



Mayor
Elise Partin

Mayor Pro-Tem
James E. Jenkins

Council Members
Phil Carter
Tim James
Hunter Sox

City Manager
Tracy Hegler

Assistant City Manager
James E. Crosland

**City of Cayce
Regular Council Meeting
November 17, 2021**

The November 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, Assistant City Manager Jim Crosland, Municipal Clerk Mendy Corder, Finance Director Kelly McMullen, IT Director Jamie Beckham and City Attorney Danny Crowe were also in attendance.

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

Call to Order

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

B. Nomination and Election of Mayor Pro Tem

Mayor Partin stated that the current Mayor Pro Tem was Skip Jenkins. She asked if there were any nominations for Mayor Pro Tem. Council Member Carter stated that within the last couple of weeks he had contacted all of his colleagues on Council, as well as Mayor Partin, advocating his desire to be Mayor Pro Tem. He stated that he appreciated Mayor Partin's kind words of support. He stated that Mayor Partin told him it was his time and that he had always represented the City well. He stated that after a brief discussion Mayor Partin asked him if he would be alright with moving the election of Mayor Pro Tem from the November 9, 2021, Council Meeting to the November 17, 2021, Council Meeting. He stated that he gladly agreed. He stated that his first phone call was to Mayor Pro Tem Jenkins since he was the longest tenured Council Member and the current Mayor Pro Tem. He stated that Mayor Pro Tem Jenkins offered his support and it was much appreciated. Council Member Carter stated that it was his understanding that Mayor Pro Tem Jenkins had changed his mind since that discussion. He stated that was certainly his right but a courtesy phone call would have been appreciated. He stated that he also received the support of Council Member James and Council Member Sox. He stated that the unanimous support of Council was greatly appreciated. He stated that he asked his wife Debra and his son Brett to attend the Council Meeting so they could experience and share his joy in being elected Mayor Pro Tem. He stated that however he apologized in advance for any embarrassment that the meeting might bring. Council Member Carter stated in his desire to promote harmony and unity on Council he was no longer a candidate for Mayor Pro Tem. He stated that he wanted to make the motion that the current Mayor Pro Tem be appointed Mayor Pro

Tem as required by City Ordinance Section 2-53. Council Member James seconded the motion.

Mayor Partin stated that she had to say for the record that those were not exactly the words she used with Council Member Carter. Council Member Carter stated he did not think it was the time or place for that debate. Mayor Partin stated that Council Meetings were always the time and place for the truth. She stated that she was told that Council Member Carter had gone to all the members of Council for their support and then brought it to her. She stated that she found out afterwards that that was not the full truth. Council Member Carter asked her to please expand on that. Mayor Partin asked to please make sure they kept decorum in the meeting and not interrupt each other. Mayor Partin asked Mayor Pro Tem Jenkins if he would like to expand on it since it was his conversation. Mayor Pro Tem Jenkins stated that he did not recollect the words that Council Member Carter presented to Council that night. He stated that he remembered Council Member Carter mentioning it and then he received a phone call from Council Member James asking him about the Mayor Pro Tem position. He stated that he told Council Member James that he planned to stay Mayor Pro Tem and Council Member James said ok. He stated that Council Member James texted him that day and said that he was in the position that Mayor Pro Tem Jenkins stay in the Mayor Pro Tem position.

Mayor Pro Tem Jenkins stated that he felt that Council had solved the issue of Mayor Pro Tem and Council needed to move on. He stated that they needed to remind themselves what someone said and cannot add words that they think they said. He stated that they had to be careful about doing that. He stated that they were not there to put words in people's mouth. Mayor Partin called the question which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

Mayor Partin stated that the Public Comment section on the agenda provides an opportunity to members of the public to present to Council their thoughts or comments on items on tonight's agenda. She stated that it was not a question/answer period between the speaker and the Council or the speaker and City staff. She stated that public comment should not be derogatory towards a specific individual or individuals. Mayor Partin stated that public comment should be 5 minutes or less per person. She stated that because so many people were signed up to speak for the speakers to please keep their comments concise. She stated that if a speaker before you said what you were going to say to feel free to reference that without repeating it for the sake of time. Mayor Partin thanked everyone for being there and for sharing during public comment. She stated that when a speaker's name was called by the City Clerk that speaker could come to the podium.

Mr. Archie Moore, 517 Holland Avenue, signed up to speak on Item V. A. Mr. Moore stated that in regards to Item V. A. since the Mayor and City Administration chose to go to the news media and discuss the matter on the strength of a staff member's allegations he thought Mr. Hutson deserved to have someone that really knew him speak on his behalf. He stated that Marion Hutson was a Museum Commissioner for many years and was a volunteer at the Cayce Museum for 25 years. He stated that for many years Mr. Hutson was responsible for all the outdoor activities, entertainment, reenactors and exhibits during the Museum's Christmas Traditions celebration. Mr. Moore stated that Mr. Hutson had always been a respected member of the Museum team. He stated that in all the years he had known Mr. Hutson he had never known him to say or do anything improper. He stated that was the Marion Hutson he knew. Mr. Moore stated that he recently learned that while Mr. Hutson was a mail carrier there was a black family on his route who had a death in the family and Mr. Hutson enlisted the help of his fellow mail carriers, friends and church members to help with the expenses. He stated that Mr. Hutson collected enough money to complete the funeral expenses for the family. He stated that was the Marion Hutson he knew. He stated that on the day of Mr. Hutson's resignation from the Museum Commission Mr. Hutson and his wife took a load of shoes to their church to be distributed to those who needed them. Mr. Moore stated that he discovered that Mr. Hutson regularly did that. He stated that instead of handling the matter internally or to at least hear from Mr. Hutson, City Administration was quick to condemn him on the word of a staffer who needed to make some points with her superior at the expense of a long-time acquaintance who regarded her as a friend. Mr. Hutson stated that instead of conferring with the Museum Commission as would have been proper, City Administration chose to discuss the matter in a Council Meeting then hastily called the news media to make the situation public. He stated that the way the matter had been handled was detrimental to the City and the Cayce Museum.

Mr. Archie Moore, 517 Holland Avenue, signed up to speak on Item VI. A. Mr. Moore stated that it was noted that there was only one application entered for consideration for the open position on the Museum Commission. He stated that there was at least one more application on file that should be considered along with the application that had been presented. He stated that it was customary that any Museum Commission application be sent to the Commission for their consideration regardless of where the application originated. He stated that after reviewing the application the Commission would meet with the applicant for an interview, especially in this case where the applicant was not known by the Commissioners. He stated that the last step would be for the application to be forwarded to Council for their approval. He stated that this procedure had not been followed recently. He stated that the City Administration had not included the Museum leadership in selecting new Commissioners nor in the hiring of Museum staff as was customary. He stated that it was a concerted attempt by the City Administration to exclude the Museum leadership from these important aspects of the Museum operation. He stated that the latest attempt to fast track the appointment seemed odd in light of the fact that Council allowed the commissioners to operate for

four (4) months last year with only four (4) Commissioners. He stated his apologies to the Council Members who were not responsible for the ridiculous, outrageous and despicable treatment to the Commissioners who had worked tirelessly for many years to make the Museum a first class facility. He stated that he hoped that his comments might be helpful in the leadership as they deliberated some of these items.

Ms. Ann Bailey-Robinson, 2024 Memorial Drive, signed up to speak on Item V. A. Ms. Bailey-Robinson stated that she was so disappointed in how things were going in the City since the election. She stated that she could not describe how disappointing it was. She stated that the apology itself didn't really do anything except to make things worse for her personally. She stated that if things like that were said to someone he might have expected that person to not say anything. She asked how many times had this happened already. She stated that was what she was concerned about. She asked Council what they were willing to tolerate for the City. She stated that new Police Chief Cowan had went out to the Hispanic community and said that he was personally there to represent everyone in Cayce. She asked what Council was going to do about what had happened. Ms. Bailey-Robinson stated that they had to stand on their word. She stated that if they were going to represent everyone then represent everyone. She stated that in her heart she knew that if the shoe was on the other foot and that had been a person of color it would not have made it to Council that evening. It would have been taken care of that day. She stated from personal experience and what she had dealt with in her own past as a black female things would have been totally different. She stated that yes, she was disappointed but wanted to thank Council for the time they had been putting in but she especially appreciated the public coming forward to check on things. She stated that they needed to be there and present every time there was a Council Meeting, not just for this type of meeting. Ms. Bailey-Robinson stated they needed to change things in Cayce, really change things.

Mr. Mike Wuest, 1501 Abbott Road, signed up to speak on Item IV. D. Mr. Wuest stated that six (6) months ago was the first meeting of the Planning Commission regarding the lot on Dunbar Road. He stated that six (6) months ago in the virtual meeting Great Southern Homes put their diagram on the screen for everyone to see their plan to put 34 split-level townhomes on an 11 acre lot. He stated that within the past six (6) months many people in the surrounding neighborhood had spoken against that plan. He stated that they did not think it was a good fit for the neighborhood and would like to see any RS designations to eliminate the possibility of high-rises.

Ms. Kelly Wuest, 1501 Abbott Road, signed up to speak on Item IV. D. Ms. Wuest stated that the text and map amendments on that night's agenda were definitely a step in the right direction to ensure that the City allows for appropriate growth and use of land. She stated that she and her neighbors knew the amount of work and effort City staff had put into this issue. She stated that many of them agreed that they want to attract new families to stay and invest in their community and housing was certainly a part of that discussion. She stated that however they did not agree with putting as

many houses as possible on the Dunbar Road lot. Ms. Wuest stated that the concern was not so much the concern of townhomes but it was density and keeping the appeal of the neighborhood rather than diminishing it. She stated that many of the neighbors would prefer to see single family homes to fit with those already in the neighborhood. She stated others saw the potential benefit of smaller patio homes because they knew that was a need according to the City's Housing Study. She stated that all the neighbors would love to see some sort of green space also remain. Ms. Wuest stated that she wanted to ask Council to deny the requested RG-2 zoning and to consider not the RS-4 but instead the RS-3 zoning designation which would slightly reduce the density of any potential development while still allowing for potentially more diverse housing options. She stated that as the updated Comprehensive Plan stated they wanted to preserve neighborhood vitality and meet the future housing demand. She stated that it also mentioned utilizing zoning efforts that reflects growth and development trends and the desires of the community. Ms. Wuest stated that one of her neighbors stated that they had plenty of room for this to be done right. She stated that they needed nice construction that would stand the test of time and the collaboration to make it happen.

Mr. Josh Rabon, 3740 A Fernadina Road, signed up to speak on Item IV. D. He stated that he was representing Great Southern Homes as a local engineer in the community. He stated that it had been an ongoing process and they had been working with the School District who owns the property, working with the Planning Commission and City staff and had been before Council several times. He stated that they had listened and heard the concerns of the community. He stated that the original plan did show 34 buildings for a total of 72 units but the plan had been revised down to 56 total units so there was a significant reduction in the proposed density. He stated that they had to balance meeting the Ordinance requirements as well as making the project economically feasible. He stated that if it was not economically feasible then the project would not happen. He stated that no builder would develop the property if it was not economically feasible. He stated that the only thing that they were asking at that point was to modify the RG-2 zoning and they were requesting that it be revised to RS-4 meeting the new Ordinance and the site plan would have 56 units. He stated that there would be some open green space. He stated that he thought Great Southern Homes was doing a fantastic job listening to the community and staff, trying to give Cayce what they want, trying to meet the infill requirements of the Housing Study as well as making it an economically feasible project.

Ms. Nancy Drew, 921 M Avenue, signed up to speak on Item IV. D. Ms. Drew stated that the current housing demand in Cayce was for single family homes similar to the homes on the Avenues. She stated that the Quail Ridge neighborhood on Highway 378 was a development that would be ideal for the vacant property on Dunbar Road. She stated that more senior housing was needed and housing for young families with children. She stated that she had been in her home on the Avenues for over 50 years and it was a blessing to live in Cayce.

Ms. Nancy Drew, 921 M Avenue, signed up to speak on Item V. A. She stated that she hated racism but more she hated injustice. She stated that racism was included in injustice and was an injustice. She stated that the City of Cayce was charged with the use of best practices. She stated that best practices state that when a person was accused they must be advised of the accusation and the accusation must be proven by an investigation and interviewing the person charged. She stated that Mr. Hutson was not treated fairly according to due process. Ms. Drew stated that people on social media stated that Mr. Hutson was guilty because he did not have a comment when a reporter asked him about what was said. She stated that because he did not deny it or defend himself people said he was guilty. She stated that the 5th Amendment gave him the right to silence and that silence defends one against injustice. She stated that Mr. Hutson did not do anything wrong by saying he did not want to talk about it. She stated that the 14th Amendment gave Mr. Hutson the right to expect to be treated fairly by his government which was Cayce. Ms. Drew stated that best practices state that information should be given out on a need to know basis to protect all concerned. She stated that the accuser was left anonymous but Mr. Hutson's name was spread all over South Carolina as a racist when there had been no due process to determine if the accusation was true. She stated that they still did not know if what Mr. Hutson was accused of was true. She stated that this was not a reflection on the accuser but because it was not corroborated and due process was not followed. Ms. Drew stated that after Mayor Pro Tem Jenkins' very heartfelt motion Council Member James, Carter and Sox spoke and said they did not agree with those kind of remarks.

Ms. Jessica Johnston, 938 M Avenue, signed up to speak on Item V. A. Ms. Johnston's typed comments are attached.

Mr. Michael Mahoney, 2101 Wilkinson Street, signed up to speak on Items IV. A, B and D. He stated that most people did not want to see townhomes built on the Dunbar Road property. He stated that it was a knee jerk reaction after seeing what was built on Dreher Road. He stated that he did believe that the three (3) items that were on the agenda for Council to vote on go a long way towards RS 1-3 zoning and guiding infill development.

Ms. Mary Carlson, 1104 Oakland Avenue, signed up to speak on Item V. A. Ms. Carlson stated that she wrote to Council and everyone contacted her back. She stated that she had a little bit of concern about Council Member Sox's response. She stated that Council Member Sox mentioned Executive Order a couple of times in his response to her and she was concerned about how Robert's Rules of Order were followed.

Presentations

- A. Presentation by Mr. Carlos Anrrich and Mr. Mo Garcia regarding the growing sport of Pickleball

Mr. Carlos Anrrich stated that he was an Ambassador for USA Pickleball. He stated that pickleball was the fastest growing sport in the United States and even the world. He stated that he wanted to introduce Mr. Edwin Gerace who was the Ambassador for Lexington County. Mr. Gerace stated that the sport had grown so much that it was hard to find courts to play on and he had been working tirelessly to try and bring pickleball to Cayce. He stated that Cayce was a perfect location with its proximity to the interstates and its demographics. Mr. Mo Garcia stated that he was the District Ambassador. He stated that pickleball was a cross between tennis, badminton and ping pong. He stated that their plan was to organize themselves to have pickleball introduced as an Olympic sport by 2032. He stated that they were making great strides introducing pickleball into schools. He stated that pickleball was now being played by younger people. He stated that the highest demographic of players was between people aged 17 through 34 years old. He stated that pickleball had shown to be a great investment in existing derelict parks and recs and including new construction. He stated that it had gotten people off the couch and out of their homes and exercising. Mr. Garcia stated that he recently saw three (3) generations playing pickleball together at a park. He stated that if a tennis court is converted to pickleball courts then the number of people playing increases since the courts are smaller. He stated that there are numerous health benefits to playing pickleball. He stated that there were funds and grants available to fund pickleball.

**B. Presentation by Ms. Miriam Atria with Capital City Lake Murray Country
Regarding Annual Report on Regional Tourism**

Ms. Atria's typed comments are attached.

Ordinances and Resolutions

A. Discussion and Approval of Ordinance 2021-20 Amending Section 6.5 Table I, Section 6.7 Table 3 of the Zoning Ordinance to Revise Requirements for the RS-4 Zoning District and Amending Section 7.1 of the Zoning Ordinance to Revise Requirements for Townhouses – Second Reading

Ms. Hegler stated that this item was deferred at the October 5, 2021 Council Meeting partly at the request of the applicant for the rezoning of Dunbar Road. She stated that the amendment would create within an existing zoning district the ability to provide additional housing types. She stated that none of the design standards or requirements for those housing types had changed. She stated that the Planning Commission did recommend approval and Council did approve it on First Reading. Ms. Hegler stated that there had not been any changes made to the amendment since First Reading.

Mayor Pro Tem Jenkins made a motion to approve Ordinance 2021-20 on Second Reading. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

B. Discussion and Approval of Ordinance 2021-21 Amending the Land Use Plan (2019) Map of the City of Cayce Comprehensive Plan: 2010-2020 for the Area Bounded by Wilkinson Street, Dunbar Road and Frink Street – Second Reading

Ms. Hegler stated that this item was related to the proposed amendment to the Zoning Ordinance. She stated that if Council chose to allow the new zoning designation to be used at the Dunbar Road property the Comprehensive Plan would have to be updated particularly the Land Use Map to allow that zoning type. She stated that it was in conformance with the City's Housing Study and the changes that have occurred in development in the last ten years. Ms. Hegler stated that the Planning Commission did recommend approval and Council did approve it on First Reading. She stated that there had not been any changes made to the amendment since First Reading.

Mayor Pro Tem Jenkins made a motion to approve Ordinance 2021-21 on Second Reading. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

C. Discussion and Approval of Ordinance 2021-24 to Restructure the Department of Public Safety into Separate Police and Fire Departments and to Amend Related Provisions of the City Code – Second Reading

Council Member James made a motion to approve Ordinance 2021-24 on Second Reading. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

D. Discussion and Approval of Ordinance 2021-18 Amending Zoning Map and Rezoning Property Located at 1407 Dunbar Road (TMS#005766-03-006) from C-1 (Office and Institutional) to RG-2 (General Residential, High Rise) – First Reading

Mayor Pro Tem Jenkins made a motion to amend Ordinance 2021-18 to rezone property located at 1407 Dunbar Road to RS-4 (Single Family) based on the amendments Council approved in the District a month ago. He stated that RS-4 would replace the applicant's request for rezoning from RG-2 if the applicant wishes to agree with it. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Mayor Pro Tem Jenkins made a motion to approve the motion as amended. Council Member Carter seconded the motion. Mayor Partin stated that she was in

support of the amendment. She stated that it sounded like it was more in line with what the residents were saying but she wanted to make sure that the residents get to see what is being developed. She stated that she would like to hear more about the plans before the Second Reading. Council Member James stated that he thought they were headed in the right direction and it sounded like a great balance. Mayor Partin called the question which was unanimously approved by roll call vote.

Items for Discussion and Possible Approval

A. Discussion and Approval of Investigation of Comments Made by a Commission Member

Mayor Partin stated that after the November 9, 2021 Council Meeting the prior week three (3) Council Members each emailed her asking for an investigation to be put on the next Council Meeting agenda. She stated that she would turn it over to whichever one of the three wanted the floor first. Council Member James made a motion to hold a discussion regarding the investigation. Council Member Sox seconded the motion.

Council Member James thanked Mayor Partin and Council for allowing this item to be placed on the agenda. He stated that it was certainly not his desire to relive the past week but he wanted to again stress that the issue and the comments that were reported were absolutely intolerable and nothing the City or its citizens would ever condone thus his reasoning for immediately requesting a review and to allow due process to take its course. He stated that Council was armed with great powers of which they should use very cautiously. Council Member James stated that those powers did include the ability to remove committee and commission members and to remove them without reason. He stated that however this case did have a reason and with a reason being identified an appropriate review and qualifications should follow. He stated that he believed that in turn demonstrated Council's transparency that they are proud of and also demonstrates the care of the powers that they possess. He stated that also their decision would be reviewed as fair and impartial. He stated that Council was comprised of various professional backgrounds and his was criminal justice where he often witnessed first-hand what the absence of due process could do. He stated that he took the Oath of Office just minutes before that vote and the Oath of Office holds him to uphold the Constitution. He stated that the constitution of due process is why he voted the way he did. He stated that while Council had differing backgrounds that led them to different opinions about how they proceeded the prior week he knew the heart of Council and the heart of Council is united that the end goal is to not tolerate certain things. Council Member James stated that how they all got there was different. He stated that in light of Marion Hutson's resignation, barring no other issues regarding this matter, and most importantly, in hopes that this wonderful City could begin the process of healing, and taking time to reflect upon the great values that

they do have and find an opportunity to even learn from this he made a motion that there was no longer a need for a review or an investigation in absentia.

Council Member Carter stated that it had been a difficult week. He stated that it had been difficult for him personally, difficult for Council and mostly for the City and its wonderful citizens. He stated that it had been at times tough to hear and tough to read. He stated that his no vote was not a vote of support for the hideous, despicable remarks or support for the Commissioner who made them. He stated that it was a no vote in support of due process. He stated that his no vote was not a vote for racism but a vote for due process. He stated that Council was handed an unvetted, unsigned statement from a valued employee. He stated that the statement explained what happened that day. He stated that he felt that their job as elected officials was to make reasonable, rational, thoughtful, informed decisions. Council Member Carter stated that he could not and would not ever make a decision of that magnitude on an unsigned statement 15 minutes after he first saw it. He stated that he was not questioning the credibility of the employee and it was not a question of whether he believed the employee. He stated that he did believe the employee but it was simply about due process. He stated that Council must have objective judgement. He stated that they disagreed on a very divisive issue but he hoped and prayed that the issue ended that night. He stated that Mr. Hutson had resigned and was certainly not coming back. He stated that a debate such as this, however contentious and uncomfortable it may be, should happen in Council Chambers and not on Facebook. He stated that while Council was going through a difficult time they were not broken. He stated that if they were broken he could have possibly insisted on being Mayor Pro Tem. He stated that he certainly had the votes but he wanted harmony. Council Member Carter stated that he had an email exchange with a constituent who in her first email she expressed her disappointment and outrage in his decision. He stated that he emailed her back and explained his decision and his perspective. He stated that she emailed him back and stated that she respectfully disagreed with his decision. He stated how profound, respectful disagreement. He stated that he thought Council could move forward and felt really good about the healing process that had begun that night for Council. He stated that he needed to be a professional, responsible elected official and not sit there and quibble about who said what on the telephone. He stated that it was Council's job to lead and govern and he believed that what was what they were elected to do.

Mayor Partin stated that just so everyone understood, a Council Member does not have the authority to verbally direct staff to undertake something like an investigation. She stated that at the time, she did not feel she needed an investigation to make a good decision, as she trusted unequivocally the 24 year veteran staff member that relayed this information. She stated that she also relied on the advice all of Council received from the City Attorney and understanding the City Ordinance that allows Council to remove an appointed volunteer for any or no reason. She stated that three (3) Council Members asked for the investigation and she agreed but probably for different reasons than they originally did. Mayor Partin stated that because of how the

vote was handled the prior week and then because the three (3) Council Members went to the media the employee's name was impugned. She stated that they looked the employee in the eyes and told her they believed her but then used words like 'were there witnesses who heard what was said' and in emails later about the appointed volunteers 'alleged words'. She stated that she would like to read a statement that all of Council received after a resident saw what was out in the media. Mayor Partin stated that all of Council received the email as well as the two (2) other candidates who ran in this District's race and some of City staff received it.

Mayor Partin read "To whom it may concern: I am writing in response to information I received about a Cayce employee coming under fire from certain city council members after reporting a conversation with an appointed volunteer, a member of the Cayce Historical Commission. I also saw a report in THE STATE today about the vote taken by city council concerning Hutson's service on the commission. In September, the appointed volunteer came to my home to seek my support for Hunter Sox's candidacy for city council, inviting me to a reception for him at Murray's Restaurant. During our conversation, the appointed volunteer used the term "colored people" several times in speaking to me about the "need for change" in Cayce city government. Although our conversation was mostly about the city council race, he seemed to include both the historical commission and city government in his criticism and in his comments about there being "too many colored people" in positions of responsibility. While not calling anyone by name, I also remember him making a derisive comment about someone having a "picture of Obama" hanging in their home. I have known this appointed volunteer since childhood. He and my father worked together with the US Postal Service many years ago. We attended the same church at one time, so I was extremely disappointed with what he had to say. I commented to my wife after he left our home that his entire approach to the city council race was racially based and biased. I was left with the thought that if this is the type of change he is hoping Hunter Sox brings to the city, I'm certainly not in favor of Mr. Sox serving as my city councilman. I hope Mr. Sox proves to have a different viewpoint and agenda than the one expressed to me by the appointed volunteer. My understanding is that city council has the authority to appoint and dismiss members of boards and commissions for any - or for no - reason. While I have no opinion about who serves on the museum commission, if the votes by Mr. Carter, Mr. James, and Mr. Sox to retain Mr. Hutson on the museum commission were simply to appease a 'good 'ole boy' network in the city in hopes of receiving their support in future elections, I find that shameful. We expect - but often do not get - better from our elected representatives. My primary concern in writing, however, is to say that if the City employee is under any pressure from these same - or other - city officials because she was willing to speak up about the racist and disappointing words and attitudes of Mr. Hutson, that is even more shameful and uncalled for."

Mayor Partin stated that because of the statement all of Council received they now need to know if there are other instances or others involved. She stated that she

was concerned that there were other instances they should know about that have disturbed City staff or citizens that need to be addressed. She stated that Council needed to know how far this goes. She stated that those comments from another resident corroborating what the City staff member shared were about their city government having too many African Americans in positions of power. She asked is that a comment about the City's Mayor Pro Tem and the City's former Council Member Ann Bailey-Robinson? She stated that they were the two (2) in power at the time. Mayor Partin stated that it was Council's responsibility to make sure that the Museum represents them well and to ensure that no one in their City was made to feel the same way their staff member did and that resident did. She stated that while she was glad the appointed volunteer in question did the right thing and resigned, she stated that he did so without denying he made those horrible statements or apologizing for them. Mayor Partin stated that she would not feel good about closing this chapter without ensuring that there was not a cultural issue Council should address – below the surface or above. Mayor Partin asked for a motion to take on this investigation. Council Member James approved the motion. Council Member Sox seconded it. Mayor Partin asked City Attorney Danny Crowe if he could walk Council through the next steps. She stated that it did not seem to be a good idea for staff to be in the position to handle the investigation.

Mr. Crowe stated that since a staff member was involved in the initial bringing forward of the information and that staff member's supervisor is the City Manager and she is the supervisor of all City employees. Mr. Crowe stated that he was not an employee of the City but an appointed Officer so if Council wished he could undertake the investigation. Council Member James stated he would support that. Mr. Crowe asked for Council guidance on what they would like the investigation to do or what precisely they would like him to investigate. Mayor Partin stated that she was not sure where to start. She stated that they had two (2) statements from two (2) different people. She stated that she would like to see if there were other people who were aware of these comments and she would like to see if there were other concerns.

Mayor Partin stated that she absolutely agreed with what was said about the City healing and moving forward but stated that they could not do that until they knew exactly what had been going on. Mayor Partin asked Mr. Crowe if he wanted to bring back a proposal to Council at his earliest convenience with some suggestion on how to move forward with the investigation. Mr. Crowe stated he would do that. Mayor Partin called the question which was unanimously approved by roll call vote.

B. Discussion and Approval of the FY 2021-22 Coronavirus State and Local Fiscal Recovery Fund Premium Pay Allocation

Ms. Hegler stated that on March 11, 2021, the US Congress approved the \$1.9 trillion funding under the Coronavirus State and Local Fiscal Recovery Funds (SLRF) section of the American Rescue Plan Act (ARPA) 2021. She stated that SLRF funds could be used

to fund the following: respond to public health and economic impacts with respect to COVID-19, premium pay to eligible workers performing essential work during COVID-19, General Fund revenue loss experienced due to COVID-19 and investments in infrastructure. The City received its first tranche of American Rescue Plan (ARPA) funding on October 22, 2021, in the amount of \$3,487,148.02. Ms. Hegler stated that the City was seeking approval to allocate funding under the provision for premium pay to eligible workers. She stated that allocation of the remainder of the tranche would be brought to Council for discussion in the new year, but staff wanted to ask Council to consider premium pay as soon as possible in order to provide staff this bonus before the Christmas holidays.

Ms. Hegler stated that the City recognized the extraordinary efforts of its employees that provide essential services to its citizens, as well as the sacrifices they made during the pandemic to ensure continuity of operations. She stated that City management had reviewed all positions within the City and determined that all positions were essential as defined by the SLRF. SLRF guidelines give the City complete discretion regarding the determination of the premium pay categories. Employees have been placed in one of three premium pay categories based on the direct risk and exposure to COVID-19.

Ms. Hegler stated that eligible employees who worked from March 18, 2020, (the date City of Cayce issued a declaration of emergency due to COVID-19) to June 30, 2021, would be eligible to receive premium pay, used from the first tranche of SLRF funds. She stated that employees hired starting July 1, 2021, or after, would not be eligible for this allocation of premium pay. She stated that eligible employees must be employed by the City of Cayce on the day the disbursements are made to be eligible to receive this premium pay. Ms. Hegler stated that if approved, Finance had set a target date of December 10, 2021, to disburse premium pay. The total amount requested from the first tranche of the SLRF for the purposes of providing premium pay to all essential, eligible employees is \$633,500.

Mayor Pro Tem Jenkins made a motion to approve the FY 2021-2022 Coronavirus State and Local Fiscal Recovery Fund Premium Pay Allocation. Council Member James seconded the motion. He thanked Ms. Hegler for putting together a great plan for disbursement. He stated that each City staff member was vital during COVID and worked through the pandemic. Ms. Hegler thanked Ms. McMullen for putting together the disbursement plan. Mayor Partin thanked staff as well and thanked the assembly for wearing masks in Council Chambers. She stated that wearing masks was one of the many ways the City worked to keep its staff safe so they could continue to provide all services. Mayor Partin called the question which was unanimously approved by roll call vote.

Committee Matters

A. Appointments

Beautification Foundation – One (1) Position

Museum Commission – One (1) Position

Mayor Partin stated that the Beautification Foundation had one (1) open position and the City had received a potential member application from Ms. Kelly Wuest. She stated that the Museum Commission had one (1) open position and the City had received a potential member application from Ms. Marcy Link Hayden. Mayor Pro Tem Jenkins made a motion to approve the potential member applications as presented. Council Member Sox stated that he wanted to make a secondary motion to put the appointments up for discussion. Mayor Partin stated that there was a motion and it did not have a second yet. She asked if there was a second to approve both motions. Council Member James stated that he would second the motion for discussion. Council Member Sox stated that he wanted to make a motion to postpone the appointments until the first Council Meeting in January to give Council more time to review and better understand the committee and commission concepts and to ask questions about how moving forward the committees and commission will work with the appointment and removal process. Council Member Sox stated that this was specifically spoken on by a Commission Chairman and constituent with questions around how the committees and commissions were operating. He stated that he did not feel comfortable adding anyone until as a Council they all fully understood the processes. He stated that they just created a new one, an investigation. He stated that he wanted to make a motion to postpone this item until the first Council Meeting in January. Council Member Carter seconded the motion. Mayor Partin asked if there was any discussion on the motion to postpone the appointments until January. Council Member James asked Council Member Sox if his motion was about the process, not the applicants. Council Member Sox stated that was correct. He stated that both applicants had great qualifications and his motion had nothing to do with them or their qualifications. He stated that it was about the process of the commissions and committees specifically around everything that Council had discussed in the past week.

Council Member James asked if the positions were needed immediately. Mayor Partin stated that Council had just heard from the Museum Chairperson who was mad at Council for leaving vacant seats open. She stated that the applicant for the Museum Commission was a member of the Pee Dee Indian Tribe which would help further help to diversify the members of the Museum Commission. Mayor Partin told Council Member Sox that this was how Council typically handled appointments. She stated that when the Beautification Foundation and the Museum Commission had an open position Council made the appointments. She asked the City Attorney to help Council through the process of what was and was not required for appointments.

Mr. Crowe stated that in regards to the Beautification Foundation and the Museum Commission Council appoints so Council could determine its own procedure for appointment and the extent to which recommendations were sought from the Committee or Foundation itself or no recommendation. He stated that Council had discretion in how they chose to appoint members and as discussed previously Council had discretion in removal of members except in the case of the Planning Commission

and the Board of Zoning Appeals where cause was required. Mr. Crowe stated that otherwise there was a no cause or at-will service on the commissions and committees.

Council Member Sox asked if it was common practice to send Museum Commission potential member applications to the Chairperson for his comment and recommendation. He stated that it sounded like it was based on what Mr. Moore stated earlier in his comments that the Commission had always made recommendations to Council and liked to meet with the applicant before it was brought to a vote. Council Member Sox stated that Mr. Moore also mentioned that there was possibly someone else in the applicant pool. Mr. Crowe stated that had been done in the past but Council could set its own procedure and was not bound by what might have been done in the past. Mayor Partin stated that it had not been done that way in a while. Mr. Crowe stated that in the case of the Museum Commission it was a City created entity and under City Code Council could appoint and remove members.

Council Member Sox stated that what was being said was that there was not a process in place though Council had the power to create a process for the applicants to decide on them but there was not one in place that was written. Mr. Crowe stated that there was a procedure that Council followed. He stated that applications were gathered together and then submitted to Council. He stated that some committees did make recommendations or interview proposed members but stated that was not a requirement of the City Code. Mayor Partin stated that Council stopped doing that. She asked Council Member Carter to help her remember when they stopped doing that since that was part of some items he had asked for. She stated to Council Member Sox that this was the procedure. She stated that it was Council's responsibility and right to appoint people to commissions.

Council Member Sox asked if what Council was saying was that they did not think they should let a Chairman of a commission or board vet someone before Council had to vote on them and then have to reap their actions like what had happened over the past week. Mayor Partin asked Council Member Sox what kind of vetting would he like. Mayor Pro Tem Jenkins stated that what happened that last week was another situation that was being investigated. He stated that they were discussing appointing people to a committee.

Mr. Crowe stated that there was not a requirement that the committee or commission determine who the appointees might be. Council Member Sox stated that it sounded very vague to him. He asked if there was a timeframe for the amount of time the applications are supposed to remain open to build an applicant pool. He asked did not they want the best on the City's committees and commissions. Mayor Partin asked if he was suggesting that the potential applicants were not the best. Council Member Sox stated that by no means was he stating that. Mr. Crowe stated that there was not any specification in the City Code on how long Council had to consider applicants.

Mayor Pro Tem Jenkins stated that Council was at a crossroads where they were discussing not appointing someone to a committee for two (2) months. He stated that they had not had that issue before. He stated that Council Member Sox stated that what brought the issue about was what Council went through during the past week. He stated that Council had said they wanted to mend and move forward. He stated that by not appointing the applicants for two (2) months they were not moving forward. He stated the motion he made was to appoint the two (2) applicants as presented and he hoped his fellow Council Members would agree to that.

Mayor Partin stated that it would concern her to postpone and possibly never appoint either applicant because of what it might look like. She stated that one (1) applicant was a candidate for Council and one (1) was Native American. She stated that she was not sure what message they were sending since this was pretty standard processes of Council and something they had been doing for a decade. Council Member Sox stated that what he heard that night sounded different and that was why he questioned it. He stated if it would make it any better what if he motioned for the next Council Meeting instead of the first Council Meeting in January. Mayor Partin stated that it would not make it any better for her. She asked if there was any further discussion, there was not. She stated that she was going to call the question which was postponing two (2) members, Ms. Kelly Wuest to the Beautification Foundation and Ms. Marcy Hayden to the Museum Commission until the first meeting in January. Council Members Carter, James and Sox voted yes. Mayor Pro Tem Jenkins and Mayor Partin voted no.

B. Appointment of Council Members to Boards and Foundations

Council Member Carter stated that he had the pleasure to serve on one of the Foundations the entire time he had been on Council. He made a motion to appoint Council Member James to the Public Safety Foundation and Council Member Sox to the Beautification Foundation. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that Chief Cowan and Captain Merrill recently competed against students at the Innovation Center in a mystery box cooking competition. She stated that the students won the competition but fun was had by all. She stated that long time City employee Mr. Ricky Roof recently retired and earlier that day there was a celebration lunch to wish him well. She stated that staff was extremely busy gearing up for the City's Christmas activities and the Drive Through event was December 2. She stated that plans and permits had been completed for the SOG expansion and work would start soon. She stated that graphics and equipment was being completed for the City's new Ladder Truck and it would be in the Parade of Lights. Ms. Hegler stated that she had an email written by a staff member complimenting two (2) staff members for

going above and beyond. She stated that Ms. Corder wrote "Good morning! Your staff is always wonderful to work with but Friday night at the City's Appreciation Dinner Virgil and Tony really went above and beyond. They were kind enough to help Amanda and I set up for the dinner by assisting with putting tablecloths on the tables, putting balloons on the stop signs so people would know where to enter, etc. But when the caterer came and it was time to for people to make their plates it became obvious that we were going to have to jump in and help the caterer. Virgil helped serve the food and Tony filled cups with ice for over an hour. There is no way that we could have had a successful event without their much needed help. Please let them know how much their assistance is appreciated and how much they are appreciated. Thank you!"

Council Comments

Council Member Sox asked when the 2022 Council Meeting dates would be announced. Ms. Corder stated that they were presented to Council at the first meeting in December. Council Member James stated that last year's Christmas Drive Through event was a wonderful way to celebrate the holidays even during COVID.

Mayor Partin stated that a citizen brought up an email she received from Council Member Sox where he discussed Executive Session. She stated that she would like to get to the bottom of that because it was illegal. She stated that for over a decade, City residents had a Council they could be proud of. She stated that even Council Member James told Council Member Sox that Council was professional and that he would not read about Council in the paper except for good reasons. Mayor Partin stated that sadly it did not take 48 hours after that conversation for Council Members to forget their duty to lead the City professionally and with all citizens in mind – that they started doing rogue interviews – the likes of which had not happened since the City hired its first Public Information Officer a decade and a half ago. She stated that she did not do any interviews on Wednesday or Thursday. She stated that the information that the Chairperson of the Museum Commission accused her and staff of putting out did not come from them. She stated that she emailed Council to let them know that she was letting the candidates in the City of Columbia know about the comments because they had a right to know as colleagues. She stated that she would want to know if the position was reversed. She stated that she had no idea how that information got to the media but it was not her and it was not staff. Mayor Partin stated that she received all the same media calls the rest of Council did but she was not willing to further divide Council by playing the issue out in the media. She stated that she even sent an email to all of Council to ask how they could move forward together because they still had a city to lead and a trust from their citizenry to care about. She stated that she asked if Council wanted a facilitator to come in or if they wanted to sit down face to face. Mayor Partin stated that Council Member James was the only one to respond, but unfortunately he responded while he was in the middle of media interviews. She stated that she was forced to go on record to ensure the City's citizenry knew the facts, not the spin or the rewrite, but the facts. She asked where do we go from here. She asked

how Council could begin to rebuild trust when a majority of Council gaslighted an employee who stood up and properly and professionally handled an inexcusable situation. Mayor Partin asked how Council could begin to rebuild trust with the staff that saw their colleague do the right thing and not get backed up. She asked how Council could begin to rebuild trust with their citizenry who thought they had a city leadership that would represent all of them? Mayor Partin stated that Council must work together. She stated that was what their citizens expected and deserved. She stated it was how Council led the great city of Cayce together for over a decade. She stated one could ask former Council Members Ann Bailey- Robinson or Eva Corley or Tara Almond. She stated that their community was cohesive but the words spoken by an appointed volunteer and then the inaction of a majority of Council to address it and then furthered by not appointing two citizens who wanted to serve the City made their citizens question that. She stated that they could find their way forward and encouraged the assembly to help be a part of that process. Mayor Partin stated that they had a lot of healing to do.

Executive Session

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

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

Reconvene

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

There were no actions in follow up to Executive Session.

Adjourn

Mayor Pro Tem Jenkins made a motion to adjourn the meeting. Council Member Carter seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 7:33 p.m.

ATTEST:

Mendy Corder, CMC, Municipal Clerk

IF YOU WOULD LIKE TO SPEAK ON A MATTER APPEARING ON THE MEETING AGENDA, PLEASE COMPLETE THE INFORMATION BELOW PRIOR TO THE START OF THE MEETING.* **THANK YOU.**

COUNCIL MEETING SPEAKERS' LIST

Date of Meeting November 17, 2021

Name	Address	Agenda Item
Danny Cray		
ARCHIE MOORE		V, A, & VI, A,
Ann Bailey Robinson		V, A
Mike West	1501 Abbott Rd	IV-D
Kelly West	"	IV-D
SOSH RASON	3740A Fenadian Rd.	IV-D
Nancy Drew	921 m ave	IV-D ; V-A
Jessica Johnston	938 W Ave	V-A
MICHAEL MARLEY	2101 WILKINS ST	4 A, B, D
Alfredo B. C. Martin	902 Massachusetts Dr.	
Denise Brown	2340 Lee St.	
Mr. Jeffrey A. Hunt	1126 Coarden Street	
James Stewart	1717 State St	
Margaret Seabrook	2305 Cypress St	
Mary Carlson	1104 Oakland Ave	V. A.

***Appearance of citizens at Council meetings - City of Cayce Code of Ordinances, Sec. 2-71.** Any citizen of the municipality may speak at a regular meeting of the council on a matter pertaining to municipal services and operation, with the exception of personnel matters, by notifying the office of the city manager at least five working days prior to the meeting and stating the subject and purpose for speaking. Additionally, during the **public comment period** as specified on the agenda of a regular meeting of the council, a member of the public may speak on a matter appearing on the meeting agenda, with the exception of personnel matters by signing a speakers list maintained by the city clerk prior to the start of the public comment period. The number of speakers at a council meeting may be limited in the discretion of the mayor or presiding officer, the length of time for any speaker's presentation is limited to a maximum of five minutes, and a presentation may be curtailed if determined to be uncivil, contentious, or disruptive in the discretion of the mayor or presiding officer or by majority of vote of council.

To Cayce City Council

From: Jessica Johnston, 11/17/2021

Re: Investigation of Marion Hutson

I'd like to speak to the process about this situation. I am not a racist nor do I condone racism. If you knew me and my personal relationship you would understand. I believe that our goal should be reconciliation.

First of all, I would like to say thank you to Mr. Carter, Mr. James and Mr. Sox for having the courage to ask or suggest an investigation which is due process. How this case with Mr. Hutson was handled is grievous to me and is a warning to our city. It is frightening that city officials, whether having the right to do so or not, do not give an individual the benefit of due process by going to him and allowing him to speak regarding the accusations.

If something like this happened to you, would you not want the ability to answer your accuser? Even if it were to admit you were wrong?

I am a Christian and I go to the Word of God for my guidance. We are a nation founded on Christian principles. Since we opened with prayer, I'd like to be able to share this scripture.

Deuteronomy 19: 15, 16, 17 paraphrased. You can read all of it for yourself.

Vs 15. A lone witness is not sufficient to establish any wrongdoing or sin against a man, regardless of what offense he may have committed. A matter must be established by the testimony of two or three witnesses.... Vs. 17 both parties to the dispute must stand in the presence of the Lord, before the priests and judges who are in office at that time. Vs. 18 The judges shall investigate thoroughly...

So, in this case IF there weren't other witnesses you represent God's authority in the earth in this city and you should have investigated thoroughly.

I would ask that you rectify how this was handled. I need for you, my city officials, to do due diligence in cases like this going forward.

Thank you!

Miriam Atria's Presentation

Dropping by today to present your year-end report directly to council and provide some REEL updates on how our regional tourism organization markets the four county region. Many people think we just promote Lake Murray –

We celebrated 40 years this year as one of SC's regional tourism organizations promoting a very large geographic region for outdoor recreation and vacationing families

Our marketing efforts are based on smart marketing providing consistent – targeted marketing of the entire region's largest asset our great outdoors – we are the entity who has tied our waterways together to promote **OUTDOOR Recreation**

FACT -Outdoor R – pulled this region through during the pandemic for tourism

During the pandemic CCLMC committed 55% of our budget on marketing and advertising

Our Marketing PLAN is over 65
Pages
Today wanted to share some highlights

The results are in

**This region's tourism stories are being told through
our Media Press Partners. Last year, our Report confirmed
18+ Billion media impressions from 162 articles on our region**

**AND also confirmed a \$168 Million Marketing Value for last year
Marketing folks.**

**For Cayce we've produced numerous blogs... articles and brought
travel writers to publish stories a recent example being contacting
Ashley Hunter with MPA strategies for a tour with one of them**

*TRAVEL
WRITERS*

**We have lured over 26 TV shows to this region! All of which run our
30- second tourism ad.**

**Just finished filming The Excursion showcasing fishing on our rivers –
we have B-roll and the actual shows just
aired on Fox with our tourism ads.**

**“ Beyond Your Backyard” with Erik The Travel Guy airs locally on PBS
– SC Network on January 18th – this 30 minute show on our
waterways and food, outdoors and more can also be seen at our
Visitors Center but will re-air over and over on PBS, Amazon Prime
and more.**

But most important for City of Cayce, we have just completed filming a Rev War show for PBS. In working with Erik, The Travel Guy we

lured him into doing a statewide show on history and the sites of the REV War across SC

for all of the SCATR regions; look for one hour show to air in spring of 2022

featuring the Fort Granby story and Cayce's own Historic Museum.

This is an exciting program we are partnering with the SC Liberty Trail, American Battlefield Trust, SCATR and SCPRT to market this major historic product

American Battlefield Trust study – 1 MILLION potential

Hope you saw the press on this region!

Forbes Magazine has named our region.... A top southern destination!

And..... We were also named by Food & Travel a Top Southern Summer Destination for 2021

~~Over and over of them with national TV along with our tourism ad~~

Marketplaces from group tour golf, special event to fishing we attended these shows and marketplaces to bring business home to our region. ICAST - largest fishing and

outdoor show In U.S. in July – brought back 3 major events –

*We
TRAVEL*

TEAMS in September brought back 5 events

Large tourism groups are coming for 2022, 2023, 2024 and 2025!

In closing, yes, we have two World events back to back– Just returned from World Food Championship to announce we are hosting The Final Table Event in late April in Columbia – we took 6 regional chefs to this competition – two of them received a Golden Ticket to return in 2022.

Jon Cooper Alodia’s – Arif with RF’s Corner Grill. For October of 2022

the World Bass Fishing Competition – rescheduled (pandemic)

All eyes will be on Columbia and our region on national TV for both events!

Again, when you think of Capital City Lake Murray Country – think more than a lake – our small staff of 7 works 365 days a year – not a weekend festival or event, but 365 days of posting Social media, promoting all tourism events in the four counties on our Calendar of Events with high Google ratings, placing media ads and yes – getting national and world exposure through national events and TV – last year we provided over 115 hours of TV coverage on the tourism products for this region. We are reaching far out

OVER
LAST
FCA

City of Cayce’s Mayor Elise (Alease) Partin

Thank you Mayor for our private tour! This region is blessed to have the leadership from this council, a visionary development of the City

of Cayce with the inspiration and the beautiful murals created – you are all true tourism advocates and leaders for the City of Cayce

