



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, 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

RECUSAL STATEMENT

Member Name: Timothy M. James

Meeting Date: July 26, 2023

Agenda Item: **Section: V Number: A/B**

**Topic: Discussion and Approval of Accommodations Tax
Discussion and Approval of Hospitality Tax**


The Ethics Act, SC Code §8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37). A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.

Justification to Recuse:

XX. Professionally employed by or under contract with principal

_____ Owns or has vested interest in principal or property

_____ Other: _____

7-26-2023 

Date Member Signature

Approved by Parliamentarian:
