

**City of Cayce
Regular Council Meeting
Tuesday, November 13, 2012**

The November Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Councilmen Tim James, James Jenkins, and Kenneth Jumper, City Manager Rebecca Rhodes, Municipal Clerk Tammy Barkley, and Municipal Treasurer Garry Huddle. Council member Steve Isom did not attend. City Attorney, Danny Crowe, Blake Bridwell, Interim Director of Utilities, Shaun Greenwood, Director of Planning & Development, and Chief Charles McNair, Public Safety Director were also in attendance. Mayor Partin advised that members of the press and the public were duly notified of the meeting in accordance with the FOIA.

Call to Order

Mayor Partin called the meeting to order and Council member Jumper gave the invocation. In honor of Veterans' Day, Mayor Partin invited Public Safety Officer Brian Lorick to come forward and lead the assembly in reciting the Pledge of Allegiance.

Oaths of Office

- A. Oath of Office Administered by Judge Kaebi Henderson
Office of Council member District 1 and Council member District 3

Judge Henderson administered the oaths of office to Council members-elect Tara S. Almond and Eva Corley who were recently elected to office. After each took their Oath of Office, they joined other Council members at the dais.

- B. Oath of Office Administered by Judge Kaebi Henderson
Offices of City Manager, City Attorney, Municipal Clerk, Municipal Treasurer

Judge Henderson administered the oaths of office to the City's appointed officers, the City Manager, City Attorney, Municipal Clerk and Municipal Treasurer. After each took their Oath of Office, 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. James made a motion to appoint Council

member James "Skip" Jenkins as Mayor Pro-Tem to serve a two-year term. Ms. Almond seconded the motion which was unanimously approved by roll call vote.

D. Approval of Minutes
October 2, 2012 Regular Meeting

Council member Jenkins made a motion to approve the minutes as amended with a correction to page 6 to clarify the video tape mentioned was Mr. Isom's personal video tape. Council member James seconded the motion which was unanimously approved by roll call vote.

Presentations and Proclamations

A. Presentation by Jumper, Carter, Sease of City Hall Architectural Study

Mr. Todd Sease and Mr. Joel Carter presented the completed City Hall Architectural Study to Council. Ms. Rhodes stated that further discussion on the recommendations and steps to take would be placed on the agenda of the second meeting in January.

B. Approval of Proclamation – Arbor Day

Council member Jenkins made a motion to approve the Proclamation for Arbor Day. Councilmember James seconded the motion which was unanimously approved by roll call vote.

C. Approval of Proclamation – Recognition of Lakeview School Graduates

Council member Almond made a motion to approve the Proclamation recognizing Lakeview School graduates. Council member James seconded the motion which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

Ms. Barkley advised that no one from the public had signed up to provide comment.

Ordinances and Other

A. Approval of Ordinance Amending the Business License Ordinance and Agreement Between the City of Cayce and the Municipal Association of South Carolina for the Collection of all Business License Taxes from Insurance Companies and Administration as Municipal Agent of Municipal Brokers Premium Tax – First Reading

Council member Jenkins made a motion to approve the Ordinance on first reading amending the Business License Ordinance and the Agreement between the City and the Municipal Association of South Carolina as submitted. Council member Almond seconded the motion which was unanimously approved by roll call vote.

B. Approval of Ordinance Amending Portions of the City Business License Ordinance – First Reading

Council member Jenkins made a motion to approve the Ordinance on first reading amending portions of the City's Business License Ordinance. Council member Corley seconded the motion which was unanimously approved by roll call vote.

C Approval of Ordinance to Amend the Sewer Use Ordinance – First Reading

Council member Jenkins made a motion to approve the Ordinance on first reading amending the Sewer Use Ordinance. Council member James seconded the motion which was unanimously approved by roll call vote.

D. Approval of Ordinance to Rezone SCANA Property – First Reading

Council member Jenkins made a motion to approve the Ordinance on first reading rezoning property owned by SCANA. Council member Almond seconded the motion which was unanimously approved by roll call vote.

E. Approval of Ordinance Amending the Business License Ordinance Regarding the Issuance of Decals and Fee for Contractors – First Reading

Council member James made a motion to approve the Ordinance on first reading amending the Business License Ordinance regarding the issuance of decals and fee for contractors. Council member Jenkins seconded the motion which was unanimously approved by roll call vote.

F. Approval of Ordinance Amending Sec. 10-31 of the City of Cayce Code of Ordinances to Adopt the 2009 International Energy Conservation Code – First Reading

Council member James made a motion to approve the Ordinance on first reading amending Sec. 10-31 of the City Code to adopt the 2009 International Energy Conservation Code. Council member Jenkins seconded the motion which was unanimously approved by roll call vote.

G. Approval of Ordinance re Franchise Fee and Fee In Lieu of Taxes for City Water and Sewer System – Second Reading

Council member Almond made a motion to approve the second reading of the Ordinance regarding franchise fees and fees in lieu of taxes for the City's Water and Sewer System. A second to the motion was not made and the motion failed for want of a second.

City Manager's Report

Ms. Rhodes thanked Ms. Corley and Ms. Almond for taking time out of their schedules to come by City Hall today to go through the agenda. She stated that she also spoke with Mr. Jenkins and Mr. James regarding the agenda and wanted the public to know that Council members do put in a good bit of time studying items to be discussed to make sure decisions made at the meetings are in the best interest of the city.

Ms. Rhodes stated that Mr. Greenwood has advised that last month, the city had 28 lots permitted for building which is the most the city has ever had. She stated that most were residential lots in Concord Park and they should have approximately 50 families moving into the subdivision by the end of this year. She stated that is a big deal for the city and for Lexington County.

Ms. Rhodes advised that the City is putting in a CDBG application for a sewer line project in the older part of the city. She stated that in conjunction with the application the city is making for that project, we are going to end up having to make an emergency sewer line repair that runs parallel to State Street that is in the back yards of individuals who live along the project line. She stated the residents involved should be receiving a letter next week about the repair. She stated the line is on the east side of State Street and runs from Lyles to N Avenue . Mr. Bridwell provided Council with additional information on the project.

Ms. Rhodes stated that the City did receive a CDBG grant from Lexington County for the water line on Lexington Avenue and that project should begin at the beginning of the new year.

Ms. Rhodes stated that the IT Director has been working with the City's public relations agency to redo the website and should have a mock up for staff to review in mid-December.

Ms. Rhodes mentioned the Wastewater Treatment Plant Grand Opening and Open House would be held on Wednesday at 10 am and 2 pm respectively. She stated that she, Mr. Greenwood and Mayor Partin would be giving a presentation to the Midlands Chapter of the Urban Land Institute at the Tennis Center regarding things going on in Cayce. She stated this is a group of planners, engineers, architects and real estate individuals.

Ms. Rhodes stated that Phase 3B of the Riverwalk Park which includes the lighting, call boxes and parking lot is moving forward and hope to have the parking lot bid out in January.

Ms. Rhodes advised that Attorney Crowe nominated Mayor Partin for a Twin Award which honors women of achievement and she was honored as one of the 50 women nominated at a special luncheon.

Committee Matters

- A. Approval to Enter the following approved Committee Minutes into the City's Official Record
 - Board of Zoning Appeals – August 20, 2012
 - Museum Commission – September 4, 2012
 - Beautification Board – September 11, 2012
 - Events Committee – September 13, 2012
 - Planning Commission – September 17, 2012
 - Municipal Election Commission – October 25, 2012

Council member James made a motion to approve that the above Committee minutes be entered into the City's official record. Council member Jenkins seconded the motion which was unanimously approved by roll call vote.

- B. Appointments and Reappointments

Events Committee – Two Positions

Ms. Ellen Mancke and Mr. Jay Thompson's terms expire October 2012. Both have been contacted and would like to serve again. The Committee recommends the reappointment of Ms. Mancke and Mr. Thompson. Council member James made a motion to reappoint Ms. Mancke and Mr. Thompson to the Committee. Council member Jenkins seconded the motion which was unanimously approved by roll call vote.

Ms. Rhodes advised that there were four open positions on the Public Safety Foundation and that potential members need to be submitted by the Mayor and Council members in Districts 1 and 3 for review and approval. She also stated that with the election of Ms. Almond to Council, there was also an opening on the Zoning Board of Appeals.

Executive Session

- A. Receipt of legal advice relating to a claim and a potential claim by the City and other matters covered by the attorney-client privilege
- B. Discussion of negotiations incident to proposed contractual arrangements for area lighting of the Cayce Riverwalk Park – Phase 3B

C. Discussion of City Manager's Employment Contract Renewal

Council member Jenkins made a motion to move into Executive Session to discuss the matters above. Council member James seconded the motion which was unanimously approved by roll call vote.

Reconvene

Council member James made a motion to move out of Executive Session and reconvene the Regular Meeting. Council member Corley 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 by Council in follow up to Executive Session

Council member Almond made a motion to authorize the City Manager and City Attorney to negotiate with the attorney for Worldwide Recycling for settlement of the City's claim and, failing settlement, to file a lawsuit against responsible parties. Council member Jenkins seconded the motion which was unanimously approved by roll call vote.

Council member James made a motion to approve the settlement as discussed and to authorize the Mayor and the City Attorney to negotiate the terms of the Release consistent with the discussion in Executive Session. Council member Corley seconded the motion which was unanimously approved by roll call vote.

Council member Almond made a motion to approve the contract with SCE&G for area lighting of the Cayce Riverwalk Park, Phase 3B and to authorize the City Manager to sign the agreement on behalf of the City. Council member Corley seconded the motion which was unanimously approved by roll call vote.

Mayor Partin inquired if there was any motion concerning the City Manager's contract. No motion was rendered.

There being no further business, Council member Jenkins made a motion to adjourn the meeting. Council member James seconded the motion which was unanimously approved by roll call vote. The meeting adjourned at 8:30 p.m.

Elise Partin, Mayor

ATTEST:

Tammy P. Barkley, CMC, Municipal Clerk