Appointments/Reappointments
August 16, 2023**

COUNCIL ACTION REQUIRED**BEAUTIFICATION FOUNDATION – ONE (1) POSITION**

Mr. Clift Shealy recently resigned from the Foundation. The City has received a potential member application from Ms. Kelly King. Her application is attached for Council's review.

NO COUNCIL ACTION REQUIRED

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

ACCOMMODATIONS TAX COMMITTEE – TWO (2) POSITIONS

The Accommodations Tax Committee advises Council on the expenditure of local accommodations tax funds for the purpose of promoting tourism, the arts and cultural affairs in the community. Members are selected from the hospitality and lodging industries, as well as from the community at large. The Committee currently has two (2) open positions that must be filled by someone who works at a Cayce restaurant. There are no recommendations at this time.

BEAUTIFICATION FOUNDATION – TWO (2) POSITIONS

The Beautification Foundation is a 501 C (3) that plans, funds and implements projects to enhance the quality of life for the citizens of Cayce. The Foundation currently has two (2) open positions.

PUBLIC SAFETY FOUNDATION – ONE (1) POSITION

The Public Safety Foundation is a 501 C (3) that raises funds to provide equipment and supplies to the Cayce Police and Fire Departments which are not available through other means. There are no recommendations at this time.

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 or by calling City Hall at 803-796-9020.

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



CITY OF CAYCE BEAUTIFICATION FOUNDATION APPOINTMENT APPLICATION

Name: Kelly King

Home Address: Honeysuckle Street,

City, State, Zip Cayce, SC 29033

Telephone 803.

E-Mail Address

Cell Phone: 803

Resident of Cayce: Yes No Number of Years 2

Business Located in Cayce: Yes No Number of Years

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: MillerKnoll

Position: Market Development Executive

Address: 855 East Main Avenue

City, State, Zip: Zeeland, MI 49464

Telephone: 888.443.4357

Fax: N/A

E-Mail kelly_king@millerknoll.com

Work Experience: 27 years in Sales role – textiles and commercial office furnishings

Educational Background: Bachelor of Science, Interior Design, Winthrop University 1990

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

CREW – Commercial Real Estate Women, Board of Directors, Sponsorship

Volunteer Work: Have worked with Habitat for Humanity and various Women’s Shelters in the past

Hobbies: Thrifting for vintage resale, golf, walking/running the Cayce Riverwalk

Return to:
Mendy Corder, Municipal Clerk