

**CITY OF CAYCE**  
**Regular Council Meeting**  
**November 10, 2008**

The Regular November 2008 Council meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Pro-Tem James Jenkins, Councilmen Kenneth Jumper and Rick Myers, City Manager John C. Sharpe, Tammy Barkley, Municipal Clerk, and Garry Huddle, Municipal Treasurer. City Attorney, Danny Crowe, Ken Knudsen Director of Planning & Zoning, and Chief Charles McNair, Director of Public Safety, were also in attendance. Mayor Robert Malpass was not in attendance. Mayor Pro-Tem Jenkins advised that members of the press and the public were duly notified of the meeting in accordance with the FOIA.

**Call to Order, Oath of Office, Appointments**

A. Mayor Pro-Tem Jenkins called the meeting to order. Mr. Jumper gave the invocation and Mayor Pro-Tem Jenkins led everyone in the Pledge of Allegiance.

B. Oath of Office – Judge Melody James Presiding

Judge Melody James administered the Oaths of Office to newly elected members of Council—Elise Partin, Mayor-elect, Steve Isom and Kenneth D. Jumper, Councilmen-elect. After each took their Oath of Office, they joined other Council members at the dais. Mayor Partin then convened and continued the meeting.

C. Election of Mayor Pro-Tem

Mayor Partin advised that in accordance with City Code, the Mayor Pro-Tem is to be elected after each municipal election. Mr. Isom made a motion to elect James Jenkins as Mayor Pro-Tem. Mr. Jumper seconded the motion which was unanimously approved.

D. Approval of Appointments of City of Cayce Representatives

Due to the fact that a new Mayor and council member had been elected, Council proceeded to approve appointments as follows: Mr. Myers made a motion to appoint Mayor Partin as the City's representative to the Joint Water & Sewer Commission, River Alliance Board of Directors and the Central Midlands Council of Governments Board of Directors and Mr. Jenkins to the Lexington County Development Corp. Board of Directors. Mr. Jenkins seconded the motion which was unanimously approved.

E. Approval of Minutes

The minutes of the October 7, 2008 Regular Meeting were presented for approval. Mr. Myers made a motion that the minutes be approved as submitted. Mr. Jumper seconded the motion.

Mr. Isom stated that in reference to Item IV. E. on the October 7, 2008 agenda regarding a request for TIF funding from Brick Works Associates, LLC, he would like a clarification on whether or not Council would be given the opportunity to review the agreement for TIF funding before it is signed by the City Manager. Mr. Jenkins inquired as to the status of the agreement. The City Manager advised that the City attorney and the attorney for the developer were still working on the particulars of the agreement. Mr. Myers advised that Council had approved specific guidelines for TIF funding requests and suggested that Mr. Isom meet with the City Manager to review the guidelines. He stated that his concern was that he did not want send a message to developers that Council would be looking to recall a contract. Mr. Isom felt that it was important to review the actual agreement as the amount being requested is substantial and wanted to make sure there are no errors.

Mr. Isom made a motion that the agreement for TIF funding between the City of Cayce and Brick Works Associates, LLC, be submitted to Council for review prior to execution. Mr. Jumper seconded the motion. The motion passed four to one with Mr. Isom, Mr. Jumper, Mayor Partin and Mr. Jenkins voting yes and Mr. Myers voting no.

### **Presentations, Proclamations and Resolutions**

#### **A. Approval of Proclamation – Palmetto Health Hospice 29<sup>th</sup> Anniversary**

Mayor Partin advised that the City received a request to approve a proclamation recognizing the 29<sup>th</sup> anniversary of Palmetto Health Hospice. Mr. Jenkins made a motion to approve the proclamation. Mr. Jumper seconded the motion which was unanimously approved. Mayor Partin presented the Proclamation to Ms. Dana Rogers and commended the organization for their efforts in caring for the terminally ill.

#### **B. Approval of Resolution Authorizing the City of Cayce Identity Theft Program**

The City Manager advised that in response to Federal and State legislation, municipalities are required to adopt a written plan of action for the opening and monitoring of utility accounts to protect personal information against identity theft obtained during the process of conducting business. He stated that staff has attended a training session offered by MASC and in order for the City to comply with the regulations; the City must approve a resolution which adopts the City's Identity Theft Prevention Policy. He stated that the resolution presented is the MASC's model resolution for this issue. Mr. Myers made a motion to approve the Resolution. Mr. Jenkins seconded the motion which was unanimously approved.

#### **C. Approval of Resolution and Certificate for Emergency Repair of Six Mile**

## Creek Interceptor Line

The City Manager advised that as required by City Code Section 2-146, an emergency repair was needed on the Six Mile Creek interceptor line. He stated that the installation of the Town of Lexington's 27-inch forcemain had been incorrectly connected to the manhole by the Town's contractor which caused the City's 30-inch line to deteriorate. He stated that the City had to replace 400 feet of the sewer interceptor. He stated the Town of Lexington was apprised of the situation and they have agreed to reimburse the City 50% of the expenses.

Mr. Jumper made a motion to approve the Resolution and Certificate and accept the Town of Lexington's offer to reimburse the City for 50% of the expenses. Mr. Isom seconded the motion. Mr. Myers inquired if there was consideration given to hold the Town's contractor liable for the damages. He stated that he thought the Town of Lexington is looking into hold the contractor liable for their portion of the repairs and asked that the City Attorney look into this matter for the City's portion as well. After discussion the motion was unanimously approved.

## Ordinances

- A. Approval of Ordinance Amending the Project Description Narrative of the Retreat PDD Ordinance – First Reading

The City Manager advised that after the second reading approval of the original Ordinance, the attorney for the developer contact the City advising that his office had made an omission in the project description narrative and asked that the Ordinance be amended. Mr. Knudsen advised that the amendment does not change the character or intent of the ordinance and simply clarifies the duties and responsibilities of the Homeowners Association. Mr. Myers made a motion to approve the Ordinance on first reading. Mr. Isom seconded the motion which was unanimously approved.

## Other

- A. Bid Award – Consultant Services for the Rewrite of the City of Cayce Comprehensive Plan

The City Manager advised that by State Law, every city's Comprehensive Plan must be updated every ten years. He stated that the Planning Commission must prepare and recommend a new plan using citizen input and recommending a new plan for Council to adopt. He stated that the City's original plan was adopted in 1999 and that to begin the process a Request for Qualifications was advertised. He stated that the City received one qualifications statement from Vismor & Associates. He advised that Vismor & Associates had done other work for the city in the past and no other responses or inquiries were received. He stated that staff met with Mr. Vismor and requested that he submit a formal proposal and scope of work for the project and a contract for the work.

The City Manager advised that Mr. Vismor's proposal meets the requirements of the State Enabling Legislation and has been broken down into a two year schedule with \$25,000 approved and included in the FY 2008-2009 budget and \$13,000 to be included in the FY 2009-2010 budget. He stated that the contract as presented only covers the first year's work. Mr. Isom made a motion to award the bid to Vismor & Associates and authorize the City Manager to execute the contract. Mr. Jenkins seconded the motion.

Mr. Myers inquired if there were questions regarding the project this company did for the City in the past. Mr. Knudsen stated that Mr. Vismor was brought in to update the City's Zoning Ordinance and questions were brought forth on the work done by the previous author of the Zoning Ordinance. He stated that there were items that were passed by Council prior to the adoption of the rewrite of the Zoning Ordinance.

Mayor Partin explained her visioning process for the City of Cayce and inquired if Mr. Vismor would be able to incorporate the vision in the planning process of the Comprehensive Plan. Mr. Knudsen advised that the City would hold a minimum of four meetings with the public to obtain their input and while not required by law, it is recommended that citizens become involved with the process. After discussion the motion was unanimously approved.

B. Approval of 2009 City Holidays

Council reviewed the list of the suggested 2009 City Holidays. Mr. Jenkins made a motion to approve the list of holidays as submitted. Mr. Myers seconded the motion which was unanimously approved.

**Committee Matters**

A. Committee Minutes

Council reviewed the following Committee meeting minutes for approval to enter into the official city record:

Beautification Board – October 1, 2008

Cayce Museum Commission – October 8, 2008

Cayce Municipal Election Commission – October 8 and October 29, 2008

Cayce Events Committee – October 9, 2008

Mr. Myers made a motion that the Committee meeting minutes be entered into the official city record. Mr. Isom seconded the motion which was unanimously approved. Mr. Myers reminded staff that Council would like to receive a report on all Committees in January.

B. Committee Appointments

#### Accommodations Tax Committee

Mr. Frank Bala is no longer with the Country Inn & Suites. Ms. Cherelle Davis is now the General Manager and has submitted the potential member application which is attached for your review. It is recommended that Ms. Davis be appointed to the Committee. Mr. Jumper made a motion to appoint Ms. Davis to the Committee. Mr. Isom seconded the motion which was unanimously approved. Mayor Partin asked that years of service of committee members be included in the future.

#### Beautification Board – Three (3) Positions

Ms. Joanne Wilson's term expires October, 2008. She has been contacted and would like to serve again. Her reappointment application is attached for your review. It is recommended that Ms. Wilson be reappointed to the Board. Mr. Myers made a motion to appoint Ms. Davis to the Committee. Mr. Isom seconded the motion which was unanimously approved.

Ms. Felicia Lorick's term expires November, 2008 (she was originally appointed to fill an unexpired term). The Board did not meet in November. There is no recommendation at this time.

Ms. Gloria Evans Singleton has resigned from the Board. The Board did not meet in November. There is no recommendation at this time.

#### Cayce Museum Commission – One (1) Position

Ms. Ann Diamond's term expires November, 2008. The Commission will meet on November 12 to discuss. There is no recommendation at this time.

#### Board of Zoning Appeals – One (1) Position

Mr. Frank Dickerson's term has expired. He has been contacted and would like to serve again. The reappointment application has been received and will be discussed at the next Board of Zoning Appeals meeting. There is no recommendation at this time.

Mr. Cory Moore has resigned from the Board. There is no recommendation at this time.

Mr. Isom made a motion to postpone the above appointments until recommendations from the Committees were received. Mr. Jenkins seconded the motion which was unanimously approved.

Mr. Isom provided an update on the Christmas In Cayce festivities including the new two-day events during Christmas Traditions at the Cayce Historical Museum.

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

The City Manager introduced Meredith Culley of the Clare Morris Agency. Ms. Culley has replaced Karen Owens.

The City Manager advised that the October financial reports would be submitted to Council by the end of the week.

The City Manager provided Council with a list of dates for their calendars.

The City Manager stated that as a member of the Lexington County Stormwater Consortium, he has offered the City of Cayce as a site for their rain garden project. He stated that Clemson University would be holding a training session on rain gardens on December 3<sup>rd</sup> at City Hall and after training, the group will install the rain garden at the creek beside the Public Safety complex. He stated that the workshop is open to the public at a cost of \$15 per person which includes all training materials and a box lunch.

The City Manager advised that Ms. Joan Roland, the City's Human Resources Manager has been awarded the 2008 Payroll Professional for the state of South Carolina and that the City's Water Treatment Plant has received the 2007 South Carolina Area-Wide Optimization Program award.

Ms. Barkley asked that Council advise her as soon as possible if Council would participate in the West Metro Holiday Parade of Lights and ride on the float.

Mr. Jenkins offered his congratulations to the new members of Council and extended his thanks to past Mayor, Bob Malpass, for his service. Mr. Isom extended his thanks to past Mayor Avery Wilkerson for his many years of service and leadership to the City of Cayce.

Mr. Jenkins asked the City Manager to pass along his thanks to SCDOT for the repairs made to the steam at Frink and James Streets.

There being no further business, the meeting adjourned at 7:10 p.m.

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Elise Partin, Mayor

**ATTEST:**

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Tammy P. Barkley, CMC, Municipal Clerk