

Mayor  
Elise Partin

Mayor Pro-Tem  
Tim James

Council Members  
Phil Carter  
Hunter Sox  
Byron Thomas

City Manager  
Tracy Hegler

Deputy City Manager  
Jim Crosland  
Assistant City Manager  
Michael Conley



**City of Cayce  
Regular Council Meeting  
Tuesday, May 7, 2024  
6:00 p.m. – Cayce City Hall – 1800 12<sup>th</sup> Street  
[www.caycesc.gov](http://www.caycesc.gov)**

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

**I. Call to Order**

- A. Invocation and Pledge of Allegiance
- B. Approval of Minutes  
April 9, 2024 Regular Council Meeting  
April 17, 2024 Budget Work Session  
April 17, 2024 Regular Council Meeting

**II. Public Comment Regarding Items on the Agenda**

**III. Items for Discussion and Possible Approval**

- A. Discussion and Approval of Grant Award for Firehouse Sub's Grant
- B. Request to Present a Key to the City to a Cayce Resident

**IV. Ordinances and Resolution**

- A. Discussion and Approval of Ordinance 2024-03 Amending Zoning Ordinance Article 6 District Regulations Concerning Uses in the Design Overlay Districts – Second Reading
- B. Discussion and Approval of Ordinance 2024-04 to Amend the City Code of Ordinances to Add Section 28-27 Entitled "Hate Intimidation" – First Reading

**V. Committee Matters**

- A. Approval to Enter the Following Committee Approved Minutes into the City's Record  
Board of Zoning Appeals – March 18, 2024  
Museum Commission – April 3, 2024  
Events Committee – April 11, 2024

- B. Appointments and Reappointment  
Museum Commission – Two (2) Positions  
Public Safety Foundation – One (1) Position

**VI. City Manager's Report**

**VII. Council Comments**

**VIII. Executive Session**

- A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege including:
- B. Discussion of appointment to fill the vacant City's Prosecutor's position and contract
- C. Discussion of negotiations incident to proposed contractual arrangements concerning 800 Lexington Avenue

**IX. Reconvene**

**X. Possible actions by Council in follow up to Executive Session**

- A. Discussion and Approval of Ordinance 2024-05 Authorizing Sale of the City-Owned Portion of Real Property at 800 Lexington Avenue
- B. Discussion and appointment to fill the vacant City's Prosecutor's position and approval of contract
- C. Other

**XI. Adjourn**

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



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**City of Cayce**  
**Regular Council Meeting**  
**Tuesday, April 9, 2024**

The April 9, 2024, Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Mayor Pro Tem Tim James and Council Members Phil Carter, Hunter Sox and Byron Thomas. 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, Utilities Director Betsy Catchings, 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 Council Member Carter gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

**Approval of Minutes**

Mayor Pro Tem James made a motion to approve the March 5, 2024 Regular Council Meeting, the March 20, 2024 Budget Work Session and the March 20, 2024 Regular Council Meeting Minutes as written. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

**Public Comment Regarding Items on the Agenda**

Mr. Danny Creamer – Item III. B. Mr. Creamer stated that he was appalled by Council's behavior and stated that they were acting like children in kindergarten. He stated that every member of Council was elected to serve their District and the Mayor was elected to lead the City. He stated that it seemed that every time there was anything negative in the media about the City, it came from someone on Council. He stated that he had friends in other cities asking him what was going on in Cayce. Mr. Creamer stated that he was charging each member of Council to work together to the best of their ability for the great city of Cayce.

Mr. Tre Bray – Items III. B., IV A. and IV B. Mr. Bray stated that regarding Item IV. A., the I77 overlay district, he strongly opposed allowing mining or smelting. He stated that area of the City was surrounded by protected lands and one of the City's most precious resource, the Congaree Creek. He stated that he urged reconsideration of the ban of residential development in that entire corridor. He stated that the current

market demanded senior living options and a 55-year-old plus townhome development adjacent to Clovis Point Way or in that area would provide numerous benefits, increase the City's tax base, and bring more residents to entice future businesses in proximity to desirable amenities such as the Lexington Medical Center and the Cayce Tennis and Fitness Center and the Riverwalk. He stated that he would also urge Council to revise the minimum lot width for RS3 zoning from 60 foot to 50 foot to align with existing developments and promote efficient land use. He stated that there were too many pieces of property sitting infield that could not have anything done to them because of the 60-foot measurement. Mr. Bray stated that while he understood the need for a competitive leave policy, he would recommend delaying approval until the comprehensive leave policy that included what the sick leave and paid holidays were presented with cost impacts with the budget. He stated that it was crucial to benchmark against neighboring entities like Lexington County, City of West Columbia, and Springdale to ensure competitiveness. He stated that data was not presented in the supporting documents of the agenda so he requested it from West Columbia's City Manager and stated he would be happy to share it because that was their goal. Mr. Bray stated that he applauded Council's move to diversify representation on external boards and was pleased to hear the Council's commitment to actually attending those meetings on the resident's behalf. He stated that he was disappointed to see an individual press release undermine a unified Council vote. He stated that debate and discourse within Council was vital, but it should be conducted professionally and stay issue based. He asked Council to prioritize the wellbeing of Cayce and its residents by working together effectively even when they disagreed or were in the minority. He thanked Council for their service.

Ms. Kelly Wuest – Item III. B. Ms. Wuest stated that she was there to express her disappointment with Council and to address a pattern of behavior she had seen. She stated that just over two (2) years ago, she applied for a volunteer position with the City to serve on a foundation. She stated that instead of being appointed as next in line, her appointment was delayed by two (2) months and that was also the case with another woman who applied to serve at the same time. She stated that she watched that delay happen again to another woman a year later and had to listen as she made her case before Council to serve before she was ultimately appointed. She stated that their appointments were delayed for obscure reasons and only went through because Mayor Partin and Mayor Pro Tem at the time Councilman Jenkins fought the absurdity of them. Ms. Wuest stated that Council had actively blocked citizens from volunteering and now were methodically trying to remove Mayor Partin, the only woman serving on Council, from all committees during one of the only Council Meetings she was not present. She stated that from the outside looking in, it seemed to be a disturbing trend that was escalating quickly. She stated that as a citizen of Cayce, she had no faith that Council's actions were in her best interest or those of her neighbors. She stated that their actions and decisions seemed to be only in service of themselves, which was not how any Council should function. She stated that whenever their actions were challenged, they provided what they seemed to think were legitimate reasons but were clearly not their

true motive, but instead an attempt to shroud whatever their true intentions were. Ms. Wuest stated that her default was to give everyone the benefit of the doubt and assume no ill intent, but she no longer felt she could afford that to Council. She stated that she would like to believe this was not about men keeping women from leadership roles and everyone was there for the right reasons, and making decisions that were fair, equitable and just and not driven by personal agendas but she honestly could not say that she believed that was true. She stated that what she had mentioned were not the only reasons she had lost faith in Council and she could no longer keep quiet about it because they were crossing dangerous lines and actively hurting the city they claimed to care about. Ms. Wuest stated that her hope was that each Council Member look at the impact of their actions, correct it and work towards making the City as great as it had been and could be. She asked them to be transparent and truly listen to those who they were supposed to represent. She stated they did not always have to agree but everyone did need to feel heard and represented. She asked Council to restore the resident's faith in them to do what was right because even when the citizens were not there they were watching.

Ms. Mary Safko – Items III. B., VIII. A. and IX. Ms. Safko stated that once again, she found herself asking the five (5) Council Members to work together to create the appearance of a united front. She stated that she was disappointed on so many levels over the events of the past few weeks. She stated that after the March 20, 2024 Council Meeting she asked the four (4) Council Members to put an item on the next Council Meeting agenda to reverse all votes taken at the March 20, 2024 meeting. She stated that she hoped they would work out everything in Executive Session and return with any needed votes concerning external seats but she did not see that item on the agenda so she was assuming that did not take place. Ms. Safko stated that it saddened her that the media was involved and it upset her that further discord was created with quotes to the media by the two (2) newest Council Members, who only added fuel to the fire. She stated that she educated herself by learning more about the external boards and while these seats did not need to be held by the Mayor, often the mayors of Cayce, Columbia, Lexington and West Columbia held those seats. She asked if it was a power grab or a planned and crafted act to simply take the Mayor down a peg. She stated if it was the latter, then when and how was this organized. She stated that she believed it was organized and scripted. She stated that she did feel the City should have representation at the table for these important external boards and commissions. She stated that Council were all smart people so they needed to work out the details in Executive Session. She stated that they each owed the other an apology. She stated that being Cayce's representative at an external meeting carried responsibilities and they should attend and come back and share the agenda and minutes with the rest of Council, the City Manager and the Municipal Clerk. She stated that she did not think it was appropriate for any two (2) or more of Council to meet outside of Council Meetings or work sessions under any circumstances without all other members of Council being invited to join. Ms. Safko stated that if done without full disclosure, there was too great of a chance it might be misunderstood or seen and interpreted as improper. She stated

that each Council Member represented the City so proper decorum was expected in all they did at any time. She stated that they must always be cheerleaders for the City and always put positive spins on everything. She stated that when infighting occurred, they made the whole city look bad. Ms. Safko stated she was concerned with the lack of city transparency with the old Cayce Grammar School property since it was being discussed in Executive Session and then voted on following Executive Session. She stated that fairness to all the freestanding homeowners surrounding the property and other nearby homeowners, full transparency was needed with a 30-day public comment period before anything was finalized. She stated that if freestanding homes were to be built for sale she did not have an issue with that land use but if rental homes, townhomes or apartments were built, local homeowners should have an opportunity to voice legitimate concerns. Ms. Safko stated that full transparency should be given and a public comment period of 30 days should be granted to begin as soon as possible. She stated that this vote should be deferred to a Council Meeting following a 30-day public comment period. She stated that to do otherwise gave the appearance of being a cloak deal. She asked Council to do better and make her proud.

Mr. Bill Stangler – Item IV. A. Mr. Stangler stated that he was the Congaree Riverkeeper and was concerned about possibly no longer prohibiting melting or mining that was being proposed for the Zoning Ordinance in relation to the City's I77 overlay district. He stated that district included areas that were very near the Congaree River and the Congaree Creek Heritage Preserve and he was concerned about the potential impacts of those types of businesses, specifically expanded mining on the river to the newly expanded Congaree Creek Heritage Preserve and the surrounding community. He stated that he would encourage Council to keep those prohibitions in place.

Ms. Marcy Haden – Item III. B. Ms. Hayden stated that she lived in in District 4 and had been involved with the City over the past several years in various ways and was very proud to serve. She stated that she was a handful of women in positions on commissions or working within the government. She stated that it was disturbing to her the pattern that she was seeing. She stated that Cayce was at least 50% female and had one (1) female serving on City Council. She stated that it was disturbing to her when Council voted and removed the one (1) female from every single Committee. She stated that Council could have left Mayor Partin on one (1) committee and it would not have looked so suspicious. She stated that she thought it was very cowardly to wait until Mayor Partin was not there. Ms. Hayden stated that everyone wanted change in Cayce, and she wanted change as well but that was not the way to go about it. She stated that it was cowardly and discussions like that should be done as a group. She stated that Council needed to work together. She stated that their current behavior was embarrassing and she received phone calls from people in other cities asking her what was going on in Cayce. She stated that it had to stop and Council had to work together. Ms. Hayden stated that everyone won their seat and were elected by the people in their districts and were there to represent the citizens and work for them. She stated that they expected and demanded more. She stated that she had the pleasure to work with

Mayor Partin in the past prior to being involved in the City in any way and she did a great job representing the City. She stated that Mayor Pro Tem James did a great job representing the City through the chamber and other places. She stated that she would encourage Council to take a step back from what has happened and look at their patterns, because those patterns were there. Ms. Hayden stated that not only were people in Cayce noticing these patterns, but people outside of Cayce were noticing these patterns and taking heed that Cayce was not friendly to certain groups of people and that was not the representation the citizens wanted. She stated that she expected Council to continue to work to do better and if not, the residents would see them very soon to get them out of their seats.

Mr. Chip Salek – Item III. B. Mr. Salek stated that he had more questions than a statement on Item III. B. He stated that he was confused because he read that Mayor Partin was disappointed in how everything was handled and was unaware that it was going to take place but Council Member James said that he had met with the Mayor a week before the meeting and alluded that the Mayor was aware of what was going to be taking place at the meeting. He stated that it made sense that if there were four (4) different committees that four (4) different people could serve to split up the activity that Council would do on those committees. He questioned how the Mayor was on all the committees and why it was not split up prior to that. He stated that the Mayor was just another council member and only had one vote as all the other four council members did. He questioned why the public comments came before the discussion and stated that it seemed like they would come after the discussion. Mr. Salek stated that he did not know that anybody could make statements without hearing what the discussions were about.

Ms. Eva Corley – Item III. B. Ms. Corley stated that she lived in Cayce for 10 years and was elected to Cayce City Council for two (2) terms. She stated that the only reason she resigned from Council was because she and her family moved or otherwise she would still be serving. She stated that she was only speaking because it was her understanding that her name was brought up in conversation when discussing the agenda topic of external committees and reappointments. She stated that she had a few citizens reach out to her about how the topic was handled during a Council Meeting and she felt she needed to speak up. She stated that it was said that she and former Council Member Tara Almond did not have time to be on the committees. She stated that if she and Ms. Almond wanted to serve on any of those committees that the current Council took from the Mayor, they would have had an open conversation with the Mayor just like they should have. Ms. Corley stated that it disturbed her that members of Council appointed themselves to committees without including the Mayor when she was absent from the meeting. She stated that was not what the Cayce Council represented and Cayce had come a long way to be open and transparent, while under the leadership of Mayor Partin. She stated that the action that was taken at the last meeting completely undermined that transparency. She stated that she knew firsthand how the Council used to operate. She stated that they worked with each other and

listened to each other. She stated that they did not always agree but they were respectful to each other and staff. She stated that she served alongside a couple of the current Council Members and they knew they did not treat their fellow Council Members that way. She stated that while she was no longer a resident of Cayce, Cayce remained very special to her and it was bothersome to see how this particular agenda item was handled in the last meeting. She stated that Cayce had the best city staff there was and asked Council as they were doing their jobs on council, to make sure it included supporting City Manager Hegler and the rest of staff. She stated that they were only hurting the City and its citizens instead of serving them by acting the way they were behaving.

Mr. Skip Jenkins – Item III. B. Mr. Jenkins stated that the former Council Members would have never removed the Mayor from all the committees. He stated that he was trying to understand why Council wanted to go back instead of going forward. He stated that if they did not want their seat then they should give it to someone that wanted to serve. He stated that the people that wanted to move to Cayce were not coming in knowing what they had to go through. He stated that Mayor Pro Tem James was in a position to know that and he was leading the pack doing something like this. He stated that Mayor Pro Tem James was not working for the City but working for himself. He stated that it was sickening to see how Council was behaving and he could not believe he served on Council for 22 years and he was sitting beside people that carried on like this. Mr. Jenkins stated that Council was not acting like men and he had told them that when they were not answering the Mayor's phone calls and not answering her texts. He stated they did that on purpose so she could not lead. He stated that it was bad that it had to come to this point and they could not hide it now. He stated that they had to do better. He stated that he lost his race and if they kept behaving the way they were acting they were going to lose theirs too.

Ms. Tracie Broom – Item III. B. Ms. Broom stated that she had lived in the City of Cayce for 11 years and was so proud to live there. She stated that it was an uncommon municipality, in part because Council had worked together for years under Mayor Partin's leadership to move the community forward. She stated that it was an exciting place to own a home and to live. She stated that City staff was some of the best city staff that one could find. She stated that the City Manager, Ms. Tracy Hagler, was one of the best city administrators in South Carolina. Ms. Broom stated that they had to support staff and the City's residents by working together. She stated that Council could not send things into a tailspin at City Hall because of various agendas, whatever those might be. She stated that she was very concerned that there had been a trend that members of Council were getting together and working together to advance agendas that did not feel aboveboard. She stated that was embarrassing and she wanted to feel proud of her council. She stated that everyone in the room was grateful to Council for their service and expected them to operate in the sunlight above board. She stated that the way the committee and commission issue occurred did not feel right to her and a lot of other people. She asked what happened to cause them to remove

the Mayor from all of her committees and commissions in one fell swoop. She asked how they made that decision in a split second in a Council Meeting. She stated that they really needed to know that answer because it was impeding the progress that they needed to be making as a Council. She thanked the Congaree Riverkeeper for being there and stated that she too was concerned about allowing smelting and mining.

### **Items for Discussion and Possible Approval**

#### **A. Discussion and Approval of Selection of Vendor for the Purchase of Handheld Radios for the Police Department**

Ms. Hegler stated that in the current budget Council approved \$297,000 from the allotted ARPA funds for the purchase of police handheld radios through an approved vendor. She stated that staff had since gotten quotes on those as well as spending a lot of time trying to find grants to fund them and were continuing to do that for in-car radios. She stated that since receiving quotes, staff was asking for additional funding to get the in-car radios. She stated that they got a quote from Motorola for \$407,990 and one from Kenwood for \$321,022. She stated that staff was recommending that Council approve the additional funding of \$25,000 to purchase those police radios from Kenwood. She stated that they were on a State contract and the additional funding would come from the miscellaneous unallotted ARPA tranche that they currently held.

Mayor Pro Tem James made a motion to approve the additional funding for the selection of Kenwood and the funding to come from additional ARPA funding. Council Member Sox seconded the motion. Council Member Carter asked if Kenwood was the same manufacturer the City currently had and if there would be challenges with repairs. City Manager Hegler stated that the City would be moving to all Kenwood products in time. Council Member Carter asked if ARPA money would be used. City Manager Hegler stated that staff was trying to find grants but if unsuccessful it would be new monies. Mayor Partin called the question which was unanimously approved by roll call vote.

#### **B. Discussion of, and Motions Approving, Service of Council Members on Designated External Boards and Commissions**

Mayor Partin stated that there was one (1) other position that Council needed to address which was the Central Midlands Regional Transit Authority Lexington Transit workgroup. She stated that was a position that was held by the prior Mayor Pro Tem and the Council Member for District Two. She stated that she reached out to the current Council Member for District Two to ask if he would like to be nominated for that position and he did. She asked if there was a motion to nominate Council Member Thomas for that position. Council Member Carter made a motion to appoint Council Member Thomas. Mayor Pro Tem James seconded the motion. He asked Council Member Thomas if he understood the commitments of the position. Council Member

Thomas stated that he was still waiting to hear back to receive more information but he was honored to serve. Mayor Partin stated that she wanted to point out that how Council was handling this item was how healthy city government worked and that was not how these items were handled at the last Council Meeting. She stated that she saw a video of the Women's Basketball Championship Coach Dawn Staley where the team was training and she was coaching them and she told her players to trust their teammates. She stated that the team working together made them champions. She stated that for 15 years of changing councils it was what had made the City amazing as well. She stated that there had been divisions, but council members still managed to treat each other with respect and civility, even while fighting for what they believed was right. Mayor Partin stated that at the end of the day, they all wanted to make life better for the people of Cayce, they just had different ways to get there. She stated that Cayce was a better place because of it. She stated that what Council did to her regarding appointments on external committees at the last Council Meeting was not the problem. She stated that it was a symptom of the problem and the problem was a lack of trust from the citizens who have spoken to her in droves, about the lack of trust they now had in their Council Member. She stated that they did not even believe what their Council Member replied to them in email and in the media. Mayor Partin stated that lack of trust extended to everything now. She stated that there was an item on that night's agenda about a development in the City which a Council Member said in a prior Council Meeting that he had a meeting with the developer and wanted to see something good happen to it. She asked if Council was going to give something to that developer that impacted citizen's taxpayer dollars. She asked how could they know and could they have trust. She stated that Council's actions at the last Council Meeting were not about her attendance at any particular meeting because if it was, wouldn't they have talked to her about it, so they would know the facts. She asked wouldn't Council make sure they were attending all the City's Council Budget Workshops and internal committees like the Cayce Public Safety Foundation and the Cayce Beautification Foundation because they were not. She stated that it was not about whether she knew this item was on the agenda, because of course she knew but the two (2) times this item had been on the agenda it affirmed the Mayor and Mayor Pro Tem serving on those external committees. She stated that she had no reason to think anything differently would be happening because no one on Council communicated with her or staff about their plans. She stated that once the item was on the agenda, she asked Mayor Pro Tem James what committee she could support him in being on and he would never give her a straight answer. She stated that when she emailed Mayor Pro Tem James and Council about their desires for this agenda item, not one of them responded. Mayor Partin stated that it was not about them wanting to be more involved because that was a great thing. She asked wouldn't Council have talked to her about it if that was the case. She stated that she would have loved to talk about divvying up the committees but doing it in a way that didn't take the City off of prestigious extra positions, like executive committees, and others that she had earned for the City. She stated that they were now lost opportunities. Mayor Partin stated that Council did talk to others about it because weeks prior to the last Council Meeting, two (2) members of

Council talked with the City's citizen appointee to the River Alliance and told her that one of the Council Members wanted to be on the River Alliance, and she feared they were coming for her seat. She stated that it was not until the last Council Meeting that it was clear what they had been planning for weeks. She stated that it was about political gamesmanship over ethical governing of the City. She stated that it was about power grabs and lost trust from the smooth motions made at the last Council Meeting to the protests that Council Members did not meet together outside of Council Meetings yet pictures had surfaced from a citizen of at least two (2) Council Members meeting at Mayor Pro Tem James' house. Mayor Partin asked where did they go from here. She stated that depended on Council and she hoped for the sake of the citizens, they chose the path of being civil, courteous, and kind. She stated that she hoped they and their proxies would stop spending time attacking her and staff and lead in ways they were elected to. She stated that it was important because the way they governed moving forward affected all the City's citizens and meant they could get through the tough times like a three day fire, floods or the loss of a police officer. She stated that each time they were able to navigate those things because the City had a council, staff and citizenry who chose to communicate and to connect and that was what made life better and what made the City better. Mayor Partin called the question which was unanimously approved by roll call vote.

C. Discussion and Approval of Memorandum of Agreements (MOA) with South Carolina Department of Transportation (SCDOT) for Utility Relocation (Sewer and Water) at Congaree Creek Bridge on US 21 Improvement

City Manager Hegler stated that as part of the SC DOT bridge repair program they were replacing the bridge on US 21 which was on Charleston Highway over the Congaree Creek. She stated that the City had utilities in that area that must be relocated as part of that project. She stated that the relocations had been designed by the City's on-call engineer, Hand Engineering, and would fall under the construction contract for the DOT intersection improvement project. She stated that there was a SC code that required the DOT to pay for relocation costs for small utilities. She stated that for large utilities, DOT was only required to pay for relocations if funds were available after paying for the relocations of small utilities. She stated that the City's water system was considered a small utility and the sewer system was considered a large utility. City Manager Hegler stated for this project the DOT had indicated that funds were not available to cover all costs, so the City would have to relocate both. She stated that the funding that remained uncovered by the DOT was \$157,289 that the City would have to cover in order for the City to get the DOT to report to pay those prior costs. She stated that the DOT did require memorandum of agreements which had been reviewed by the City Attorney.

Mayor Pro Tem James made a motion to approve both contract utility relocation MOA's for the US Highway 21 bridge replacement project over Congaree Creek and authorize the City Manager to execute those agreements and approve payment for the

sewer relocation portion of the project that was not covered by the DOT up to \$157,289 from utilities O&M unreserved fund balance. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

**Ordinance and Resolution**

**A. Discussion and Approval of Ordinance 2024-03 Amending Zoning Ordinance Article 6 District Regulations Concerning Uses in the Design Overlay Districts – First Reading**

City Manager Hegler stated from time to time staff reviewed and analyzed the uses that were allowed within the City overlay districts. She stated that there were a couple throughout the City and those overlay districts were intended to provide additional zoning regulations or requirements on top of the underlying zoning for those parcels. She stated when looking at these there were times staff might recommend either the addition of some uses or the removal of them based on best practices. She stated that the Planning Commission met on March 18, 2024 and voted unanimously to recommend approval on those amendments. She stated that no one spoke in favor or against the amendments. Mayor Partin stated that if Council were to approve this item on first reading that meant they could certainly work with the City’s partners who have concerns and make sure that everyone was on the same page before second reading.

Mayor Pro Tem James stated that Council heard other’s concerns that night and he was a bit concerned that this item went before the Planning Commission and no one spoke for or against it but that night they heard a great deal of people that had concerns. He stated that his request was to defer this so the City Manager and others could either look at it or bring it to a work session because there were concerns in the amendments that they would not want to approve as it currently read. He asked City Manager Hegler when staff could review it and bring it back to Council. City Manager Hegler stated that staff had reviewed it and that was their recommendation. Mayor Pro Tem James stated that there were pieces and parcels of this overlay that fit the City moving forward but there were some language that was completely against what they knew was best for the City.

Mayor Pro Tem James made a motion to defer this item until the next Council Meeting. Council Member Carter seconded the motion. Council Member Carter stated that he did not have a problem with any of the amendments except the language about the distilling, refining and smelting or mining. Mayor Partin called the question which was unanimously approved by roll call vote.

**B. Consideration and Approval of Resolution Approving Leave Policy and Procedures for Employees of the City of Cayce**

Mayor Pro Tem James made a motion to defer this item to the budget season. Council Member Sox seconded the motion. Mayor Partin stated that it was the budget season. Mayor Pro Tem James stated that he wanted this item put into the presentation for the budget. He stated that it had a financial impact. Mayor Partin stated to clarify even if it was in the budget the Ordinance had to come before Council. She asked if he wanted the Ordinance at the first reading for the budget. Mayor Pro Tem James stated yes. Mayor Partin called the question which was unanimously approved by roll call vote.

### **Committee Matters**

- A. Approval to Enter the following Committee Approved Minutes into the City's Record
  - Board of Zoning Appeals – December 18, 2023
  - Museum Commission – February 7, 2024
  - Planning Commission – February 26, 2024

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

- B. Appointments and Reappointment
  - Board of Zoning Appeal – Two (2) Positions
  - Planning Commission - One (1) Position

Mayor Partin stated that the Board of Zoning Appeals had two (2) open positions and the City had received potential member applications from Miss Shirley McClerklin-Motley, Mr. Phillip Corley, Ms. Karen Fitch and Mr. Chip Salek Jr, in that order. Council Member Carter made a motion to appoint Ms. McClerklin-Motley and Mr. Corley to the Board of Zoning Appeal. Mayor Pro Tem James seconded the motion. Council Member Sox stated that Council worked on a new appointment process at their first work session and asked when it would be implemented. City Manager Hegler stated that she needed to get all of the rules in place and forward them to Council to make sure it met their intentions. Mayor Partin called the question which was unanimously approved by roll call vote. Mayor Partin stated that Ms. Patty Foy's term on the Planning Commission expired in March and she would like to serve again. She stated that Ms. Foy had served on the Commission since 2022 and consistently attended meetings. Mayor Pro Tem James made a motion to reappoint Ms. Foy. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

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

City Manager Hegler stated that the 2024 Soiree on State was fantastic and had close to 3,000 people.

### **Council Comments**

Mayor Pro Tem James stated that Council was quiet and listened intently to each person who spoke that night and stated he would respect and appreciate the exact same thing in return. He stated that whether he agreed with a citizen or did not agree with them, he served them and appreciated them being there. He stated that when City Manager Hegler stated that no one came forward at the Planning Commission meeting to speak about the overlay he was surprised since it was critical to the community. He stated mining in their backyard was an important issue. He stated that Ms. Safko said it saddened her that things went external. He stated that it saddened him as well and he did not take it external. He stated that he served on Council before and when he left he told Mayor Partin like Dorothy said in The Wizard of Oz to the tin man I'll miss you most of all and he meant that because of her leadership. He stated that there was no ill intent in what he did and it was almost embarrassing to have to go through a chronological order of what took place over the last couple of weeks. Mayor Pro Tem James stated that on March 11 he communicated with the Mayor as well as the City Manager and asked them point blank that he would like to place this item on the agenda for the March 20 meeting and their replies were exactly what he was hoping and what he thought they would be. He stated that they asked what they could do to help and in no way, shape or form did he think that they were going down a rabbit hole that they should not go down. He stated that when Mayor Partin and the City Manager did respond again, Mayor Partin advised him that she had something she needed to take care of for her family and would not be at the meeting and asked if he as Mayor Pro Tem could handle the Utility Budget Work Session as well as the Council Meeting. He stated that asking for this to be on the agenda is when he found out that the Mayor would not be there. He stated knowing that Mayor Partin was going to be absent he contacted Council to see if they wished to serve on the external committees. He stated that he researched to find out when the committees met so the council member who agreed to serve on the committee would know when the times were for them to serve on the committee. Mayor Pro Tem James stated that none of that was done in a backroom conversation and for the people who questioned how clearly the motions were made that night it was because Council Member Thomas knew exactly what committee he wanted to serve on and asked a fellow council member to nominate him for that committee and that nominating person needed to know that Council Member Thomas could serve on that committee. He stated that it was not done in secret but was done to make sure that the right people were serving on the committees that they could serve on and that they would have the time to be able to serve on them.

Mayor Pro Tem James stated that several days later he did bring up to Mayor Partin that maybe in the past everybody was busy during the daytime and Mayor Partin had to take on a lot of the external committees but now the current Council wanted to

serve on the external committees. He stated that was in no way negative towards any past council members that he had an opportunity to serve with but it was trying to figure out how did every commission and committee get loaded onto one person's shoulders. He stated that he met with the City Manager and Mayor Partin for a third time regarding the issue and outlining all of the commissions and committees that he filled. Mayor Pro Tem James stated that Mayor Partin served on other things such as MASC and they were glad that she did and she did a great job serving on MASC. He stated that other Council Members wanted to serve too and they needed to spread it out and they needed to make sure they were attending the meetings and bringing that information back. He stated that the City of Cayce had long been a Council City Manager form of government, not a mayor form of government, meaning that each Council Member had one (1) vote. He stated that he gladly and always looked at Mayor Partin as the person who was setting the agenda. He stated that an agency, commission or committee that dictated that a Mayor makes the decision did not supersede the authority and the government of Council, because the mayor was one vote. Mayor Pro Tem James stated that he remained ready to work as a team and had never lost sight of that. He stated that he wanted this team to remain focused on the City of Cayce, the citizens of the city, the growth of the city, and most importantly, the men and women who work every single day for the city. He stated that he was a father of two (2) daughters and he wanted to see the very best for ladies that he possibly could and nobody could question that. He stated that he did not want to see things externally advertised either and believed they could work through things. He asked that no one ever question his passion for the City. He stated that he literally took a bullet for the City in the line of service. He stated that he had served the City since he was 12 years old and would continue to serve the city in every way he possibly could.

Council Member Sox thanked everyone who spoke that night. He stated that he talked to a lot of people by email and phone and appreciated hearing from everyone. He stated that no comments were made regarding any of the external appointments until after Mayor Partin created a baseless narrative spinning up routine business as collusion and illegal action and the reality was that Council and the citizens had not heard a readout from any of the external committee meetings in years. He stated that the City's subpar attendance records at these meetings were widely known by citizens and he saw it on Facebook by members of these committees and their staff and now Council. He stated that he voted to remove the burden and time constrain from Mayor Partin on some of these boards and committees and did so without mentioning the attendance record to preserve the unity of Council. Council Member Sox stated that in an attempt to play politics, Mayor Partin used a consultant to help write and disseminate her press release to the media and that was why they were where they were. He stated that while they were conducting City business, Mayor Partin told members of Council that she made other plans, instead of coming to the meeting, since there was only one (1) agenda item. He stated that they had heard that before and he hoped it stopped. He stated that he was there to work for the City with Council and would continue to do so. He stated that he understood that the City was represented at the recent COG meeting

and he hoped Council Member Carter had a readout considering that was what they were appointing new council members to the committees to do.

Council Member Carter stated that he heard everything the speakers said regarding Council staying out of the news. He stated that the City's students and employees and all the good things that happen in the City needed to be in the news. He stated that the City was in the news by the actions of one person and it seemed like every time the City was in the news it was by the actions of one person. He stated that he was disappointed to read the statement that came out and he heard it from a reporter on March 27, one week after the March 20 meeting. He stated that the reporter asked him to respond to the statement and his first answer as always was he could not respond to something he had not seen. He stated that the City was a regional water and wastewater treatment provider and the citizens of Cayce deserved consistent and active representation on these important committees. He stated that it hurt the City's citizens more to have a seat at the table, only to have it unoccupied. Council Member Carter stated that the City had an Ordinance that established standards for attendance on committees and it read "if an appointee misses 1/3 of all meetings within a 12 month period of service, the member shall be subject to removal for calls by council." He stated that he hoped that the expectations of the City's citizens would be that Council not only be held to the same standard but perhaps a higher standard. He stated that it was said that all four (4) Councilmen hurt the citizens of Cayce by violating their right to transparency and it was illegal for more than two (2) council members to meet privately. He stated that he had been an elected official longer than anyone else on Council and he knew the rules. He stated that he could only speculate that the statements were made out of ignorance or as an attempt to influence public opinion. Council Member Carter stated that the reference made to the highest office holder holding seats was inconsistent with the City's form of government. He stated that Council Members were elected by district and the Mayor at large and each position had equal value and other than presiding over the meetings, the Mayor had no more authority than all the other Council Members. He referenced an email dated April 5 from the City Attorney that stated, "while the mayor or Mayor Pro Tem may have other specific duties imposed by law or custom, no council member in our form of government is otherwise considered legally superior in rank to the other." He stated that it was also implied that a representative from the City did not need to go if City business was not on the docket of these various committees. He stated that he thought that was being disingenuous and insulting to the City's colleagues that chose to attend and participate on these committees on a regular basis. He stated that the City had a Council that was prepared and excited to serve. Council Member Carter stated that if one reviewed the video of the last Council Meeting all appointees were asked if they had the time to commit to attend the meetings. He stated that Council needed to get along and there were no personal agendas except to move the City forward. He stated that his ethics and integrity had been challenged and he would not stand for that.

Council Member Thomas thanked the City Clerk for sending Council the report that he asked for on February 21 regarding committees and boards for the City. He stated that he asked for that information because he was big on representation because all of the City's Council Districts had amazing talent and people. He stated that currently District 1 had 26 people serving on City committees, District 2 had eight (8), District 3 had eight, and District 4 had 16. He thanked everyone that was serving on City boards and commissions to make the City the best place to live, work and play. He stated that he was very honored to represent the second district and he knew his District had a lot of talent that could help the City. He stated that he would love to see his constituents sign up for open positions so their district had more representation and could continue to help the City be great. Council Member Thomas stated that there were two (2) states that had yet to pass a hate crime bill and sadly South Carolina was one of them. He stated that cities across South Carolina were passing hate crime Ordinances and the City of Cayce would not be the last city to pass one. He stated that he aimed for Cayce to be the first city in Lexington County to set the tone that hate was not welcome there. He stated he hoped that it could be added to a future agenda. He asked City Manager Hegler if there had been any discussions about the Ordinance since he brought it up. City Manager Hegler stated that she had discussed it with Chief Cowan and she wanted to hear from most of Council if they were ready to bring it forward. Council nodded that they would like it brought forward. City Manager Hegler stated that staff would bring it forward.

Council Member Thomas thanked everyone for being there and that was what made America so beautiful, is that they could agree to disagree. He stated that he would love to see Council Chambers filled every single Council Meeting because he wanted a more informed and active community. He stated that during his first time sitting on Council his speech was about teamwork because together everyone achieved more and he was a firm believer in teamwork and working together. He stated that he wanted to work with the City Manager, the Mayor and his fellow Council Members. Council Member Thomas stated that he promised that whenever anyone reached out to him he would answer the call. He stated that everything was legal in what Council did so he did not know where the claim that Council Members were meeting at each other's houses came from. He stated that he was sad to hear that and he certainly had not been to anyone's house and he was offended that he had never been invited. He stated that he had never done anything illegally with communication. He stated that some communication had got out to the public that sadly had hurt the public and he wanted to do his job to the best of his abilities to bring the community back together. He stated that teamwork was very important in regard to the boards and commissions that the City sits on and they needed to be present, whether it was pertaining to City matters or not, because when these other cities see them sitting there, helping them solve the problems that they might have, then we expect the same in return when Cayce needed help. He stated that teamwork would always be on his mind because there was no I in team and he could not wait to continue to work to make the City the best city to live in on this planet.

Mayor Partin stated that Council did not hear the speakers. She stated that one could see from their comments that they still had to lie and they still had to attack her. She stated that they were more disturbed by this being out in the public in the citizen's eyes than by what they did. She stated that she would reiterate that she knew about the agenda item, but nothing else and as Mayor Pro Tem James said earlier that night, they did talk with each other, but they kept everything secret from her. She stated that was not teamwork. She stated that they would know that she did not serve on MASC if they had talked to her. She stated that they would know the damage that they just did to the City and would know that Council Member Sox could not be appointed to the River Alliance. She stated that she did not have a need to try to take those positions back because that was not what this was about. She stated that she would have gladly shared them had they shown any interest in serving, any interest in connecting and communicating or as Mayor Pro Tem James is famous for saying over communicating. She stated that she hoped Council would hear them soon and she hoped that they would understand what the speakers asked of all of Council that night. Mayor Partin stated that she would continue to lead in that way and would continue to communicate to the Council and to the City's citizens.

### **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
  1. Update on Lexington County's Cancellation of Road Maintenance Agreement
  2. Discussion of negotiations incident to proposed contractual arrangements concerning 800 Lexington Avenue

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

### **Reconvene**

After the Executive Session was concluded, Council Member Thomas 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 actions in follow up to Executive Session**

Council Member Sox made a motion to decline the current offer of the City owned portion of 800 Lexington Avenue and authorize the City Manager to continue negotiating. Council Member Carter seconded the motion. Mayor Pro Tem James stated that this was a parcel of property within the property at 800 Lexington Avenue

that the City owned and it was not anything about the development of that property. Mayor Partin called the question which was unanimously approved by roll call vote.

**Adjourn**

Mayor Pro Tem James made a motion to adjourn the meeting. Council Member Sox seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 9:48pm.

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Elise Partin, Mayor

ATTEST:

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Mendy Corder, CMC, Municipal Clerk





<b>Mayor</b> Elise Partin	<b>Mayor Pro-Tem</b> Tim James	<b>Council Members</b> Phil Carter Hunter Sox Byron Thomas	<b>City Manager</b> Tracy Hegler	<b>Deputy City Manager</b> Jim Crosland <b>Assistant City Manager</b> Michael Conley
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**City of Cayce  
Special Council Meeting  
Budget Work Session  
Wednesday, April 17, 2024**

A Special Council Meeting was held this afternoon at 2:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Mayor Pro Tem Tim James, Council Members Phil Carter, Hunter Sox and Byron Thomas. City Manager Tracy Hegler, Deputy City Manager Jim Crosland, Assistant City Manager Michael Conley, Municipal Clerk Mendy Corder, Finance Director Kelly McMullen, Utilities Director Betsy Catchings and IT Director Jamie Beckham 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 Thomas gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

### **Discussion Items**

#### **A. Discussion of Proposed FY2024/2025 General Fund Budget**

City Manager Hegler stated the Budget Work Sessions were one of her favorite meetings and staff had prepared their proposed budgets and would go through the things that they needed. She stated that she rarely told staff what not to present to Council because she wanted Council to get a full flavor of everything that staff felt they wanted and needed. She stated that the need might be in the upcoming year or might be able to wait a year or two. She stated that she never wanted Council to be blindsided in future years about something that staff says they urgently need but they had never heard about it before. She stated that the proposed budget was way out of budget which was not unusual for this time of year. City Manager Hegler stated that staff did not have any recommendations on millage, they were just going to let Council know what the snapshot of a possible millage increase would look like. She stated that they would also discuss sanitation fees so Council would have a clear understanding of the options they had before moving forward into what was a very difficult budget year for the City. She stated that they got a flavor of that from the Utility Work Session and General Fund was not incredibly different.

Ms. McMullen stated that first she would review the City's revenues. She stated that preliminary revenues had been put in for the 24-25 budget and property taxes currently accounted for 29 ¼% of total revenues. She stated that business licenses and permitting accounted for about 14%, franchise fees was approximately 16%,

accommodation and hospitality contributions were 8.5% and interest income was a little under 1%. She stated that charges for services were going to be sanitation fees and what the City charged for an actual service in the City, was 8.3%. She stated that grants and other made up 21.82% and court fines and forfeitures were approximately 1.15%. Ms. McMullen stated that the City's current millage was 58.1 mils and the recent assessment data that staff received from Lexington County the value of 1 mil in Cayce was \$67,914.18. She stated that the City was allowed by statute to have a millage increase limitation and there was two pieces to that, one was the inflation component, which staff received from the Revenue and Fiscal Affairs Department Office and was 4.12%, which equated to about 2.394 mils. She stated that population was the other part of that component, but that information would not be available until May. She stated that the City was allowed to do a three year look back, which was basically looking back at what the City was allowed to do for the past three years and using anything that the City had not already used. She stated that from 2020 to 2023, there were unused millage increases of 1.306 mils and for 2024 there was 4.648 mils equaling which meant that the City was capped at limiting the increase to 8.348 mils.

Ms. McMullen stated that the General Fund did have budget challenges like it had seemingly ever since COVID. She stated that staff was anticipating another 1% increase for retirement health insurance and the employer portion increase was 11.8% which was after a 6% increase in 2023 and a 3.7% increase in 2024. She stated that the City was still seeing a lot of open positions and was having to compete with fellow jurisdictions and the private sector for jobs. She stated that because of those unfilled positions, there were increases in overtime. She stated that there was still inflation and pricing issues, and the dollar was not going as far as it used to several years ago. She stated that there was an increased need for capital purchases because of the inflation component and some capital purchases had been put off. Ms. McMullen stated that supply chain delays were still an issue as well as changing customer expectations. She stated that more and more people wanted to do everything online therefore the City had to have everything mobile app friendly. She stated that changing technologies and those effects on critical infrastructure were also an issue and created a strain on the City trying to give those new software options to the citizens.

Deputy City Manager Crosland presented the requested administration budget. He stated that the City had outgrown the space at the current municipal complex and would eventually need to have a needs assessment study done. He stated that staff would issue an RFP for the study, and it was estimated to cost \$50,000. He stated that Phase 2 of the Prox card security project was requested since it had not been done in the garage, the parks and sanitation building, public works or the museum. He stated that for Public Buildings Robert Denny only requested a tool set.

Ms. Rachel Stuckey presented the Municipal Court's proposed budget. She stated that she was requesting space for her judges. She stated that the courtroom was small and only had seating for 49 people. She stated that the only place the judges

could go was the jury room but when there were jury trials, the judges were not able to use that space. She stated that also when an inmate was brought for court by the police department, they had to keep them separated from the general public, so they used the jury room and then the judge had to sit in a chair in the hallway. Ms. Stuckey stated that currently the court's records were stored in one of the old jail cells and the cost to turn that into an office was approximately \$10,000. She stated that it would also give a place for her assistant to use when the courtroom was in use for other things since his desk was in the courtroom. She stated that she was also asking for new office furniture for herself since hers was in poor condition and needed to be replaced. She stated that she had requested again the \$12,000 since they had to use a private entity to process payments and that cost was \$1,000 monthly.

Ms. Stuckey reviewed some statistics for the court. She stated that last year, they adjudicated approximately 4,656 citations and 643 warrants were issued. They had 10 Jury trials, five (5) trials in absentia and they were all found guilty and bench warrants were issued. She stated that they currently had 633 tickets written, 175 warrants issued, 38 pending pre trials, 40 pending jury strike trials and 67 pending preliminary hearings. She stated that they were behind because they had not been able to hire a prosecutor. She stated that there was someone who was incredibly interested in the position, and they hoped to have him presented to Council sometime in May.

Mr. Thomas White presented the proposed Sanitation budget. He stated that he was requesting a street sweeper clean out area where he could dump and clean out the sweeper and it would cost approximately \$9,000. He stated that currently he had to dump the sweeper out by the City's Wastewater Treatment Plant which took half of the day to do. He stated that a closer clean-out space was needed, and he was proposing the three (3) acres area that the City owned by Abbott Arms Apartments that was close to the City's complex. He stated that a concrete pad with water running to it could be put there. Deputy City Manager Crosland stated that this would allow staff to recycle the sand and the dirt. Mr. Thomas stated that was correct and that staff used the sand, dirt, and the gravel that the street sweeper picked up to fill holes and whatever else the Parks Department needed to use it for. Mr. White stated that he was requesting an additional Truck Driver II position that could operate the street sweeper full time. He stated that currently the City did not have a full-time driver for the sweeper, only he and two (2) other staff members could drive it. City Manager Hegler stated that last year they were not sure what the routes would look like but now knew it would be beneficial to have a dedicated person to operate the street sweeper. Mr. White stated that he needed to purchase new roll carts since many of them that were in use by citizens were 16 years old and in bad shape. He stated that the parts for the roll carts were no longer being made and he only had approximately 30 roll carts left to give to residents who needed a new one. Mr. White stated that he proposed purchasing approximately 1,025 roll carts which would work with any dumping truck and would last for quite a while.

Council Member Thomas asked if the new roll carts would replace all the City's old ones or just the one's when they break. Mr. White stated that they would be used to replace broken roll carts. Council Member Carter asked how many roll carts were needed to meet the current loading ability of the City's equipment. Mr. White stated 4,000. Council Member Carter asked in a 40-hour week, how many hours was the street sweeper being used. Mr. White stated that it was used approximately three (3) times a month, but the additional driver would run the street sweeper at least four (4) times a week. Council Member Carter stated four (4) times a week was a lot of usage and asked if the City's maintenance staff would be able to maintain the brushes and mechanics. Mr. White stated yes, they could take care of it.

Deputy City Manager Crosland stated that Ms. McMullen gathered information on what the surrounding municipalities and counties charge for a sanitation fee. He stated that the adopted FY23/24 budget for Sanitation was \$1.3 million and the City had 4,785 customers. He stated that 9.44 mills of the City's millage was used to budget the Sanitation Department. He stated that the FY24/25 requested budget for Sanitation with the same number of customers estimated, was \$1.5 million and the yearly revenues from the fees would only cover 49.62% of the budget so 11 ½ mills would have to be used to cover the \$1.5 million. Deputy City Manager Crosland stated that if the City wanted sanitation to cover its costs from fees it would cost \$27.21 per month, and that would cover 100% of that budget from fees. He stated that staff was not requesting that and was only showing Council what it would cost.

Mr. James Denny presented the proposed Parks Department budget. He stated that he requested additional money for an outside tree removal company to come in during emergencies to remove fallen trees. He stated that the City had more and more trees falling unexpectedly and the City had an aging tree canopy. He stated that long term he was looking into having a tree removal company on retainer. He stated that his employee training line item increased because he had a very young department that needed a lot of training. He stated that they were great employees and would be even better with training. He stated that 18 months ago Dominion removed close to 60 trees on 12th Street Extension and he and his staff were in the process of creating a plan to replace those trees, so he had requested funds to replace the plants. Mr. Denny stated that he had requested a replacement pickup truck and an additional groundskeeper position. He stated that they did a lot of repairs in-house and now had a groundskeeper doing that work so he needed to replace him to have a full crew. He stated that he requested a power broom for the Riverwalk since it flooded so much. He stated that it took eight staff members three to four days with the current equipment to clean up after a flood and it cost approximately \$4,000 per day with that crew cleaning the Riverwalk. Mr. Denny stated that he requested an arial lift. He stated that the current arial lift could go up sixty-two feet but it only moved 1.1 mile per hour. He stated that the one he proposed to purchase would be much quicker and could go over rough terrain and get into more places.

Council Member Thomas asked what line item covered new swing sets and park equipment for the City's parks. Mr. Denny stated that those items were purchased with hospitality tax funds or through grants. Council Member Thomas asked how many of the City's parks had ADA compliant playground equipment. Mr. Denny stated that all of the City's parks were ADA compliant for swings and equipment and if the Lexington County parks located within the City had non-ADA compliant equipment then staff removed it from the park.

Deputy City Manager Crosland introduced Mr. Bill Clark, the City's Fleet Manager. He stated that Mr. Clark provided Council with a current vehicle list. He stated that as staff implemented the software program, they were able to capture the vehicles, but the updated mileage was a little off but as staff updated their car keys and got gas in the new system, it would slowly update that software factor.

Mr. Clark thanked Council for the new software and stated that it was working like a dream and was much easier and faster than the previous software. He stated that he had requested a new printer and to attend a class in Waco, Texas. He stated that it was a free class on the street sweeper taught by the people that built the street sweeper, and it was a fabulous class. Council Member Sox asked what could be accomplished once staff completed the class. Mr. Clark stated that the class went through every inch of the streetsweeper from the front bumper all the way to the back. He stated that it was good for the mechanic and the operators because the class covered stuff that the operator needed to know when he was out on the road, and it covered items the mechanic needed to know when it came in for service. He stated that he also requested a backup generator for the fuel pumps because the current one was at least 50 years old. He stated that it ran on natural gas and was on its last leg. He stated that he was not sure it would last an hour if it had to run. Council Member Carter asked if the backup generator was isolated from the grid. Mr. Clark stated that as far as he knew it did isolate from the grid. Council Member Carter asked if the power broom that Parks requested was an attachment or a self-contained machine. Mr. Denny stated that it was a self-contained piece of equipment.

Assistant City Manager Mike Conley presented the Planning and Development Department's proposed budget. He thanked Council for the new software for the department and stated that it was being installed and should be up and running in the next couple of months. He stated that Ms. Monique Ocean was taking the AICP examination and Administration was happy to support her in that. He stated that he requested a new laptop and docking station for Ms. Rochelle Smith so she could be more data supportive. He stated there had been a small increase in the amount of Hospitality Tax funds the City collected and a small decrease in the Accommodations Tax funds. He stated that that Lexington Urgent Care opened on Knox Abbott Drive and a rehab facility opened on Taylor Street and Trini Lime Caribbean Cafe opened on State Street which was a wonderful addition to the City. Assistant City Manager Conley stated that Taco Nayarit was under construction on Knox Abott Drive and Dunbar

Village, a residential construction, was underway. He stated that the new pickleball court would be under construction soon and a Five Below was opening in Parkland Plaza. He stated that Planning and Development staff had been doing audits on business licenses and had caught wrong revenues being listed and had gotten additional revenues that the City truly deserved to get.

Andy Thomas presented the proposed Museum budget. He thanked Council for being supporters and stewards of the City's history and heritage. He stated that he now had a full-time employee, Ms. Elizabeth Lumsden, who became full-time in July 2023. He stated that expanded what they could do in the Museum, and she was doing a really good job for the City. He stated that last fall the Museum hosted the opening reception for the South Carolina Federation of Museums which was the main organization for South Carolina museums. He stated that they were given a major donation of modern Catawba pottery and the appraisal on the pottery was finished in January and they were starting to look at how they could display that pottery in the Museum. Mr. Thomas stated that the African American Legends of Cayce exhibit was finished this year which gave the Museum even more diversity than it had. He stated that they had received very positive responses from everyone who visited the exhibit and would continue to promote it. He stated that the Museum Commission had worked on a new strategic plan for the Museum and were in the early stages of creating a Friends group for the museum. He stated that they were replacing the top five (5) windows of the Museum and Austin Historical was in the process of building the windows.

Mr. Thomas stated that the Museum got a donation from the Midlands Coin Club that consisted of all Confederate bills that were printed during the time when the Confederate printing press was in Columbia. He stated that he was in the process of completing the public safety building upgrades in the public safety exhibit building. He stated that the ceiling was completed as well as the lights and walls and the floors were finished. He stated that they were now ready to begin building out exhibits in the building. Mr. Thomas stated that they were creating a new exhibit that would look at all three (3) aspects of the Columbia Airport - the military part, the part when the airport was small in the 50s, and 60s, and then what the modern airport was all about. He stated that they had collected some really neat materials from the Airport.

Mr. Thomas stated that much of what he requested would be funded with Accommodations Tax and Hospitality Tax funds. He stated that he had requested hiring a design service to help staff envision the space to display the Catawba pottery. He stated that the 250th anniversary of the Revolutionary War was in the near future and he had requested money to construct cases and build an exhibit in honor of the 250<sup>th</sup> anniversary. He stated that it was approved in the current budget to have new gutters installed but had to wait until the windows were completed. He stated that the new gutters would divert the rainwater that was causing the windows to rot. Mr. Thomas stated that he also requested monies for annual events that the Museum holds.

Council Member Thomas thanked Mr. Thomas for having a rain date for Christmas Traditions. He asked if he was going to be proactive and have a rain date this year in case of bad weather. Mr. Thomas stated that he and the Commission had discussed that and did plan on having an alternate date in case of bad weather. Council Member Thomas asked approximately how many people toured the Museum. Mr. Thomas stated that in 2023 approximately 600 people toured the Museum. Council Member Thomas asked if there were any marketing materials in the Museum that listed local restaurants and where to shop in Cayce. Mayor Pro Tem James stated that the local Chamber had marketing materials for the City. City Manager Hegler stated that the Museum and the 12,000 Year History Park were marketed at welcome centers throughout the state.

Mr. Jamie Beckham presented the proposed IT budget. He thanked Council for approving a new position in IT and stated that the additional help had enabled him to tackle a lot of the help desk backlog. He stated that there was 80 to 85 help desk tickets on backlog and they were down to 16 and 12 of those were long term projects. He stated that they were able to be a lot more responsive and get things done in a timely manner. He stated that they were actually starting to check things off of their wish list and were starting to do some more proactive stuff. He stated that with the ARPA funds Council gave him last year, they started converting staff over to a docking station and laptop combination and no longer used traditional desktops where it was appropriate. He stated that way they only had to support one (1) device instead of two (2) and it helped staff to be mobile and work remote. He stated that he had requested 13 new rugged laptops since their lifespan was five (5) years and they were trying to roll them off at the five (5) year mark. Mr. Beckham stated that he also used ARPA funds to roll out some mobile device management that allowed him to keep control of the City's cell phones.

Mr. Beckham stated that he saw a substantial price increase in everything. He stated that they had added a lot of servers the last two (2) or three (3) years and the City's data footprint went from about eight (8) terabytes to about 13 terabytes which was a 50% increase in what they were already pushing up to the cloud. He stated another issue was the cost of a three (3) year commitment. He stated that across the board, all the vendors he looked at for this year, if he went with less than three (3) years with them, they wanted substantially more money for just the one (1) year commitment. He stated that he also used ARPA funds to replace all the City's switches that were the backbone of the network. He stated that they had replaced both firewalls and several of the switches. He stated that they were working with a consultant vendor to help them build it in a thoughtful manner. Council Member Thomas asked if the sanitation app could be expanded to list City events and a calendar. Mr. White stated that staff was currently working on getting all the City's addresses entered into the app. Council Member Thomas asked him to keep Council in the loop since it was beneficial to enhance the app and he would love to be supportive of that. Mr. Beckham stated that it did have some ability to have additional messaging for citizens. He stated that it was

built as a notification for sanitation pickup, but they had expanded it with a few other messages. He stated that currently staff was experiencing issues with the address database.

Ms. Kelly McMullen presented the proposed Finance budget. She stated that she had requested an additional fleet vehicle for Administration. She stated that one more fleet vehicle would help disperse the load against the current vehicles. She stated that she had requested money for new software. She stated that the current software did a great job on financials but not the transparency in the reporting of those financials as well as the stuff that was grant related and procurement related that was handled by spreadsheets and PDF and was currently a manual process. She stated that new software would give staff the ability to do budgeting and planning and make the budgeting a more collaborative process and a more transparent process so that all staff could log into a portal. She stated that the minute she made a change, it would be noted and tracked, and Administration could see the changes. She stated that the software would help in creating a real formal capital improvement plan and a personnel plan and that would be part of the planning and budgeting and the procurement side which also included contract management. Ms. McMullen stated that currently the grant process was an Excel-based manual process. She stated that the City's grants were exploding, and staff was doing everything it could to go after grants and Excel was just not ideal and she did not want to risk missing a deadline. She stated that the new software would help the City be more transparent and collaborative. She stated the cost to implement the new software would be approximately \$66,000 and that would include all the City's information, every contract, every RFP, all of the grants and a chart of all the City's accounts, being put into the software. She stated that then there would be a \$66,000 recurring cost to upkeep the software.

Ms. McMullen stated that Finance had been looking at an indirect cost transfer study. She stated that the indirect cost transfer was the amount of money that basically utilities paid the general fund for their use of HR, their use of finance and their use of the other general fund departments. She stated that in her opinion, staff needed to seek an outside source to do a professional study. She stated that it was currently an internal process. She stated that the City only had one printer capable of printing checks and she was asking to put money in reserve in the Finance budget in case the printer ever did break, the funds would be there to immediately replace it. Council Member Thomas asked if the Grants Management Program searched out the grants for the City to pursue or was it more to keep staff organized and on schedule. Ms. McMullen stated that the ones she had looked at only monitored the grant once staff was aware of it.

Chief Steven Bullard presented the Fire Department's proposed budget. He stated that over the past year they had over 2,100 calls, 91 of which were fire calls. He stated that of those 91 fire calls, they saved \$4.7 million in property. He stated that they had over 5,000 hours of training between the 24 people on staff. He stated that in 2020 they ran 1,100 calls and in 2023 they ran 2,100 so in that three-year period, they had an

89% increase in call volume. He stated that he did a salary study internally, between 10 departments around the state, and looked at varying positions within the fire department and then comparing all those positions and salaries across the state, found that Cayce was below the average in a lot of areas. He stated that he was requesting to spend approximately \$90,000 to increase their salaries to get above that average level. He stated that that would account for things such as compression and certification pay for the firefighters who work hard for the City every day.

Chief Bullard stated that they were in dire need of a new fire engine. He stated that the last engine was purchased in 2016 or 2015 and had a lot of wear on it. He stated that it would be replacing the 1999 engine that was still in service that had been used a good bit lately, due to some mechanical problems with the other trucks. He stated that a new engine would cost approximately \$900,000 and that would include the truck and all equipment. He stated that he spoke to a salesman recently and he mentioned how much these apparatuses had increased in price over the past three (3) years. He stated that the price of an engine had risen 63% since 2020 and he did not foresee the increase in price slowing down. Chief Bullard stated that he had requested a replacement of the Fire Department's service truck which was a 2008 Ford F250 with over 205,000. He stated that it was used to transport their boat to and from the river for emergencies. He stated that they were looking at replacing it with a multipurpose vehicle that could take the place of that truck and another truck they currently used and would cost about \$175,000. He stated that he had requested some upgrades to the station. He stated that they were running out of room and needed to do some general updating to make the station more comfortable for the eight (8) firefighters on shift every day who spent a third of their life there. He stated that a rough estimate would be about \$100,000 to do those updates and upgrades.

Chief Bullard stated that he had requested a UTV to be used in the Riverwalk and at the special events they do. He stated that it would be used to provide patient transport and would have fire suppression capabilities on it as well. He stated that currently when they responded to patients at the Riverwalk they had to either carry them out of the Riverwalk or borrow the police departments UTV. He stated that their own UTV would make it more efficient for them to be able to respond and provide a better level of care to the City's citizens and for events. Chief Bullard stated that the Speedway was a large area so it would be beneficial if they had a way to get around there faster carrying all their equipment. He stated that the cost of the UTV was \$38,000. He stated that the Assistant Chief's vehicle had over 100,000 miles on it and needed to be replaced as well as new bunker gear was needed. He stated that he had requested an off-site storage building where they could store a reserve engine and their boats and free up some space at the station and that cost would be \$75,000. He stated that they had applied for a AFG grant through FEMA to replace their radios but would not know until October if they got it but if not, they needed to start thinking about setting some money aside to replace the radios since the police department had already gotten funded to replace theirs and they needed to be able to communicate with them.

Chief Bullard stated that he had been looking at long range planning and with their increase in call volume and the number of services they provided to the community, they were looking at adding some additional firefighters. He stated that in FY25-26 he hoped to get one more per shift and in FY26-27 another additional firefighter per shift, and a new fire station in FY27-28 and an additional three firefighters. He stated that they would also need to replace some equipment and another fire truck at that point. He stated that turnout gear would need to be replaced then as well. Council Member Sox asked if the goal was to add nine FTEs by 2028. Chief Bullard stated yes and hopefully a new station so they could accommodate them. Mayor Pro Tem James asked if he currently had the staff he truly needed. Chief Bullard stated not really to be able to provide the best service. He stated that currently they would need nine (9) per shift which would allow them to have two (2) full shifts, trucks and a battalion chief to go on every call wherever they were needed. Mayor Pro Tem James asked what he did when he was short currently. Chief Bullard stated that they utilized mutual aid with West Columbia and Lexington County to meet the NFPA standard.

Chief Chris Cowan presented the Police Department's proposed budget. He stated that he was always excited to get the opportunity to tell Council all about the department because they were extremely proud of what their Officers were doing every day. He stated that they were looking at a very competitive market in law enforcement with currently 5,400 openings in the state. He stated that when it came to competing for talent, they were trying to make sure they were providing the best environment that they possibly could, whether that was resources, equipment, or teaming. He stated that the department was up about 10.9% in calls for service from the year before when they had 12,983 calls for service. He stated that they took 30,543 incident reports last year and that was up from the year before. He stated that they were in a situation where their calls for service were rising, and their impact to the communities was rising in a positive way. Chief Cowen stated that they had started better tracking the way that their personnel worked by utilizing Smart Cop and by utilizing more innovative operations within the department. He stated for example, they had combined the Park Rangers and Animal Services units therefore they no longer had one (1) person doing animal control and now had five (5) people that worked together cohesively to not only provide safety to the City's parks, but they also handled all animal calls.

Chief Cowan stated that they had started doing proactive education trying to encourage people to understand what the police department did and did not do because a lot of people were under the impression that if they found a rattlesnake in the door of their house, the police were supposed to respond. He stated that they did not have the capabilities to deal with that but could provide them a better service through providing them resources in the community. He stated that they were really excited about the transition that they had made to extra duty solutions, and it had provided an increase to the officers when they work extra duty in the community and they were able to track more cohesively the actual outcome of their working. He stated that they believed they provided a better service to the citizens, because they had a manager with extra duty

solutions that was locally based, that communicated directly with the clients and making sure that they were getting the service they needed and making sure their officers were signing up and everything was app based. He stated it was implemented on July 15 and the officers had done about 3,000 hours in extra duty work. He stated that it also provided them the ability to make sure they were covering the expenses for the City - gasoline, wear and tear on the vehicles and on the equipment. He stated that now every officer had a cell phone not only for extra duty solutions, but also now victims and suspects could get in touch with the officers, and they no longer had to use their personal devices.

Chief Cowan stated that he was really proud of the patrol division who was the backbone of the department as well as the Criminal Investigative Division and the Records Division. He stated that they had done some unique things this last year at no cost to the City. He stated that they had expanded their Social Worker Program to where they were out in the community and making contact with citizens and helping provide resources that the Officers could not provide. He stated that they provided a mental health clinician through the Department of Mental Health and also had a great partnership with the US Secret Service so they could now do digital evidence recovery and digital investigations and it was no expense to the City. He stated that the Secret Service paid for \$90,000 worth of equipment that they were providing them and training them. He stated that Sergeant Garmin was extremely passionate about this and about 85% of their cases had a digital impact of some kind and now they could do that and did not have to rely on SLED and outsource it. Chief Cowan stated that now they had agencies coming to them to ask them for help and were finding that often there was a link between the other agency's case and theirs. He stated that they had a whole new direction with their K9 program thanks to the Public Safety Foundation and the funding and fundraising efforts through Steel Paws. He stated that they had been able to expand their K9 unit and provide basically a diverse K9 unit. He stated that they now had patrol single purpose dogs, they could have patrol apprehension dogs and explosive ordnance detection dogs and therapy dogs and soon would also have a weapons detection dog for schools.

Chief Cowan stated that thanks to Council, the police department had gone through a huge technological relevant revolution, and they were hoping that they could demonstrate some of that to Council. He stated that it had provided a better ability for officers to be able to provide resources and stated that they did not have to go back to headquarters or the substation to download reports and could now do it in their vehicles. He stated that they were looking into a substation space in the community, possibly in the Hunters Mill area or the Charleston Highway area, but they needed to decentralize headquarters. He stated that they had outgrown that space and had the potential this year to be able to move into a retail space for about \$1,400 a month, which would move the Criminal Investigative Division out of headquarters and would double their space from what they currently had. He stated that by evolving their technology, they became more visible in the community and also provided resources like online reporting.

Chief Cowan stated that he had requested rugged laptops and range improvements. He stated that they had to remediate the lead at the range. He stated that they needed to replace their generator. He stated that he requested five (5) vehicles as he did last year. He stated that Dispatch needed a 24-hour support chair. He stated that they did a comparison of salaries between the City and West Columbia, Lexington, Columbia PD, USCPD, SLED, Highway Patrol and Pine Ridge. He stated that they picked those agencies because they were the ones, they lost people to. He stated that their salaries needed to be competitive. He stated that in order to do that they were looking for a competitive pay incentive plan which would basically give a higher pay to Sergeants and below and a lower increase in Lieutenants and above. He stated that they needed to make sure they were taking care of middle management. He stated that it would cost approximately \$380,000 and they would want to continue to have a pay specific for Patrol. Chief Cowan stated that Patrol was the backbone of the department and if someone was committed to being on Patrol, they wanted to continue to have a pay incentive. He stated that they implemented that last year within their budget, and it had been very beneficial. He stated that basically, if one was on Patrol, they received an incentive for staying on Patrol and if one was hired and came in to go on Patrol, they received an incentive for that as well. He stated that they believed it was very important and would make the City competitive with other agencies as well as help in retaining the great people that they had currently.

Council Member Sox stated that traffic stops were down about 2,000 and the City implemented Smart Cop in December. He asked what reduced the traffic stops. Chief Cowan stated that the officers were out there writing tickets. He stated that a resident called recently and wanted to know how many tickets were written in her neighborhood. He stated that 55 tickets were written in a six-month period in that neighborhood. Council Member Sox asked if he was looking into finding grants for ShotSpotter or something similar and asked if Chief Cowan thought it was needed in the City. Chief Cowan stated that he did not believe ShotSpotter was necessary in Cayce right now. He stated that he thought they needed to spend their money, attention, and time on other things. He stated that ShotSpotter was a system that detected gunfire and West Columbia had implemented it and they had been very successful in that. He stated that it immediately made notification from the system that there was gunfire, and they could actually pinpoint the location. He stated that was not to say that it would not benefit the City but there were other resources they needed to be committed to. He stated that the City had two homicides last year and one homicide was too many, but the City's crime numbers were low. He stated that the in-car radios were going to have to be replaced in the next year and that was going to be a big-ticket item. He stated that Administration talked about shifting that responsibility to next budget year so they could focus on salaries this year and continue to pursue grants.

Mayor Partin stated that the crime stats were amazing. She stated that she heard from citizens regularly that they felt safe. She stated that there were so many great new initiatives and projects that were proactive within the Police Department.

Chief Cowan stated that the social workers had 147 incidents that they helped with from October to March so that was 147 incidents where officers hopefully did not have to go back again.

Deputy City Manager Crosland thanked Council for their time and stated that staff loved being there to present their budgets to them. He stated that the purchaser rates were due April 28 and in May staff would be working with Council on finalizing the budget. June 4 was first reading of the budget and June 26 was second reading. July 1 the new budget would be implemented.

### **Adjourn**

Council Member Thomas made a motion to adjourn. Council Member Sox seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 4:28 p.m.

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Elise Partin, Mayor

ATTEST:

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Mendy Corder, CMC, Municipal Clerk



**Mayor**  
Elise Partin

**Mayor Pro-Tem**  
Tim James

**Council Members**  
Phil Carter  
Hunter Sox  
Byron Thomas

**City Manager**  
Tracy Hegler

**Deputy City Manager**  
Jim Crosland  
**Assistant City Manager**  
Michael Conley

**City of Cayce**  
**Regular Council Meeting**  
**Wednesday, April 17, 2024**

The April 17, 2024, Regular Council Meeting was held this evening at 5:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Mayor Pro Tem Tim James and Council Members Phil Carter, Hunter Sox and Byron Thomas. City Manager Tracy Hegler, Deputy City Manager Jim Crosland, Assistant City Manager Michael Conley, Municipal Clerk Mendy Corder, Police Chief Chris Cowan, Assistant Police Chief Shawn Grant, Fire Chief Steven Bullard, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley, Utilities Director Betsy Catchings, 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 Council Member Thomas gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

**Public Comment Regarding Items on the Agenda**

There was no public comment.

**Presentations**

- A. Recognition of City Employee, Chris Mills, being awarded the Water Environment Association of South Carolina Capital District Water Treatment Operator of the Year and the Water Environment Association of South Carolina State Water Treatment Operator of the Year.

Mayor Partin stated that Mr. Mills had an A-level operator license in water treatment and was responsible for all aspects of the water treatment plant operations to include mixing chemicals, changing chlorine ton cylinders, reading and recording data from gauges, meters and SCADA, checking and adjusting chemical feed systems, operation of machinery and pumps, monitoring pump stations and distribution pressures and tank levels. She stated that he performed laboratory testing on water throughout the treatment process to ensure proper parameters were maintained and he performed preventive and scheduled maintenance on plant systems. She stated that Mr. Mills' twenty-five years of experience was invaluable to keeping the City's system running smoothly and staying in regulatory compliance. She stated that he helped create the standard operating procedures for the last plant upgrade when the plant changed to a completely different treatment process. Mayor Partin stated that he also trained new staff

in laboratory procedures and operation and assisted in creating the lab database. She stated that Mr. Mills aspired his co-workers to be better people, and that only helped to make them better operators. She stated that he was recognized in January as the WEASC Capital District Water Operator of the Year, and it was followed by him winning the WEASC State Water Operator of the Year in March.

**B. Recognition of City Employee, Denis Bergeron, being awarded the Water Environment Association of South Carolina State Lab Analyst of the Year**

Mayor Partin stated that Mr. Bergeron was the Utilities Lab Director and was assigned to manage the wastewater treatment plant lab and the drinking water treatment plant lab. She stated that he worked both the Lab Director and Lab Technician duties for an extended period of time until staff vacancies could be filled and nurtured a much less stressful work environment enhancing better communications between the WTP and WWTP labs and operators. She stated that he revamped and streamlined all lab paperwork for efficiency and ease and initiated and installed the WIMS WTP and WWTP software database. She stated that Mr. Bergeron trained, oversaw, and provided in-house and professional lab training certification for 3 full-time staff and 11 WTP and WWTP operators. She stated that he assisted in troubleshooting water quality issues in the Congaree River, the City water reservoir and the Water Treatment Plant and the distribution system. Mayor Partin stated that Mr. Bergeron was the leader of the Lead and Copper Rule Committee for the City, working with the Utilities Director and related departments to meet the requirements of this Rule. She stated that he designed and installed the new Water Treatment Plant sampling sink providing sequentially arranged spigots based on the process stream, reducing mistakes, and increasing reliability in collecting the correct water sample. She stated that he added much needed state-of-the-art lab equipment in both plant's labs and this equipment enhanced and provided additional in-house process control analyses sampling, thus eliminating "out-sourcing" and providing cost savings to the City. Mayor Partin stated that Mr. Bergeron worked tirelessly on task, looking for ways to improve the operations and work environment and had a great attitude and brought an enjoyable family atmosphere into a previously stressful work environment. She stated that in March at the South Carolina Environmental Conference, Mr. Bergeron received the WEASC State Laboratory Analyst of the Year Award for his contributions to the City and the water industry.

**C. Recognition of City Employee, Legrand June, being awarded the Water Environment Association of South Carolina State Membership Award**

Mayor Partin stated that Mr. June was the Superintendent of Wastewater Facilities and had been with the City for almost ten years and managed the Regional Wastewater Treatment Plant and the Septage and Grease Receiving Station. She stated that in March at the South Carolina Environmental Conference, Mr. June was recognized for his outstanding recruitment of new members to the Water Environment Association of South

Carolina (WEASC) and received the WEASC State Membership Award. She stated that the WEASC provided invaluable training for the City's Utilities staff.

### **Items for Discussion and Possible Approval**

#### **A. Discussion and Approval of Grant Award for the Department of Transportation Safe Streets and Roads for All Grant**

City Manager Hegler stated that the City had been awarded a grant from the US Department of Transportation called the Safe Streets and Roads grant. She stated that the City was committed to improving roadway safety by creating a comprehensive safety action plan to significantly reduce or eliminate roadway fatalities and serious injuries, eventually developing and implementing the plan so all users – including pedestrians, bicyclists, public transportation users, motorists, personal conveyance and micro-mobility users, and commercial vehicle operators had reliable and safe transportation options. She stated that staff chose the four (4) most dangerous intersections in the City - (1) 321 and the 3000 block, (2) Knox Abbott and 12th Street, (3) Frink Street and Julius Felder, and (4) 12th and Frink. She stated that DOT required that the City have a plan for what it would take to address safety at those intersections for pedestrians and impact of motorists. She stated that there had been fatalities at a couple of the intersections that were chosen. City Manager Hegler stated that the City's Grant staff applied for and received \$160,000 in grant funding through the Department of Transportation for the creation of a Safety Action Plan and the purpose of developing a comprehensive action plan was to create a strategy the City could use to cultivate safe transportation options for community members, students, and visitors alike. She stated that the City would solicit a consultant to help with the development of this plan.

Mayor Pro Tem James made a motion to accept the grant award and match it with \$40,000 utilizing the general fund balance. Council Member Thomas seconded the motion. Mayor Pro Tem James stated that he knew Mayor Partin agreed that the City's bicycle and pedestrian safety was important and continuing to grow that safety so that people could get around another manner besides vehicles was so important. City Manager Hegler stated that this was a rolling grant opportunity so as soon as the plan was finished the City should be in good running for implementation dollars to make whatever improvements were required. Mayor Pro Tem James stated that he believed the intersections that staff chose would be a shining example. Mayor Partin thanked staff for all their hard work and stated that her contacts in the Federal government helped her to be able to bring this to the City. Mayor Partin called the question which was unanimously approved by roll call vote.

#### **B. Discussion and Appointment of Municipal Judges and Approval of Agreements**

City Attorney Crowe stated that City Council had the authority under State law to appoint municipal judges and the current judges, Shannon Bobertz and Bryan Jeffries, two-year terms were ending in the near future. He stated that staff's recommendation was to reappoint the two (2) judges but the procedure Council wished to follow and whether they wished to reappoint was strictly up to them. Mayor Pro Tem James made a motion to reappoint both judges to a two (2) year term. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

C. Discussion and Motion To Ratify Action of City Manager entering into a Contract for Emergency Repairs to Water Line on Airport Boulevard near Parliament Drive.

City Manager Hegler stated that this item was related to emergency repair work of a broken water main that started April 3, 2024. She stated that the City had to take immediate action to minimize the effect on the City's customers, but also to get that roadway back in good working order quickly. She stated that GH Smith who the City had worked with before, provided a quote and the necessary certificates of insurance for the needed repair. She stated that the price was agreed upon for the needed equipment, materials and labor to complete the job. She stated that the job generally consisted of extensive traffic control on Airport Boulevard near Parliament Drive and a large excavation in the roadway to replace approximately 35 linear feet of pipe around an old storm box and repair of the roadway. City Manager Hegler stated that after obtaining approval from the DOT, the emergency repair work began on April 8 and concluded on Friday. She stated that the Utility staff was able to complete it in a week and great kudos to them. She stated that they worked day and night to get it done as quickly as possible, as well as a good turnaround from the DOT to help as well as the City's consultant. She stated that the price for that work and the emergency repair was \$160,000 and given its urgency, she did approve that quote. She stated that per the City's policy, she was asking that Council ratify her action executing the agreement with GH Smith construction for \$160,000 and that would be funded from utilities capacity reserves, under the City Manager's emergency powers. Council Member Sox made a motion to ratify the City Manager's action. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

**Ordinance and Resolution**

A. Discussion and Approval of Ordinance 2024-03 Amending Zoning Ordinance Article 6 District Regulations Concerning Uses in the Design Overlay Districts –First Reading

City Manager Hegler stated that this item was deferred from the last Council Meeting to consider some of the recommended changes that staff had in that proposal. She stated that staff had heard from a few people some concern about some mining language that was allowed and permitted in the Ordinance. She stated that she

recommended proceeding with the rest of the Ordinance and the recommended changes to it could be made in a motion to remove the parts that were a concern. She stated if that was accepted as an amendment, then Council could give first reading to that article as amended and proceed to second reading at the next Council Meeting.

Council Member Thomas made a motion to amend Ordinance 2024-03 amending Zoning Ordinance Article Six district regulations concerning uses in design overlay districts to remove direct line on any operation primarily used as distilling, refining, smelting or mining operation. He stated that would keep the prohibition on those uses in the I-77 gateway overlay district. Council Member Carter seconded the motion. Council Member Carter thanked staff for removing that particular language that he asked for. Council Member Thomas thanked City Manager Hegler and stated that when they met he had some environmental concerns and she assured him that the environmental community would be brought to the table so they could discuss any potential mining or this issue in the future. Mayor Partin asked Council Member Thomas when he stated we, was he referring to him and the City Manager. Council Member Thomas stated yes, that was what he meant. Mayor Partin stated that she wanted to be thoughtful that none of this would be saying anything negative about Martin Marietta which was a great corporate partner and very involved in the community. Council Member Carter stated that he agreed. Mayor Partin called the question which was unanimously approved by roll call vote. Council Member Thomas made a motion to approve the amended Ordinance. Mayor Pro Tem James seconded the motion which was unanimously approved by roll call vote.

**B. Consideration and Approval of Resolution Declaring May 5 – 11, 2024 as Professional Municipal Clerk's Week in South Carolina to Recognize and Honor the Valuable Contributions that Municipal Clerks Make to Cities and Towns in South Carolina**

Mayor Pro Tem James made a motion to approve the Resolution declaring May 5 – 11, 2024 as Professional Municipal Clerk's Week. Council Member Sox seconded the motion. Council Member Thomas thanked Ms. Corder for her hard work and just being a joy to the City. Mayor Partin thanked Ms. Corder for all she did. She stated that Council constantly got kind words from citizens who were thankful for Ms. Corder's customer service and thanked her for what she did for Council and the City's citizens. Mayor Partin called the question which was unanimously approved by roll call vote.

**City Manager's Report**

City Manager Hegler stated that Ms. Brittany Smoak and Ms. Rochelle Smith, both who work in the City's Planning Department, received their MASC accreditation for business licensing last month. She stated that they were becoming business license experts and were sought after for their expertise. She stated that a kickoff to Victim's Rights Week was being held Friday at Police headquarters at three o'clock. She stated

that the Beautification Foundation was holding one of their semiannual fundraisers, an adult spelling bee, that Sunday at Steel Hands starting at 2pm.

### **Council Comments**

Council Member Thomas stated that he had partnered with the Center for Heirs Property Preservation to host a free will clinic in Cayce for all of Lexington County. He stated that it was being held on Saturday, May 4 at Mount Zion Church of Cayce. He stated that one must call Ms. Ariel Anderson at 843-745-7055 to set up an appointment. He stated that he was thankful that 16 families had already registered. He stated that he wanted to bring some positivity to Council and the beautiful community. He stated that Council Member Carter had so much history that ran through his veins. He stated that he had served on the school board and now council because of his love for his community. Council Member Thomas stated that he knew Council Member Carter loved burgers and if he was a burger, he would be an All-American burger. He stated that he was honored to take the rookie crown from Council Member Sox, and he was very blessed to see their generation step up and take on leadership roles. He stated that Council Member Sox's future was very bright. Council Member Thomas stated that Mayor Pro Tem James took a bullet for the City and had gone above and beyond the call of duty. He thanked him and stated that he was so honored to sit next to and serve with him, a hero. Council Member Thomas stated that the first time he sat next to Mayor Partin he was in awe at how amazingly she ran the meeting. He stated that when she spoke she was so articulate and confident and powerful. He stated that there were cities in America that had never had a female mayor and he was so blessed and thankful that he got to sit and serve next to the woman who changed that for the City of Cayce. He stated that he was so blessed to serve with Council and he knew they were going to do some amazing things for their beautiful city.

Council Member Thomas asked Ms. Corder if any of the City's committees had an opening. She stated that they were all full. Council Member Thomas stated that Ms. Corder gave him the information that he spoke on last week in regard to committees and boards for the City. He stated that he was going to list the Council district representation on each City board because he was very serious about District 2 being represented. He stated that he needed his District Two people to come out because they had so much potential and talent in District 2. Council Member Thomas stated that the Beautification Foundation had four members from District 1, zero from District 2, two from District 3 and five from District 4. He stated that Cayce Housing Authority had one citizen serving from District 1, one from District 2, one from District 3 and two from District 4. He stated that the Cayce Municipal Election Commission had five members from District 1, zero from District 2, one from District 3 and one from District 4. He stated that the Events Committee had six members from District 1, three from District 2, zero from District 3 and two from District 4. He stated that the Museum Commission had three from District 1, two from District 2, one from District 3 and three from District 4. He stated that the Planning Commission had five members from District 1, zero from

District 2, two from District 3 and zero from District 4. He stated that the Public Safety Foundation had two members from District 1, two from District 2, two from District 3 and four from District 4. He stated that the Board of Zoning Appeals had two members from District 1, two from District 2, zero from District 3 and three from District 4. Council Member Thomas stated that District 1 had 28 constituents serving, District 2 had eight, District 3 had nine and District 4 had 20. He stated that he was so thankful for everyone in the City serving on the boards and commissions but the City had Council Districts and in the past, it was a struggle to attract people to serve. He stated that he believed that there should be no reason for each district to not have one representative on the boards and commissions and they could not be filled until at least one (1) person from each district was represented. He stated that he really wanted to work with Council to see how we they could change the district representation because District 2 was sadly only 50% represented. He stated that he begged people in District 2 to submit an application to serve on a board or commission because they had so much talent, knowledge and personality and it was needed to help serve the City.

Mayor Pro Tem James stated that if Council Member Thomas were a rabbit, he would be the Energizer Bunny. He stated that no one could deny his eagerness and willingness to learn. He thanked him for his kind comments. He stated that Council had an opportunity to serve beside professionals and without a doubt everyone's heart on Council was for the betterment of the City of Cayce. He stated they heard some great things from the Utilities Department. He stated that three (3) weeks ago Jarvis Riley, a member of the City's Police Department, was voted the Officer of the Quarter, by the Greater Cayce West Columbia Springdale Midlands Chamber of Commerce which was a huge program. He stated that Officer Riley had a huge heart for seniors and youth and it was just amazing. He stated that Officer Riley had moved over into a cohort course, which goes on for eight weeks through the Chamber's Educational Leadership course, and he was there with 15 other professionals, and they all loved what he brought to the table.

Mayor Partin stated that Council Member Sox missed 45 minutes from the budget workshop held earlier that day. She stated that it was amazing to hear from the team and all the phenomenal information that Council got from all the departments. She stated that what she heard over and over was pride in the job that the City's team does, pride in customer service and the difference they made every day. She stated that she was talking to a citizen earlier that day who could not stop raving about the kids area at the Soiree and how over the top and perfect it was. She thanked Ms. Corder for that.

### **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

Council Member Carter 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 Thomas made a motion to reconvene the Regular meeting. Mayor Pro Tem James seconded the motion which was unanimously approved by roll call vote. Mayor Partin announced that no vote was taken in Executive Session other than to adjourn and resume the Regular meeting.

### **Possible actions in follow up to Executive Session**

There were no actions in follow up to Executive Session.

### **Adjourn**

Mayor Pro Tem James made a motion to adjourn the meeting. Council Member Sox seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 6:32pm.

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Elise Partin, Mayor

ATTEST:

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Mendy Corder, CMC, Municipal Clerk



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# Memorandum

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**To:** Mayor and Council  
**From:** Tracy Hegler, City Manager  
**Date:** May 7, 2024  
**Subject:** Acceptance of a Firehouse Sub's Grant

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## Issue

City Council's approval is needed to accept a Firehouse Sub's grant to replace nine sets of turnout gear.

## Discussion

On April 2, 2024, the Cayce Fire Department was awarded a Firehouse Sub's grant for the replacement of nine sets of turnout gear. This gear is essential for firefighters to be able to perform their job duties, we are thankful to have organizations such as Firehouse Sub's recognize that need. This gear will replace those that are nearing their ten-year expiration date, as defined by the National Fire Protection Agency (NFPA).

## Recommendation

Staff recommends Council accept the Firehouse Sub's grant award in the amount of \$32,067.90 to purchase nine sets of replacement bunker gear and authorize the City Manager to execute the appropriate agreement.

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# Memorandum

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**To:** Mayor and Council

**From:** Tracy Hegler, City Manager

**Date:** May 7, 2024

**Subject:** Second Reading of an Ordinance Amending **Article 6 District Regulations, Section - 6.10 Design Overlay District** of the Cayce Zoning Ordinance concerning rules for certain uses in the Design Overlay District

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## Issue

City Council's approval is needed for the first reading of an ordinance amending **Article 6 District Regulations, Section 6.10 Design Overlay District** concerning rules for certain uses in the Design Overlay District.

## Discussion

As a result of staff regular review of the Zoning Ordinance, they recommended these amendments to the Design Overlay Districts. The redlined version of the ordinance is attached for your review.

The Planning Commission held a regularly scheduled meeting on March 18, 2024 and voted on amending **Article 6 District Regulations, Section 6.10 Design Overlay District**. No one spoke for or against the amendment.

The Planning Commission unanimously recommended that the Council approve the First Reading of an Ordinance amending **Article 6 District Regulations, Section 6.10 Design Overlay District** concerning rules for certain uses in the Design Overlay District.

## Recommendation

Staff recommends adoption of these amendments to assist in updating our City's overlay districts and giving the related Ordinance Second Reading approval.

STATE OF SOUTH CAROLINA	)	<b>ORDINANCE 2024-03</b>
	)	<b>Amending Language in Article 6</b>
COUNTY OF LEXINGTON	)	<b>District Regulations, Section 6.10</b>
	)	<b>Design Overlay District of the Cayce</b>
CITY OF CAYCE	)	<b>Zoning Ordinance Regarding Certain</b>
	)	<b>Uses in the Design Overlay Districts</b>

**WHEREAS**, Council has determined that it is in the best interest of the public to amend Article 6 District Regulations, Section 6.10 Design Overlay District to add or remove language regarding certain uses in the Design Overlay Districts;

**WHEREAS**, the Planning Commission held a regularly scheduled public hearing on this request to receive comments from the public; and

**WHEREAS**, the Planning Commission met on March 18, 2024, to review public comments and vote on recommending the amended Article 6 District Regulations, Section 6.10 Design Overlay District of the Cayce Zoning Ordinance and unanimously decided that they do recommend this amendment as shown on the attached document,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Cayce, in Council, duly assembled, that Article 6 District Regulations, Section 6.10 Design Overlay District is hereby amended as shown on the attached document.

This Ordinance shall be effective from the date of second reading approval by Council.

**DONE IN MEETING DULY ASSEMBLED**, this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Elise Partin, Mayor

Attest:

\_\_\_\_\_  
Mendy Corder, CMC, Municipal Clerk

First Reading: \_\_\_\_\_

Second Reading and Adoption: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

**Section 6.10 Design Overlay District**

**Section 6.10-1 Creation; definition**

There are hereby created four design overlay districts:

- (1) Knox Abbott Drive Design Overlay District, which shall parallel Knox Abbott Drive and shall extend from the street rightofwayright-of-way the depth of each contiguous lot or 200', whichever is less.
- (2) 12th Street Extension Design Overlay District, which shall parallel 12th Street Extension from Poplar Street south to Taylor Road/Old Taylor Road, and shall extend from the street rightofwayright-of-way the depth of each contiguous lot or parcel or 500', whichever is less.
- (3) I-77 Gateway Design Overlay District, which includes all properties between the CSX railroad right-of-way to the west, Congaree River to the East, Taylor Road/Old Taylor Road to the north, and City of Cayce city limits south of Interstate 77. See Exhibit A for the specific area.

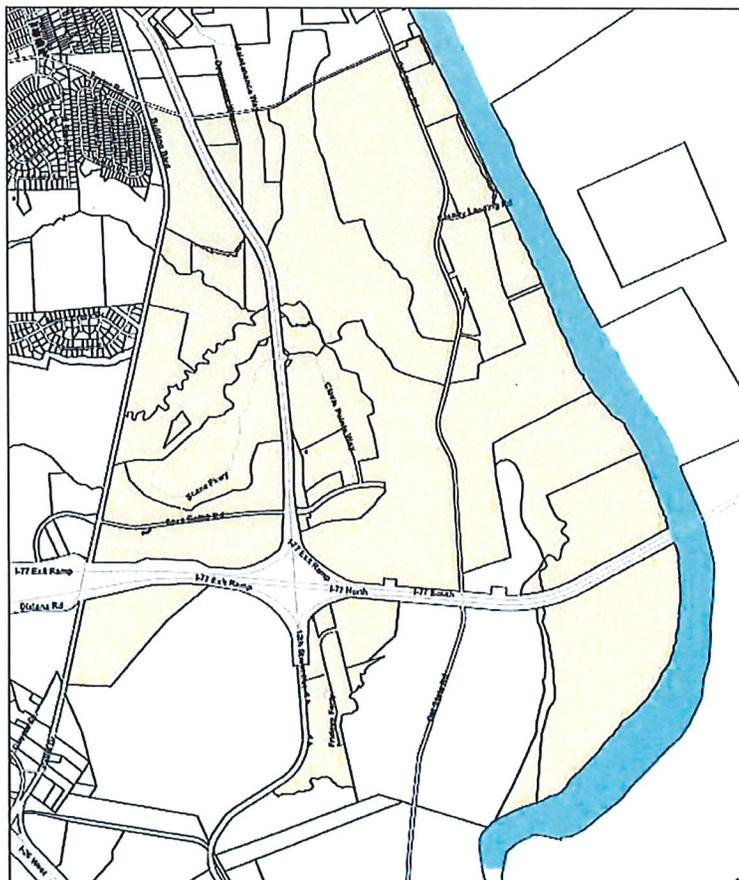


EXHIBIT A: Map of I-77 Gateway Design Overlay District

(4) Arts Design Overlay District, which shall parallel Frink Street from parcels on the western intersection of Foreman Street and east to State Street, and also parallel State Street from Frink Street north to Poplar Street, and shall extend from the street right-of-way for the depth of each contiguous lot.

### **Section 6.10-2 Purpose**

1) Design Overlay Districts serve as the City's gateway routes. In order to visually harmonize these gateways with existing development, additional restrictions and development standards are required to create an aesthetically pleasing and uniform appearance. Additionally, the Arts Overlay District encourages artists to live, create and conduct business within a designated section of the City.

### **Section 6.10-3 Uses**

1) Knox Abbott Drive Design Overlay District and 12<sup>th</sup> Street Extension Design Overlay District

a. Permitted Uses. Unless specifically prohibited by Section 6.10-3.1.c, the uses permitted within the underlying zoning district shall apply.

b. Special Exception Uses

i. Beer, wine and liquor stores (NAICS 4453) where permitted within the underlying zoning district shall be permitted by special exception in accordance with Section 7.15 Special Exception General Criteria.

ii. Mixed-use Structures containing residential in addition to non-residential uses provided that the first floor contains at least forty percent devoted exclusively for non-residential uses permitted in the underlying zoning district unless specifically prohibited.

b.c. Prohibited Uses

- i. Truck (stops) and freight terminals
- ii. Billboards
- iii. Outdoor sales and storage lots, including, but not limited to, vehicular, boat, trailers, recreational vehicles, campers, manufactured homes, flea markets, furniture, lumber, scrap metal and salvage operations
- iv. Sexually oriented businesses, night clubs and drinking places (bars and lounges)
- v. Communication towers and antennas, with the exception of small wireless facilities as defined in Article 12
- vi. Pawn shops, consumer cash lending secured by personal property
- vii. Kennels
- viii. Check cashing services
- ix. Fireworks sales, temporary and permanent
- x. Electronic cigarette stores
- xi. Mini warehouses and self-storage units
- xii. Auto repair and car washes

2) I-77 Gateway Design Overlay District

a. Permitted Uses. Unless specifically prohibited by Section 6.10-3.2.b, the uses permitted within the underlying zoning district shall apply, in addition to the following:

i. Light Industrial, commercial, office and institutional, and rural

b. Special Exception Uses

i. Beer, wine, and liquor stores (NAICS 4453) where permitted within the underlying zoning district shall be permitted by special exception in accordance with Section 7.15 Special Exception General Criteria.

b.c. Prohibited Uses

i. Any use which emits an obnoxious odor, noise, or sound which can be heard or smelled outside of any building or structure

~~ii. Any operation primarily used as a distilling, refining, smelting, or mining operation~~

~~iii. ii. Any trailer court, labor camp, junkyard or stockyard provided, however, this prohibition shall not be applicable to the temporary use of construction trailers during periods of construction, reconstruction, or maintenance or the use of office and administrative trailers in connection with the marketing of lots or condominium units for sale~~

~~iv. iii. Any dumping, disposing, incineration, or reduction of garbage; provided however, this prohibition shall not be applicable to garbage compactors located near the rear of any building or any other approved location~~

~~v. iv. Any use involving selling or exhibiting pornographic materials or illicit drug-related paraphernalia~~

~~vi. v. Any use involving selling the exhibition, either live or by other means to any degree, of nude or partially nude dancers or wait staff~~

~~vii. vi. Any massage parlors or similar establishments~~

~~viii. vii. Billboards~~

~~ix. viii. Pawn shops, consumer cash lending secured by personal property~~

~~x. ix. Check cashing services~~

~~xi. x. Kennels~~

~~xii. xi. Outdoor sales and storage lots, including but not limited to vehicular, boat, trailers, recreational vehicles, campers, manufactured homes, flea markets, furniture, lumber, scrap metal, and salvage operations~~

~~xiii. xii. Mobile homes and mobile home parks~~

~~xiv. xiii. Fireworks sales, temporary and permanent~~

~~xv. xiv. Electronic cigarette stores~~

~~xvi. xv. Mini warehouses and self-storage units~~

~~xvii. xvi. Residential-single family, duplex, and multi-family~~

~~xviii. xvii. Educational Services (NAICS Sector ~~6261~~)~~

~~xix. xviii. Health Care and Social Assistance (NAICS Sector 62)~~

~~xx. xix. Religious Organizations (NAICS 81311) ~~Public Administration (NAICS Sector 92)~~~~

c.d. Conditional Uses

i. Communication Towers and Antennas are permitted as a conditional use in accordance with Article 7, Section 7.8.

3) Arts Design Overlay District

a. Permitted Uses. Unless specifically prohibited by Section 6.10-3.3.b, the uses permitted within the underlying zoning district shall apply, in addition to the following:

i. Single-family detached residences

ii. Accessory apartments permitted as part of a single family detached residence or as an accessory to a business permitted in the overlay district.

iii. Duplexes

iii-iv. Mixed-use Structures containing residential in addition to non-residential uses provided that the first floor contains at least forty percent devoted exclusively for non-residential uses permitted in the underlying zoning district unless specifically prohibited.

iv-v. Artisan-level production. The shared or individual use of hand-tools, mechanical tools, and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Uses include: electronic goods, woodworks, food and bakery products, beverages, printmaking, leather products, jewelry and clothing/apparel, metal work, furniture, glass or ceramic production, and paper manufacturing.

v-vi. Neighborhood commercial (C-2) uses

vi-vii. The following Accessory uses to primary single-family residential uses are exempt from the -home occupation requirements of Sec. 7.7:

- a) Real estate
- b) Financial consulting
- c) Art studios
- d) Schools/classes less than 5 students per class
- e) Home health care services
- f) Personal care services

vii-viii. Specialty and/or boutique furniture and home furnishing stores including bath, kitchenware, chinaware, linen, electric lamp/lighting, glassware and housewares

viii-ix. "Brewpub" primarily being an eating and drinking establishment with a small brewery on the premises which produces beer, ale, or other malt beverage and where the majority of the beer produced is

consumed on the premises, but also allows “brewpub” to sell its products at retail for off-site consumption

~~ix-x.~~ Specialty and/or boutique wine and craft beer shops that allow for on-site and off-site consumption.

**b. Special Exception Uses**

**i. Beer, wine, and liquor stores (NAICS 4453) where permitted within the underlying zoning district shall be permitted by special exception in accordance with Section 7.15 Special Exception General Criteria.**

**~~h-c.~~ Prohibited Uses**

- i. Pawn shops and consumer cash lending secured by personal property
- ii. Sexually-oriented businesses
- iii. Communication towers and antennas, with the exception of small wireless facilities as defined in Article 12
- iv. Billboards
- v. Kennels
- vi. Check cashing services
- vii. Fireworks sales, temporary and permanent
- viii. Electronic cigarette stores
- ix. Mini warehouses and self-storage units
- x. Automotive oil change and lubrication shops
- ~~x-xi.~~ Gasoline stations (NAICS 447)

**Section 6.10-4 Development Standards**

**1) Knox Abbott Drive Design Overlay District**

- a. Signage shall be in accord with the requirements for signage in the C-3 District.
- b. No portion of a building constructed of unadorned masonry or metal siding shall front on or face Knox Abbott Drive
- c. Colors shall be consistent with the character of development
- d. All service utility lines shall be placed underground
- e. Walkways shall be provided between the building entrance and the sidewalk.

**2) 12<sup>th</sup> Street Extension Design Overlay District**

- a. Signage shall be in accord with the requirements for signage in the C-3 District.
- b. No portion of a building constructed of unadorned masonry or metal siding shall front on or face 12<sup>th</sup> Street Extension
- c. Colors shall be consistent with the character of development
- d. All service utility lines shall be placed underground
- e. No strip shopping malls shall be allowed
- f. Where possible, curb cuts and driveways shall be combined
- g. All buildings shall observe a fifty (50) foot setback from 12<sup>th</sup> Street Extension. Except for walks, driveways and permitted signs, the required

**Section 6.10 Design Overlay District**

**Section 6.10-1 Creation; definition**

There are hereby created four design overlay districts:

(1) Knox Abbott Drive Design Overlay District, which shall parallel Knox Abbott Drive and shall extend from the street ~~rightofway~~right-of-way the depth of each contiguous lot or 200', whichever is less.

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(3) I-77 Gateway Design Overlay District, which includes all properties between the CSX railroad right-of-way to the west, Congaree River to the East, Taylor Road/Old Taylor Road to the north, and City of Cayce city limits south of Interstate 77. See Exhibit A for the specific area.

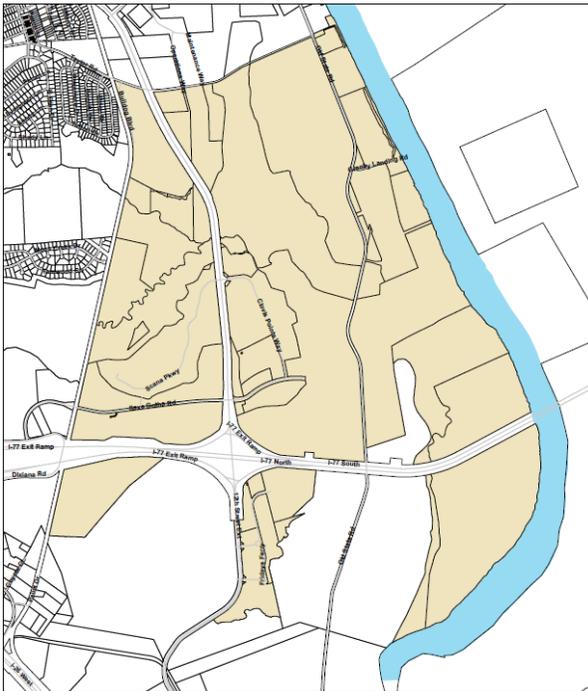


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b. Special Exception Uses

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ii. Mixed-use Structures containing residential in addition to non-residential uses provided that the first floor contains at least forty percent devoted exclusively for non-residential uses permitted in the underlying zoning district unless specifically prohibited.

b.c. Prohibited Uses

- i. Truck (stops) and freight terminals
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2) I-77 Gateway Design Overlay District

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v. Artisan-level production. The shared or individual use of hand-tools, mechanical tools, and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Uses include: electronic goods, woodworks, food and bakery products, beverages, printmaking, leather products, jewelry and clothing/apparel, metal work, furniture, glass or ceramic production, and paper manufacturing.

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~~ix~~. Specialty and/or boutique wine and craft beer shops that allow for on-site and off-site consumption.

**b. Special Exception Uses**

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- x. Automotive oil change and lubrication shops
- ~~\*xi. Gasoline stations (NAICS 447)~~

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## Section 6.10-4 Development Standards

- 1) Knox Abbott Drive Design Overlay District
  - a. Signage shall be in accord with the requirements for signage in the C-3 District.
  - b. No portion of a building constructed of unadorned masonry or metal siding shall front on or face Knox Abbott Drive
  - c. Colors shall be consistent with the character of development
  - d. All service utility lines shall be placed underground
  - e. Walkways shall be provided between the building entrance and the sidewalk.
- 2) 12<sup>th</sup> Street Extension Design Overlay District
  - a. Signage shall be in accord with the requirements for signage in the C-3 District.
  - b. No portion of a building constructed of unadorned masonry or metal siding shall front on or face 12<sup>th</sup> Street Extension
  - c. Colors shall be consistent with the character of development
  - d. All service utility lines shall be placed underground
  - e. No strip shopping malls shall be allowed
  - f. Where possible, curb cuts and driveways shall be combined
  - g. All buildings shall observe a fifty (50) foot setback from 12<sup>th</sup> Street Extension. Except for walks, driveways and permitted signs, the required

setback area (yard) shall be completely landscaped, in accord with guidelines contained in Article 10. No off-street parking shall be permitted in the required setback area

3) I-77 Gateway Design Overlay District

a. Setbacks and Buffers

i. 12<sup>th</sup> Street Extension

- a) All buildings shall observe a 50' setback from 12<sup>th</sup> Street Extension right-of-way.
- b) Except for walks, driveways and permitted signs, the required setback area (yard) shall be completely landscaped, in accordance with Article 10 of the Zoning Ordinance.
- c) No off-street parking shall be permitted in the required setback area.

ii. Interior street right-of-way

- a) No setbacks required off of interior rights-of-way.

- iii. All buildings on parcels with industrial uses shall observe a 50' setback from adjacent parcels with commercial or residential uses. This setback shall be completely landscaped in accordance with the *Landscaping* section of this Overlay District and Article 10 of the Zoning Ordinance.

b. Parking, Sidewalks, and Circulation

i. Parking Requirements

- a) Parking counts shall not exceed requirements outlined in Article 9 Supplemental Off-Street Parking and Loading Regulations.
- b) All parking shall be paved unless otherwise approved by the Planning Director.
- c) No parking is allowed within the 50' setback from 12<sup>th</sup> Street Extension
- d) The Planning Director may reduce parking counts by as much as 50% if the parking is being shared by different uses and if it meets regulatory requirements. Shared parking must comply with the following requirements:
  - (1) Parking shall be located within 500 linear feet from the primary entrance of all the lots or uses sharing the parking.
  - (2) Shared parking agreements must be documented through a written agreement of all lot owners of record.
- e) Parking structures are permitted but must meet this Overlay's *Building Design* requirements for parking structures.
- f) An effort should be made to locate parking to the side and/or rear of the building it serves. Parking lots shall not be closer than ten (10) feet of an inhabited structure to allow for sidewalks and landscaping. On-street parking shall not be closer than ten (10) feet of a building or structure.

ii. Sidewalks and Interior Streets

- a) All interior streets shall have sidewalks. Parallel or diagonal parking on the street is also encouraged and medians are allowed. Safety, sidewalk connectivity, street trees and on street parking are the components which are encouraged.
- b) All sidewalks shall have a minimum width of 5 feet. Sidewalks creating an urban condition abutting a building shall have a minimum width of 8 feet and a minimum width of 10 feet if street trees are located within the sidewalk
- c) Pedestrian access shall be provided from the street sidewalk to the building.

iii. Circulation

- a) Shared Drives and Access When applicable, driveways shall be shared throughout this Overlay District.
- b) Drive-thru Facilities that require drive-thru access will be permitted as a special exception, following Article 7, Section 7.16 Special Exception General Criteria.

c. Building Design

- i. The maximum height of any structure other than hotels shall be fifty feet (50') and/or three floors. The maximum height of a hotel shall be five (5) floors or 50 feet, whichever is less. Height exceptions listed in Article 5, Section 5.2(4) shall apply.
- ii. A variety of facades and roofing is required along street frontage, to avoid large, uninterrupted planes.
- iii. To create variety and diversity, it is desirable to vary the masses within each building or structure so that uniformity of line and mass is avoided. In addition, building projections should provide interest and variety through the use of windows, doors, eaves and parapets. Building components should have proportions relative to the size and style of the building and interesting relationships to help avoid monotonous building elevations.
- iv. Material Selection Use of the following materials is required:
  - a) Natural Stone
  - b) Brick
  - c) Architectural precast concrete
  - d) Cast-in-place concrete with texture
  - e) New building materials, as they are developed or become available, will be given special consideration by the Planning Director provided their use is in harmony with the community appearance. Metal siding shall not be permitted unless specifically approved in writing by the Planning Director.

- v. Colors Natural, Earth tone colors, such as beiges and grays are required. Natural brick is allowed. Non-reflective finishes shall be used on exterior surfaces.

vi. Other Structures and Items

- a) Electro-Mechanical System Electro-mechanical systems that utilize state-of-the-art technology relative to control and passive

solar heating and cooling are encouraged. Roof mounted equipment shall be enclosed or screened. On-grade equipment shall be screened by approved fencing and landscaping to required minimum heights. Exposed exterior mechanical, electrical and plumbing elements shall be screened. These elements shall be designed as part of the building architecture rather than as add-ons or appendages.

b) Refuse Containers Storage of all containers shall be screened from all views by an appropriately designed fence and/or landscaping.

c) Miscellaneous Exterior Structures No artificial vegetation, exterior sculptures, fountains or similar items shall be constructed, placed or maintained on any Lot without the prior written approval of the Planning Director.

d) Solar Panels Solar panels shall be designed as an integral part of the structure and concealed from street view.

d. Landscaping

i. The purpose of the landscaping is to

- a) Promote a compatible and unified landscape treatment.
- b) Provide a pleasant and well maintained appearance.
- c) Enhance the visual and environmental characteristics from the public rights-of-way around and within this Overlay District, particularly the access points into lots, Overlay entrance areas, and areas requiring screening or buffering and streetscapes.
- d) Safeguard and enhance property values.

ii. Landscape Plan Requirements

- a) Plant schedule listing all proposed plant materials, their quantities, botanical name and common name of plant materials, height and spread of plant materials at installation, spacing for plant materials, and any special notes regarding plant material specification.
- b) Street, walkway, and parking area lighting locations.
- c) Irrigation plans.
- d) All plants shown on the submitted landscape plans shall be installed during the initial planting of the lot.

iii. Landscape Planting Standards

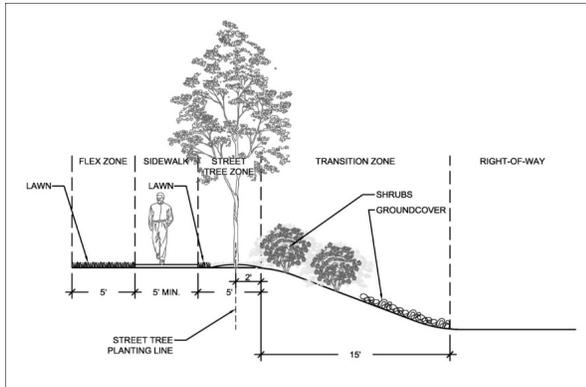
- a) All plant material shall meet the current American Standard for Nursery Stock.
  - (1) Shade Trees-minimum of (3)-inch caliper at the time of installation. Must be large-maturing tree species.
  - (2) Street Trees-minimum of four (4)-inch caliper at the time of installation. Must be large-maturing tree species
  - (3) Accent Trees-minimum of three (3)-inch caliper or ten (10) feet in height for multi stem trees at the time of installation

- (4) Evergreen Trees-minimum eight (8) feet height at the time of installation
  - (5) Evergreen Shrubs-minimum 18-inch height or five (5) gallon shrubs
  - (6) Deciduous Shrubs-minimum 24-inch height or five (5) gallon shrubs
  - (7) Seasonal Interest Areas-planted to create full coverage of the bed at mid-season
  - (8) Sod-Bermuda is recommended
- Caliper shall be measured with a diameter tape at 12 inches above ground. Height shall be measured from the soil line.

iv. Minimum Landscape Requirements The following minimum landscape requirements have been developed to provide a consistent, high quality aesthetic to all areas of this Overlay District. These requirements have been separated into the following landscape areas

- a) Entrances Each entrance will be planted with a consistent landscape design that includes a variety of plant types that provide year-round seasonal interest.
- b) Street Trees Species The primary street trees recommended to be planted are Lacebark Elm and Live Oaks, or other species as approved by the Planning Director, planted 40-foot on center.
  - (1) All street trees shall be limbed up to a minimum 8 feet height where applicable for visibility.
  - (2) All street trees not in tree grates shall be mulched with double hammered mulch.

v. Perimeter Landscape Buffers Perimeter landscape buffers are important to provide a consistent, high quality view from adjacent streets. The transition zone indicated in the graphic below, refers to the grade change required to raise the building elevation out of the flood plain.



- a) Street Trees Street trees shall be planted in the street tree

Formatted: Centered

zone along the street tree planting line, as shown in the graphic above. The street trees in the perimeter buffer will create a consistent planting edge and visually unify this Overlay District.

(1) Street trees shall be planted at 40 feet on center in perimeter landscape buffers. All street trees shall be limbed up to a minimum 8 feet height where applicable for visibility. A minimum area of 50 square feet shall be mulched uniformly at the base of each street tree.

b) Shrubs Shrubbery shall be planted in the transition zone within perimeter planting buffers. A minimum of 50 shrubs shall be planted for every 100 feet of perimeter landscape buffer. A maximum of three types of shrubs shall be planted for every 100 feet of perimeter landscape buffer. All shrub planting beds shall be mulched.

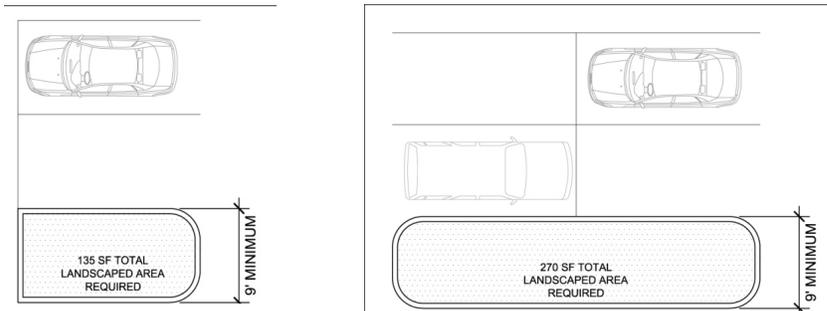
c) Ground Covers/Perennials Ground cover/perennial landscape improvements shall be planted in the transition zone within the perimeter planting buffers. A minimum of 300 square feet of ground cover/perennial landscape improvements shall be planted for every 100 feet of perimeter landscape buffer. Ground cover/perennial landscape improvement areas shall be grouped in masses a minimum of 100 square feet in size. All ground cover/perennial landscape improvements areas shall be mulched.

d) Lawn Lawn areas can be located within the flex zone, street tree zone, and the transition zone.

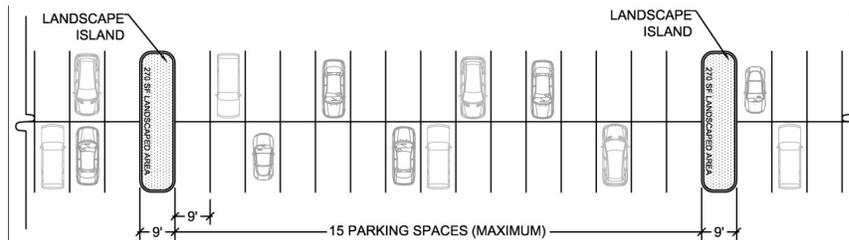
e) Buffering between different land uses in accordance with Article 10 of the Zoning Ordinance may be required.

vi. Parking Area Landscape All parking areas shall provide and maintain both interior and perimeter landscape improvements. These guidelines shall not apply to parking structures or on-street parking spaces within this Overlay District. Landscape islands located at the ends of parking bays or within parking bays shall be a minimum of 135 square feet for single bay parking areas and 270 square feet for double bay parking

areas. The minimum width of landscape islands shall be 9 feet. See graphic below.

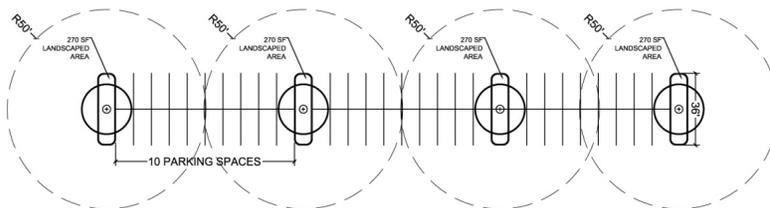


a) A maximum of 15 parking spaces are allowed in a continuous row without a required landscape island. See graphic below.



a) Parking Islands All landscape improvement areas shall be protected from damage caused by vehicles using some method of vertical structure, i.e. curbs, wheel stops, or other similar structures. Parking islands used for stormwater management are permitted, as approved by the Planning Director.

b) Shade Trees One shade tree shall be required for every 2000 square feet of total parking area. Accent trees may be used in areas directly under or within close proximity of overhead power lines. Each parking space shall be within 50 feet of the trunk of at least one shade tree. Required shade trees for parking areas shall be located around the perimeter or in landscape islands within the parking area.



#### Shade Tree Spacing

(1) All shade trees shall be limbed up to a minimum 8 feet height.

c) Shrubs All parking lots must be screened with shrubs or a permanent structure. Shrubs for screening shall be planted so that within two years of planting there is a continuous evergreen screen at a two (2) foot height.

vii. Building and Site Landscape The following requirements for building and site landscape will provide consistent, high quality site improvements for areas adjacent and around structures within this Overlay District. It is critical the building entrances, foundation plantings, outdoor gathering spaces, site circulation corridors, and other site areas promote a uniform aesthetic.

a) A minimum of 10% of the total site's impervious area shall be designated as site landscape areas. These areas shall include a mix of shade trees, accent trees, shrubs, and ground cover/perennial planting areas. Landscape site areas shall not include lawn areas.

viii. Landscape Maintenance The lot owner shall be responsible for the maintenance of all landscaped areas. These areas shall be maintained in perpetuity and in a high quality condition, including the replanting of plant materials as needed to replace unhealthy or dead specimens.

ix. Irrigation Drip and spray irrigation systems shall be installed to maintain the vitality and health of landscape improvements. In the event that irrigation water contains potential harmful minerals, irrigation systems will be required to include a filtering system to prevent stains to buildings, walkways, pavements, and other site elements.

#### e. Lighting

i. Lighting Design Concepts In general, site lighting shall be low glare lighting. Site lighting shall comply with this section and the City of Cayce ordinances. Within this Overlay District, all freestanding street lights and pedestrian lights used for lighting exterior spaces shall be the same style, height, color and type and intensity. On each lot, all other lighting fixtures shall be from the same family of fixtures with regard to design, materials, color of fixture and color of light. No fiberglass poles shall be used. (Note: All lighting sources shall have

internal cut-off optics, prismatic refractors, or building side shields to prevent glare to adjacent land uses).

a) Exterior lights should be used to accent entrances and special features, roadways, parking and pedestrian corridors. High levels of light are not desirable. Intensity should be no greater than required for automobile and pedestrian safety.

b) Lighting of street front interior window displays in retail establishments is encouraged even after business hours to create visually interesting storefronts.

ii. "Light Fixture Design" Light sources may be of a concealed type or ornamental visible type. The design of poles, bollards and fixtures shall be integrated with the general site design. Parking lot lighting shall be a "cut-off" luminaire design to avoid glare on adjacent properties. Up lighting of trees and fountains, accent lighting of shrubs and entrances and silhouette lighting may be used to create special effects.

a) Building mounted lighting is restricted to private use areas such as courtyards and shall not be used for lighting parking areas or sidewalks. Building mounted light fixtures shall be shielded and shall not project above the fascia or roof line. The shields shall be painted to match the surface to which they are attached.

b) Colored, moving or flashing lights will not be permitted except for the Christmas holidays.

iii. Listed below are the lighting standards for streets and parking:

a) Streets/Parking/Driveway/Loading Area Fixture 320 watt Metal Halide Shoebox-style fixture mounted on 30-foot square, direct-embedded bronze aluminum poles are required.

b) A lighting plan with locations, types, heights and colors is required.

c) Lighting for Pedestrian Areas Lighting for sidewalks, plazas and other pedestrian areas shall be illuminated with pedestrian scaled lights that have more detail and interest than those used for streets/parking/driveway/loading areas. To illuminate a street along a sidewalk a mixture of both the pedestrian and parking lot style lights may be used but the Illuminating Engineering Society of North America (IESNA) standards may not be exceeded. Light-Emitting Diode (LED) or Metal Halide lamps are required, unless otherwise approved by the Planning Director.

d) Lighting Usage Access roads and pedestrian circulation areas shall be illuminated to provide safety in after-hours/night-time traffic circulation. Lights shall be integrated in the design with other elements such as trees, pedestrian walks, crossings, signage and planting.

- e) Lighting within parking areas shall be coordinated with parking lot design. Poles shall be located within the landscaped islands whenever feasible. Poles shall be mounted at ground level. Concrete pedestals are not allowed unless poles are located in areas where they are not protected from cars by a raised curb. Then they shall be located a minimum of 5 feet from the face of curb. The scale of the parking area should be considered in selection of pole height and spacing.
- f) Types of Lighting Equipment Roadway and parking areas shall be lighted using LED or metal halide lamp fixtures.
- iv. Pedestrian, entry and landscape areas shall be lighted with LED or metal halide lamp fixtures. Lights may be pole-mounted or bollard type, and must be located to provide safe and secure conditions.
- f. Signage and Graphics
  - i. Purpose The purpose of the site sign standards is to establish a coordinated graphic program that provides project identification and directional communication in a distinctive and aesthetically pleasing manner.
  - ii. No signs whatsoever (including but not limited to commercial and similar signs as well as signs of contractors performing work on existing Parcels or Lots or signs to advertise the property for sale) shall, without the City of Cayce's written approval of plans and specifications thereof, be installed, altered or maintained on any parcel or lot, or on any portion of a structure or motor vehicle visible from the exterior thereof.
  - iii. General Requirements All signs, including identification, temporary, and informational, including those in setback areas, on loading docks, parking facilities, on buildings, storage areas, etc., along with appropriate plans and specifications, shall be first submitted to the Planning Director for written approval. Such plans and specifications for each sign shall include, but not be limited to the color(s), dimensions, location on the site, height, copy, type of illumination, and other characteristics. No sign shall be erected, substituted, changed, or modified on the property without the prior written approval by the Planning Director.
    - a) All temporary signs, including construction signs, "For Lease" or "For Sale" signs shall be approved by the Planning Director.
    - b) Signs may be electrified, but will be non-flashing.
    - c) Strip lighting rather than flood lights shall be used for sign lighting.
    - d) There are four types of signs employed within individual lots – identification, directional, vehicular control and temporary. Any other type of sign treatment shall not be allowed unless granted a variance by the Planning Director. The Planning

Director at its sole discretion shall have the authority to grant variances to this paragraph on a case by case basis.

iv. Identification signs Each entrance to each lot shall have one sign, oriented to each street on which premises has frontage, identifying the name of the business located therein.

a) Streetscape identification signs for buildings with more than two occupants shall include only the building address and name. Individual occupant identification shall be confined to on-site directories and/or building mounted identification.

b) Freestanding or Ground Signs. Freestanding or ground signs are permitted for use, subject to the following requirements: The sign may not be placed within a required buffer area, but may be placed within other landscaped areas.

(1) For Lots with a frontage of less than 150 feet, signs shall not exceed 32 square feet in area, per sign face on double sided signs. Signs of up to 60 square feet in area, per sign face on double sided signs, may be allowed for properties with frontage of 150 feet or more with written Planning Director approval.

(2) One additional freestanding sign or ground sign may be allowed upon review by the Planning Director provided the Lot has a frontage greater than 150 feet. The sum of the area of all signs shall not exceed 80 square feet plus .25 square feet for each foot of street frontage in excess of 150 feet. No individual sign may exceed 60 square feet. Total square footage of two signs shall not exceed 160 square feet.

(3) Height of freestanding signs shall be in accord with the requirements of the C-3 Zoning District.

(4) Signs shall be located so as not to obstruct visibility at intersections.

c) Building/Wall Signs Wall signs are permitted, subject to the following requirements: Signs may either be flat and erected against the principle building face, or projecting, perpendicular to the building face.

(1) The sign shall not extend more than 8 inches beyond the building, except in the case of a sign on the lower slope of a roof or a canopy roof, where the sign may extend the distance required to make the sign vertical.

(2) The sign must maintain a vertical clearance of not less than 9 feet above ground level.

(3) The sign may extend up to 8 inches into a front setback.

(4) The sign may not extend beyond the edges of the wall to which it is attached, except when the sign is contiguous on 2 adjacent walls of the same building, the

connecting portion may extend to, but not beyond the face of the adjoining portion.

(5) Combined area of signs shall not exceed 10% of the square footage of the front of the building, excluding "false fronts".

(6) The sign may not prevent the free entrance and exit from any window, door or fire escape.

(7) The total sign area shall be the sum of all signs on the wall, including signs on the wall surface, signs affixed to the wall parallel and in the same plane as the wall, signs on awnings or canopies, window signs, door signs, signs on the lower slopes of roofs or canopy roofs and signs on parapets above roof.

- v. Directional Signs Directional signs indicating building numbers, areas of specific tenants shall be of standard design and no more than ten and one-half (10.5) square feet in size for building address and pedestrian directional signs and thirty (30) square feet for tenant directories. They shall be of materials common to the architecture within this Overlay area, and as small as possible to provide driver visibility from a vehicle.
- vi. Vehicular Control Signs All vehicular control signs shall be of standard design and have panel faces and heights which meet the requirements of the U.S. Highway Transportation Standards.
- vii. Temporary Signs There are two types of temporary signs allowed on lots: construction and real estate marketing. Only one of each type of temporary sign shall be permitted on a site at any given time, and must be removed immediately upon completion of the construction or marketing activity. All temporary signs must be approved by the Planning Director prior to erection.
  - a) Temporary signs shall be of post and panel wood construction, and shall have a total height of no more than seven (7) feet. Message panels shall have a maximum size of forty (40) square feet.
  - b) All contractor or subcontractor signs shall be removed within thirty (30) days following completion of their project.
  - c) Temporary signs shall be non-illuminated.
- viii. Illumination Signs shall be illuminated only by a steady stationary, shielded light source, directed solely at the sign or internal to it, without causing glare for motorists, pedestrians or neighboring premises.
  - a) Illuminated signs may produce up to one foot candle of illumination four feet from the sign.
  - b) Neon signs are not permitted.
  - c) Internally illuminated signs are allowed, but the background must be solid, illuminating only the message or logo.
- ix. Prohibited Devices

- a) No sign shall move, make noise or employ blinking, flashing, or strobe lights, or exposed fluorescent lamps.
- b) No sign, whether temporary or permanent, is permitted within any road right-of-way or intersection sight triangle.
- c) To avoid confusion with traffic control signals and signs, colored lights and illuminated signs employing colors used in traffic signal lights are prohibited in view of any signalized intersection, and any imitation of official traffic signs or signals is prohibited.

x. General Signage Specifications All components and finished signage within this program shall be manufactured by professional fabricators. An example of each contractor's and sub-contractor's previous work shall be reviewed prior to production.

- a) All finishes shall be anodized aluminum and bear a five-year guarantee against chipping, peeling, fading, and chalking under normal use and exposure.
- b) All steel shall be finished with primer, intermediate coat and topcoat.
- c) All screws, brackets, and fasteners in contact with aluminum shall be stainless steel or aluminum; however, no fasteners shall be exposed to view.
- d) All aluminum sheet for signage shall be 0.125 inch unless otherwise specified.
- e) All seams where welding is required shall be ground smooth. All depressions or raised areas due to swelling shall be filled or ground smooth. Pop riveting in visually exposed areas will not be permitted.
- f) All signs (where it applies) shall conform to standard SCDOT Manual on Uniform Traffic Control Devices for Streets and Highways specifications concerning break away features.

xi. Installation All freestanding signs shall be mounted in concrete. Footing size shall be determined by fabricator/structural engineer. All concrete footings shall be covered over with four (4) inches of soil minimum.

- a) Where required, the general contractor shall provide electrical stub-out for ground lighting of signs.
- b) All building mounted sign installation methods shall be checked for strength by licensed engineer upon final determination of building construction materials.
- c) All concrete footings shall be designed by licensed engineer.
- d) All sign locations shall be approved by the Planning Director and must conform to all local codes with respect to height and setback requirements

4) Arts Design Overlay District

a. Setbacks and Buffers

- i. C-3 Zoning District setbacks apply.

- b. Parking
  - i.No minimums; but Planning Director must approve parking plan to ensure it meets the demands of the proposed business.
  - ii.For new construction without designated parking, parking must be located in the rear or side yard.
- c. Landscaping for new development
  - i.Plant one tree for every 5 parking spaces or contribute to tree fund to plant trees within the right-of-way
  - ii.Commercial and industrial uses must buffer against residential uses with an eight (8) foot tall masonry wall or single line of evergreen trees (eight (8) feet in height at planting) providing a solid screen.
- d. Signs
  - i.Commercial and Industrial
    - a) No maximum square footage on wall signs
    - b) Monument signs must meet C-3 Zoning District sign requirements, with the exception that common signage monument signs must not exceed seven (7) feet.
    - c) Monument signs
      - (1) Single street frontage- One monument sign per lot if one business. If multiple businesses in separate buildings on one lot, then one sign allowed per building
      - (2) Multiple street frontage- one sign permitted per street frontage
  - ii.Residential with Commercial Accessory Uses
    - a) One (1) monument sign with maximum four (4) foot sign area permitted in front of residence.
    - b) Maximum height of top of monument sign shall not exceed 5 feet.

#### **Section 6.10-5 Exemptions**

If Sections 6.10-3 or 6.10-4 conflict with a use or development standard that is specifically permitted in a PDD or DAD, then the PDD or DAD use or development standard shall prevail.

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# Memorandum

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**To:** Mayor and Council

**From:** Tracy Hegler, City Manager

**Date:** May 7, 2024

**Subject:** Ordinance Entitled "Hate Intimidation"

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## Issue

City Council's approval is needed to amend the City's Code of Ordinances to add section 28-27 entitled "Hate Intimidation."

## Discussion

Currently, the State of South Carolina does not have a state law prohibiting the commission of a crime for the sole purpose of their race, color, creeds, religions, ancestries, sexual orientation, gender, gender identities, physical and mental disabilities, and or national origins.

The City of Cayce desires to enact a new section of its Code of Ordinances in order to protect its residents and visitors and deter crimes motivated by bias or hate towards any persons or persons, in whole or in part, because of the actual or perceived race, color, creed, religion, ancestry, sexual orientation, gender, gender identity, physical or mental disability, or national origin of any person, and provide separate appropriate penalties in addition to the punishment for the underlying violation of the ordinances of the City.

## Recommendation

Staff recommends City Council approve first reading of an amendment of the code of ordinances to add section 28-17 entitled "Hate Intimidation".

STATE OF SOUTH CAROLINA	)	ORDINANCE 2024-04
	)	
CITY OF CAYCE	)	AN ORDINANCE TO AMEND THE CITY
	)	CODE OF ORDINANCES TO ADD
	)	SECTION 28-27 ENTITLED "HATE
	)	INTIMIDATION"

**WHEREAS**, the residents and visitors of the City of Cayce are a diverse collection of individuals representing a multitude of races, colors, creeds, religions, ancestries, sexual orientations, genders, gender identities, physical and mental disabilities, and national origins; and

**WHEREAS**, the City of Cayce values and wishes to protect its residents and visitors irrespective of their race, color, creed, religion, ancestry, sexual orientation, gender, gender identity, physical or mental disability, or national origin; and

**WHEREAS**, crimes that are motivated by bias or hate towards any person or persons, in whole or in part, because of the actual or perceived race, color, creed, religion, ancestry, sexual orientation, gender, gender identity, physical or mental disability, or national origin of any person are an affront to the commonly held values of the citizens of the City; and

**WHEREAS**, the State of South Carolina has yet to adopt a statewide Hate Crime Legislation, and is only one of two states in the United States who have yet to adopt such protections for its citizens and visitors; and

**WHEREAS**, the City of Cayce also desires to enact a new section of its Code of Ordinances in order to protect its residents and visitors and deter crimes motivated by bias or hate towards any persons or persons, in whole or in part, because of the actual or perceived race, color, creed, religion, ancestry, sexual orientation, gender, gender identity, physical or mental disability, or national origin of any person, and provide separate appropriate penalties in addition to the punishment for the underlying violation of the ordinances of the City; and

**WHEREAS**, the City Council has determined that it is in the interest of the City and the public, to enact a new Section 28-27 of the City Code of Ordinances entitled "Hate Intimidation";

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Cayce, in Council, duly assembled, that the City of Cayce Code of Ordinances is hereby amended, in Article II ("Offenses against the Person") of Chapter 28 ("Offenses and Miscellaneous Provisions"), to add a new Section 28-27 ("Hate Intimidation") to read as follows:

**Section 28-27.- Hate intimidation**

(a) A person who violates another section of this chapter with the intent to intimidate another person or persons, in whole or in part, because of the actual or perceived race, color, creed, religion, ancestry, sexual orientation, gender, gender identity, physical or mental disability, or national origin of the other person or persons, including any act of antisemitism, is also guilty of the separate offense of hate intimidation and shall be punished as provided by subsection (c) of this section. For purposes of this section, "antisemitism" refers to the definition set forth by the International Holocaust Remembrance Alliance (IHRA).

(b) In addition, no person shall disseminate hate materials on any public property or on any commercial property or on any residential property without the express permission of the owner of the residential property within the incorporated area of the City of Cayce. For purposes of this section, "hate materials" refers to writings intended to intimidate another person or persons on a basis as described in subsection (a) of this section.

(c) A person who violates this section shall be punished as provided in Section 1-6 of the City Code. The sentences for the separate offenses shall run consecutive to one another unless the court specifies on the record the reason why they should run concurrently.

This Ordinance shall be effective from the date of second and final reading.

**DONE IN MEETING DULY ASSEMBLED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Elise Partin, Mayor

ATTEST:

\_\_\_\_\_  
Mendy C. Corder, Municipal Clerk

First reading: \_\_\_\_\_

Second reading and adoption: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney



Mayor  
Elise Partin

Mayor Pro-Tem  
Tim James

Council Members  
Phil Carter  
Hunter Sox  
Byron Thomas

City Manager  
Tracy Hegler

Deputy City Manager  
Jim Crosland  
Assistant City Manager  
Michael Conley

**DRAFT MINUTES  
BOARD OF ZONING APPEALS  
MONDAY, MARCH 18, 2024  
CAYCE CITY HALL 1800 12<sup>th</sup> Street  
6:00 PM**

**I. CALL TO ORDER**

The meeting was called to order by Chairperson Jason Simpson. Those present included Board of Zoning Appeals Members Cindy Pedersen, Tyler Helms, and Mary Teaster. Assistant City Manager Michael Conley and Zoning Administrator Monique Ocean were also in attendance.

**II. STATEMENT OF NOTIFICATION**

Chairperson Jason Simpson asked if the media and the public had been notified of the meeting and public hearing. Ms. Ocean confirmed that they had been notified.

**III. REVIEW AND APPROVAL OF MINUTES**

Cindy Pedersen made a motion to approve the minutes from the December 18, 2023, Board of Zoning Appeals meeting. Jason Simpson seconded the motion. All were in favor.

**IV. PUBLIC HEARING**

**VARIANCE REQUEST 001-24**-The owner, Amy Piner, requests a variance from Section 5.6-3 Location (7) Fences and Walls to increase the allowable height of a fence in the required front yard from 4 feet to 6 feet. The property is a double frontage lot and is located at 2601 Taylor Road (Tax Map Number 005721-03-001). The property is zoned RS-3 Single Family Residential.

**VARIANCE REQUEST 002-24**-The owner, Amy Piner, requests a variance from Section 5.6 Accessory Buildings and Uses to reduce the required front yard setback from 25 feet to 5 feet for installation of an accessory building. The property is a double frontage lot and is located at 2601 Taylor Road (Tax Map Number 005721-03-001). The property is zoned RS-3 Single Family Residential.

**a. Staff Evaluation**

Ms. Ocean explained that the owner, Amy Piner, was requesting approval for 2 separate variances for a double frontage lot located at 2601 Taylor Road. Ms. Ocean stated that Variance 001-24 is requested to accommodate a privacy fence of 6 feet in height and that Variance 002-24 is requested to accommodate a 1,230 sq. ft. accessory building which will encroach upon the required front yard setbacks by 20 feet. Ms. Ocean stated that Planning Staff had denied zoning approval for a 6-ft privacy fence in the front yard because the Zoning Ordinance limits fences in the front yard to 4 feet in height. Planning Staff also denied zoning approval for the proposed accessory structure because it would encroach upon the required setback by 20 feet. Ms. Ocean explained that the Zoning Ordinance requires a double frontage lot to comply with front yard setbacks for both streets upon which the lot has frontage. Ms. Ocean stated that staff does not recommend approval of Variance Request 001-24 to exceed the permitted fence height in a front yard. Ms. Ocean stated that the shape

of the lot and the street frontages do not prohibit installation of a fence that meets requirements. Ms. Ocean stated that fences which comply with Zoning Ordinance regulations can be allowed anywhere on the lot.

Ms. Ocean stated that Staff does not recommend approval of Variance Request 002-24 to decrease the required front yard setback to accommodate an accessory structure. Ms. Ocean stated that it is the opinion of staff that the applicant has not provided a hardship as required by variance criteria. Ms. Ocean stated that the shape of the lot does not prohibit the construction of an accessory building at the required setbacks. Ms. Ocean stated the subject property exceeds the minimum lot size in the zoning district and that Staff believes compliance with the required setback does not prohibit or unreasonably restrict the utilization of the property. Ms. Ocean closed by explaining that the comments of staff are for clarification and that the Board will make the final decision.

**b. Statement by Applicant**

The applicant, Amy Piner, came before the Board to discuss the variance requests. Ms. Piner stated that the problem is that she has a double frontage lot and that it is a challenge. Ms. Piner stated that there are two others double frontage lots close to her house, but they have churches instead of houses. Ms. Piner stated that she and her family have lived at the address for eight years. She stated that her family wanted to make some more permanent decisions and one of those is to fence the yard. Ms. Piner stated there is a lot of foot traffic through her yard and she would like to fence it to protect it. Ms. Piner stated a 4-foot fence is easy to jump over. Ms. Piner stated that Taylor Road is busy and no one adheres to the speed limit. She stated Elm Street is a secondary road but there are cars on both sides. Ms. Piner stated that she does not have a backyard and that she has two front yards. Ms. Piner stated that the jargon used by staff to describe her request was confusing and misleading because her family is not requesting to fence off the front of the house. She stated that her family would like to reasonably use their yard in the same manner as her neighbors. Ms. Piner stated that safety is a concern also. She stated that constructing the fence is being able to live and do something that's reasonable for the home that she and her family paid for and live in. Ms. Piner stated that she was hoping that the Board of Zoning Appeals could see it a little differently and understand that it is reasonable accommodation to request a six-foot privacy fence, because she wanted to maintain a private space for her home.

Ms. Piner spoke to the Board about the second variance for a metal accessory garage building. Ms. Piner stated that her house does not have a garage. She stated that she had paid to install the building when she discovered that there is a 25-foot setback because of street frontage on both sides. She stated that there is no denying the double frontage and that it has been recorded. She stated that she had a survey completed of the place where she wanted to locate the building. Ms. Piner showed a document to the Board. Ms. Piner stated that the survey showed the location of the building as required by the Zoning Ordinance and it was not a reasonable location. Ms. Piner stated that the building could not sit in the middle of her yard and be within the requirements. She stated it will look much nicer with the building standing to the backside versus the front. Ms. Piner stated that the whole reason for the garage is because her family doesn't have one. She stated that she has a small storage building but they really want a garage to be able to pull into. Ms. Piner stated she feels the garage is a reasonable request and she didn't expect it to be so difficult. She stated she is requesting to place the building 5 feet from the back property line. She stated that she is going to be changing the vinyl of her home to match the building.

**c. Public Comment**

There was no one present to speak for or against the variance request.

**d. Adjourn Public Hearing**

With no further discussion, the public hearing was adjourned.

**e. Motion**

The Board could not come to an agreement regarding Variance Request 001-24. So, to bring the matter to a conclusion, Tyler Helms made a motion to grant the variance request to install a chain link fence of 6 feet in height in the front yard. Mary Teaster seconded the motion. Jason Simpson and Cindy Pedersen voted against the motion. Those against the motion argued that the regulation regarding height of a fence does not make the property impossible to use. The motion to grant Variance 001-24 failed to a tie vote.

Mary Teaster made a motion to grant Variance Request 002-24 to reduce the required setback of a double frontage lot to 5 feet. Ms. Teaster argued that the four criteria needed to grant the variance had been met. Tyler Helms seconded the motion. Jason Simpson and Cindy Pedersen voted against the motion. Those against the motion said the applicant's reasoning to why the setback requirements for an accessory building could not be met does not render the property unusable. The motion to grant Variance 002-24 failed to a tie vote.

#### **IV. COMMISSION MATTERS**

##### **a. Review and approval of BZA By-Laws**

The were no changes made to the existing By-Laws for the Board of Zoning Appeals.

##### **b. Nomination and election of Officers for 2024**

Cindy Pedersen nominated Jason Simpson as Chairperson. All were in favor. Mary Teaster nominated Cindy Pedersen as Vice-Chair. All were in favor.

##### **c. Appointment of Monique Ocean as Secretary for 2024**

All were in favor of Monique Ocean as Secretary.

##### **d. Approval of meeting schedule for 2024**

All were in favor of the meeting schedule, as presented.

#### **V. ADJOURNMENT**

Cindy Pedersen made a motion to adjourn. Tyler Helms seconded the motion. All were in favor.

A quorum of Council may be present.

No discussion or action on the part of the Council will be taken.

## Cayce Historical Museum Commission

**April 3, 2024**

### Meeting Minutes

The April 3, 2024 meeting of the Cayce Historical Museum Commission (CHMC) was held in the Cayce Visitors Center. The meeting was convened at 4:01pm by Chair James Stewart. The following individuals attended the meeting:

<b>Name</b>	<b>Status</b>
James Stewart	Chair
Pamela Sulton	Vice Chair
Marcy Hayden	Secretary
Archie Moore	Commissioner
A.G. Dantzler	Commissioner
Charlita Earle	Commissioner (absent)
Garrett Creasman	Commissioner (absent)
Mary Sharp	Commissioner
David Brinkman	Commissioner
Andy Thomas	Cayce Museum Curator
Elizabeth Lumsden	Cayce Museum Assistant

#### **Upcoming Events:**

April 6th-Tartan Day South  
 April 20th-Beeswax Candle Making Activity 9am  
 Cayce Legends Event-TBA

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**Invocation:** Commissioner Dantzler

#### **Action Items:**

Donation Review  
 Strategic Planning Document Review  
 Historic Preservation Planning and Goals Discussion

#### **March Meeting Minutes:**

The Commission reviewed the previous meeting minutes. Vice Chair Sulton motioned that the meeting minutes be accepted with change to date. Commissioner Sharp seconded the motion, and the minutes were approved.

## **Museum Staff Report**

Tartan Day South-Colonial Day was held on April 6th and was well attended. There were 16 participant organizations. Commissioners Brickman and Sulton volunteer along with Chair Stewart.

The African American Committee is working on the Cayce Legends Reception and event. The date is being finalized.

Repair work is ongoing for the Main building with windows being installed starting in March through June and the Public Safety building has been painted. Chair Stewart asked about touring the outbuildings and how tours will be handled now that this exhibit is reopening. Mr. Thomas stated that he offers tours as visitors request them. Some discussion took place among Commissioners offering suggestions of creating a schedule for tours i.e. tours each day at 10am and 2pm for out buildings or a “request a tour” option on website..

The Confederate money exhibit is still a work in progress and will include other Confederate items from our collections. This should be finalized in June. Additionally, Mr. Thomas along with Chair Stewart will have a “review exhibition” policy created which would streamline process and include processes for designing, building, and displaying exhibits in the future.

The Columbia Airport Exhibit is moving forward and will include history of the airport from military beginnings, commercial airport, and from 1967 to present day. Ms. Lumdsen is working with Columbia Airport to secure items for display and market the event. Mr. Thomas and Ms. Lumdsen visited the airport to learn more about the history and shared that the movie “A Guy Called Joe” was filmed there in the 1940’s and starred famous actor, Spencer Tracy.

The staff scheduled events targeting school age children, homeschoolers and families. March 16th staff made pinch pots with children and on April 20th the staff plans to make beeswax candles. Commissioner Hayden conducted a Native American pottery demonstration on March 9th at the museum which included creating a piece of pottery.

Staff and Commissioners attended the Soiree on State Street event where they did pinch pots and signed up volunteers.

Planning has started on the 160th Anniversary of the Battle of Congaree Creek which will be on February 15th, 2025. Mr. Thomas is working with reenactors to plan a tour during this time. More details will follow.

New federal guidelines have been issued regarding the Native American Graves Protection and Repatriation Act which will require a detailed inventory of Native American items housed in the Museum’s collections. This is going to be an intensive process that Staff has determined will need volunteers. Commissioners are encouraged to contact Mr. Thomas to help with reviewing the almost 8000 individual Native American Indian items. This process will include assistance from the South Carolina Department of Anthropology and Archaeology as the state liaison to the federal government. Inventory will need to be reviewed, categorized and a summary report

created. Additional discussion regarding concerns about past items and inventory in collections held by Commissioners.

### **Donations**

No updates at this time.

### **Strategic Planning**

No updates at this time.

### **Ongoing Business:**

#### **Historic Preservation**

Sub-Committee Assignments (Assignment table to be provided to Commissioners):

- Goal 1: Develop a community-inclusive historic preservation plan.
  1. Develop a comprehensive site list. (All Commissioners)
  2. Identify funding, grants, tax incentives and rules (Chair Stewart and Commissioner Hayden)
  3. Monitor ongoing risks to historic preservation (All Commissioners-Lead Commissioner Moore)
  4. Provide ongoing education for commission members on relevant issues (Chair Stewart, Vice Chair-Sulton, Commissioner Hayden and Staff)
  5. Ensure community accessibility and participation in historic preservation (All Commissioners (Section A), Staff (Section B through C))
- Goal 2: Cultivate stewardship of historic resources through active community engagement.
  1. Attract an increased number of site visitors that will set a baseline for future planning. (Section A -C: Vice Chair Sulton, Commissioner Sharp and Moore)(Section D-F: Staff, Commissioner Creasman and Earle)
  2. Engage potential visitors through off-site events (Added to Object 1, Section A-C)
  3. Audit and create communication tools (Section A-C: Staff, Commissioner Creasman and Earle ) (Section D-F: Staff and Commissioner Hayden)
  4. Ensure community accessibility and participations in historic preservation (Staff, All)

Historic Preservation Assignments:

- Commissioners provide a list of places and place names important to save/share history in Cayce

#### **Old State Road NRHP Nomination**

No updates at this time.

**Additional Business:**

With no other business on the meeting agenda, Commissioner Sharp motioned to adjourn the meeting. Commissioner Sulton seconded the motion and the Commission voted to adjourn the meeting at **5:08PM**.

Events Committee Minutes  
April 11, 2024

Present: Maxine Creamer, Johnathon Moore, Alexis Moore, Dwede Dennis, Carrie Ridgeway, Megan Lightle, Tiffany Aull, Jean Boiteau

Absent: Alyssa Hacker, Dave Capps, Ashley Hunter

City Representatives: Amanda Rowan

Ms. Dennis opened the meeting. Ms. Lightle led the invocation.

The committee reviewed the February 8, 2023 minutes. Ms. Lightle made a motion to approve. Ms. Ridgeway seconded, and motion was unanimously passed.

**Old Business:**

Mr. Moore asked the committee their opinion on how the Soiree went this year. Ms. Aull stated that she thought it was a great event. Mr. Moore stated he enjoyed the pop-up bike lanes and the golf cart rides for attendants. Ms. Rowan asked the committee if they would like to be involved in all future Soiree on States and assist the City with staffing the kid's area and anywhere else that help is needed. She stated that the City would love their feedback on future Soirees and any ideas they have to better the event. Ms. Dennis made a motion for the events committee to be a part of the Soiree moving forward, Ms. Moore seconded. The motion passed unanimously.

Mr. Moore stated the City was looking to honor Mr. Rudy Mancke. Ms. Creamer suggested keeping the nature tours but having Mr. Mancke's brother lead them. The tours would be named after him going forward. Ms. Lightle made a motion to name any future nature tours after Mr. Rudy Mancke. Ms. Moore seconded. Ms. Rowan read an email from Mayor Partin suggesting an ordinance named after Mr. Mancke. Ms. Boiteau suggested something similar to the beaches and turtles (night light ordinance). The committee agreed to consider this and think more on it.

Ms. Creamer asked about the Funk on Frink idea. Ms. Rowan stated the City was still trying to figure out logistics.

**New Business:**

Cayce Cool Down's date has been set for July 27<sup>th</sup> from 11-1 due to school starting within the following 2 weeks. Ms. Boiteau asked if the police would be involved as part of their back to school events. Ms. Rowan stated she was not sure.

The committee discussed bands for Fall Fest. The committee would like to look into new bands for the 2024 Fall Fest. The committee will research bands and bring suggestions back to the group at the next meeting. Ms. Ridgeway suggested incorporating some of the events suggested from Soiree into current events like Fall Fest. Ms. Rowan will email out a list of those suggested events.

With no further business, Ms. Lightle made a motion to adjourn, and Ms. Moore seconded. Motion carried and the meeting was adjourned. The next Events Committee meeting will be May 9, 2024, at 5:30 PM in Council Chambers.

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**COUNCIL ACTION REQUIRED**

**MUSEUM COMMISSION – TWO (2) POSITIONS**

The Museum Commission currently has two (2) open positions. The City has received potential member applications from Mr. Rusty Rabon, Mr. Keith Stephenson, Mr. Jeff Wilkinson and Mr. Mike Harlen in that order. Their applications are attached for Council's review.

**PUBLIC SAFETY FOUNDATION – ONE (1) POSITION**

Mr. Russ Shumard's term on the Public Safety Foundation expires in May and he would like to serve again. He has served on the Foundation since 2021 and consistently attends meetings. His reappointment application is attached for Council's review.

**NO COUNCIL ACTION REQUIRED**

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

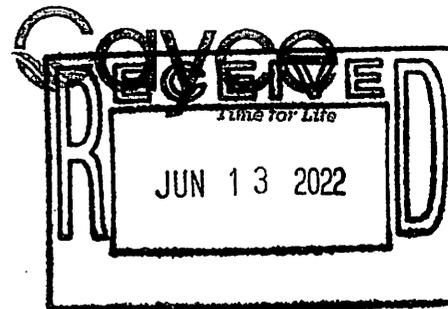
There are no open positions at this time.

**APPOINTMENT PROCESS**

Cayce citizens have an opportunity to actively participate in the City through their services on a number of advisory boards, commissions, foundations and committees. These groups help shape and carry out policy.

Applications are accepted at any time for all City of Cayce boards, commissions, foundations and committees. Cayce citizens wishing to apply for appointment may submit a potential member application to the Municipal Clerk, P. O. Box 2004, Cayce, SC 29171. More information and a copy of the application can be found on our website at [caycesc.gov](http://caycesc.gov) or by calling City Hall at 803-796-9020.

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



# CITY OF CAYCE POTENTIAL MEMBER APPLICATION

Name: Rusty Rabon  
Home Address: Northland Drive City, State, Zip Cayce SC 29033  
Telephone: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
Resident of Cayce:  Yes  No Number of Years: 50+

**Please indicate the Committee(s) for which you are applying:**

- Accommodations Tax Committee
- Cayce Housing Authority
- Events Committee
- Consolidated Board of Appeals
- Municipal Election Comm
- Museum Commission
- Planning Commission
- Board of Zoning Appeals

**Have you ever been convicted of a felony or misdemeanor other than a minor traffic violation?**

Yes  No If yes, specify below.

**Work Address**

Company: Grace Chapel Position: Pastor  
Address: 663 Dixiana Road City, State, Zip West Columbia, SC 29172  
Telephone: (803) 794-1895 E-Mail: rusty.rabon@gmail.com

Work Experience: Christian ministry since 1981 - minister of music, youth pastor, associate pastor, pastor, Christian radio announcer

Educational Background: B.S., M.A. - Columbia International University  
M.Div - Erskine Theological Seminary

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

The Fellowship of Ailbe (www.ailbe.org)

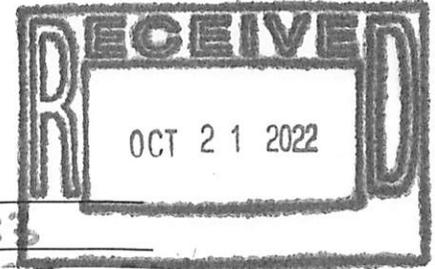
Volunteer Work: Broadacres Neighborhood Association  
Past youth sports coach

Hobbies: Reading, trips to mountains, Lexington County Choral Society

Return to:  
Mendy Corder, Municipal Clerk  
City of Cayce, PO Box 2004, Cayce, SC 29171-2004  
Telephone: 803-550-9557 • Fax: 803-796-9072 • Email: mcorder@caycesc.gov



CITY OF CAYCE
POTENTIAL MEMBER APPLICATION



Name: KEITH STEPHENSON
Home Address: NAPLES AVE City, State, Zip 29033
Telephone: -Mail:
Resident of Cayce: [X] Yes [ ] No Number of Years: 10

Please indicate the Committee(s) for which you are applying:

- [ ] Accommodations Tax Committee [ ] Cayce Housing Authority [ ] Events Committee
[ ] Consolidated Board of Appeals [ ] Municipal Election Comm [X] Museum Commission
[ ] Planning Commission [ ] Board of Zoning Appeals

Have you ever been convicted of a felony or misdemeanor other than a minor traffic violation?

[ ] Yes [X] No If yes, specify below.

Work Address

Company: UNIVERSITY OF SOUTH CAROLINA Position: ARCHAEOLOGIST
Address: 1321 PENOLETON ST City, State, Zip COLUMBIA, SC 29208
Telephone: 803-777-8170 E-Mail: STEPHENSONK@SC.EDU
Work Experience: 30 YEARS AT UOFSC

Educational Background: BA, MA, Ph.D.

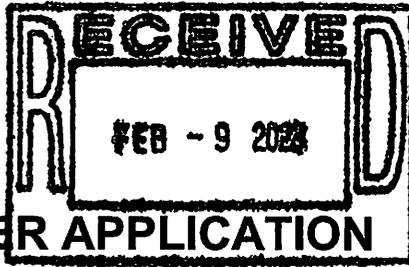
Membership Information (Professional, Neighborhood and/or Civic Organizations):

COUNCIL OF SOUTH CAROLINA PROFESSIONAL ARCHAEOLOGISTS

Volunteer Work: ARCHAEOLOGICAL SOCIETY OF SOUTH CAROLINA

Hobbies: ARCHAEOLOGY, HISTORY

Return to:
Mendy Corder, Municipal Clerk
City of Cayce, PO Box 2004, Cayce, SC 29171-2004
Telephone: 803-550-9557 ♦ Fax: 803-796-9072 ♦ Email: mcorder@caycesc.gov



CITY OF CAYCE  
POTENTIAL MEMBER APPLICATION

Name: JEFF Wilkinson Date 2/9/23  
Home Address Cherry LANE City, State, Zip Cayce SC 29033  
Telephone: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
Resident of Cayce:  Yes  No Number of Years: 7

Please indicate the Committee(s) for which you are applying:

- Accommodations Tax Committee
- Cayce Housing Authority
- Events Committee
- Consolidated Board of Appeals
- Municipal Election Comm
- Museum Commission
- Planning Commission
- Board of Zoning Appeals

Have you ever been convicted of a felony or misdemeanor other than a minor traffic violation?

Yes  No If yes, specify below.

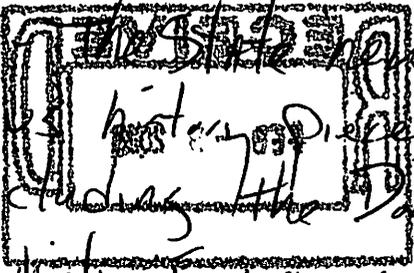
Work Address Retired  
Company: \_\_\_\_\_ Position: \_\_\_\_\_  
Address: \_\_\_\_\_ City, State, Zip \_\_\_\_\_  
Telephone: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
Work Experience: SEE BACK \*

Educational Background: Journalism - Southern Illinois University  
Augusta University

Membership Information (Professional, Neighborhood and/or Civic Organizations):  
\_\_\_\_\_  
Volunteer Work: \_\_\_\_\_

Hobbies: HISTORY TRAVEL

Return to:  
Mendy Corder, Municipal Clerk  
City of Cayce, PO Box 2004, Cayce, SC 29171-2004  
Telephone: 803-550-9557 ♦ Fax: 803-796-9072 ♦ Email: mcorder@caycesc.gov

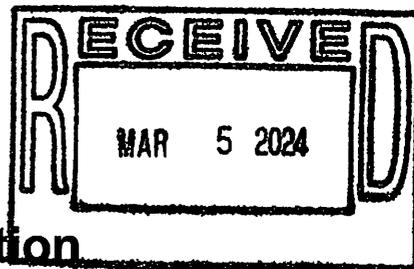
1. Retired journalist  wrote numerous history pieces through the years, including the Dept. the Raiders reunions, for which I won an SCPA award for series of articles.

Also received a Daughters of the American Revolution award for history writing. And the Celebrate Freedom Foundation award for history writing.

2. Produced the 8-part "South Carolinians in World War II" series for SLETV and the three part "Man and Moment" series, also for SLETV.

3. Served on the concert committee for Southern Illinois University, booking national acts.

4. Co-chairman for the Swine Ball, fundraiser for the Nashville Tenn. symphony.



## City of Cayce Potential Member Application

Application for committees, boards and commissions within the City of Cayce

**Date**

3/5/2024

**Name**

Mike Harlen

**Home Address**

Moss Creek Dr, CAYCE, South Carolina 29033

**Phone**

**Email**

**Are you a resident of Cayce?**

Yes

**Number of Years**

11

**Do you have a business in Cayce?**

No

**Number of Years**

**Committee(s) for which you are applying**

Accommodations Tax Committee

Planning Commission

Municipal Election Commission

Events Committee

Museum Commission

Cayce Beautification Foundation

Cayce Public Service Foundation

**Have you ever been convicted of a felony or misdemeanor other than a minor traffic violation?**

No

**If yes, specify below:**

**Work Address**

509 Bulldog Blvd, Cayce, South Carolina 29033

**Phone**

(803) 936-5550

**Email**

mharlen@lex2.org

**Work Experience**

Public School Teacher (B.C and L2IC) , Small Business Owner: Residential Lawn Care - IOP, Claims Adjuster: Progressive, Bristol West, & Grayward, & Independent, (20 years).

**Educational Background**

MBA (Capella), MS (Southern Wesleyan) , BS (John Carroll), Certified Public School Teacher, PLTW

Certified Engineering Instructor.

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

NAR ( National Association of Rocketry), AIAA

**Volunteer Work:**

After School Functions: L2IC Rocket Club, Vex Robotics competitions, Kinetic Derby

**Hobbies**

Model Rockets, Auto Cad, 3D printing, Laser Cutting

**For additional information please contact Mendy Corder at 803-550-9557 or email  
[mcorder@caycesc.gov](mailto:mcorder@caycesc.gov)**



CITY OF CAYCE
COMMITTEE MEMBER REAPPOINTMENT APPLICATION

Name: \_\_\_\_\_

Home Address: \_\_\_\_\_ City, State, Zip \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail Address \_\_\_\_\_

Resident of Cayce: { Yes { No Number of Years \_\_\_\_\_

Please check the Committee for which you are applying for reappointment:

- { Accommodations Tax Committee { Beautification Foundation { Event Committee
{ Cayce Housing Authority { Museum Commission { Planning Commission
{ Consolidated Board of Appeals { Board of Zoning Appeals { Public Safety Foundation

Have you ever been convicted of a felony or misdemeanor other than a minor traffic violation? [ ] Yes [ ] No If yes, specify below:

\_\_\_\_\_
\_\_\_\_\_

Work Address

Company: \_\_\_\_\_ Position \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip \_\_\_\_\_ Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_ E-Mail \_\_\_\_\_

Work Experience: \_\_\_\_\_

\_\_\_\_\_

Educational Background: \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

Volunteer Work: \_\_\_\_\_

\_\_\_\_\_

Hobbies: \_\_\_\_\_

\_\_\_\_\_

Return to:
Mendy Corder, Municipal Clerk
City of Cayce, P.O. Box 2004, Cayce, SC 29171-2004
Telephone: 803-550-9557 • Fax: 803-796-9072 • mcorder@cityofcayce-sc.gov

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# Memorandum

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**To:** Mayor and Council

**From:** Tracy Hegler, City Manager

**Date:** May 7, 2024

**Subject:** Sale of City-owned portion of 800 Lexington Avenue

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## Issue

City Council's consideration is being requested to sell the City-owned portion of 800 Lexington Avenue.

## Discussion

In September of 2017, the City purchased approximately 0.43 acres consisting of a portion of TMS 005769-04-001 at 800 Lexington Ave. This was done with the use of Tax Increment Financing (TIF) revenues and included the demolition of a portion of a derelict building that was previously burned in a fire and the remediation of any environmental issues on that portion of the property. These actions were taken to improve the health, safety and property values of the surrounding area and the nearby TIF Redevelopment Area and to clear the way for redevelopment of the remainder of the buildings on the site and the adjacent properties.

The remaining portion of 800 Lexington Avenue was purchased by its current owner. The owner of that portion is requesting to purchase the City-owned portion as described in the attached ordinance and draft Purchase and Sale Agreement.

## Recommendation

Upon City Council's approval of the terms of sale, staff recommends giving first reading approval to an ordinance authorizing the sale of real property owned by the City at 800 Lexington Avenue and to authorize the City Manager to negotiate the final version of the Purchase and Sale Agreement for the property and to execute and deliver all necessary agreements, deeds, papers, instruments, certificates, and other documents as may be necessary to carry out such sale and conveyance.

<p><b>STATE OF SOUTH CAROLINA</b> )</p> <p>)</p> <p><b>CITY OF CAYCE</b> )</p> <p>)</p>	<p><b>ORDINANCE 2024-05</b></p> <p><b>AUTHORIZING SALE OF THE CITY- OWNED PORTION OF REAL PROPERTY AT 800 LEXINGTON AVENUE</b></p>
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**WHEREAS**, the City is the owner of a portion of the real property that was the site of the old Cayce Grammar School located at 800 Lexington Avenue; and

**WHEREAS**, the City Council has determined that it is in the interest of the City to sell the property owned by the City at 800 Lexington Avenue so that the property can be developed; and

**WHEREAS**, S.C. Code Section 5-7-260(6) and City Code Section 2-90(6) require that the City act by ordinance to sell or contract to sell any lands of the City,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Cayce, in Council duly assembled, that:

1. The City Council approves the sale of all of the real property owned by the City at 800 Lexington Avenue that was a portion of the site of the old Cayce Grammar School. The sale is approved on such terms as are set out in the draft Purchase and Sale Agreement attached to this Ordinance (or in the final version of an amended Agreement of substantially similar terms that will be attached to this Ordinance on final reading).

2. The City Manager is authorized to negotiate the final version of the Purchase and Sale Agreement for the property and to execute and deliver all necessary agreements, deeds, papers, instruments, certificates, and other documents as may be necessary to carry out such sale and conveyance.

This Ordinance shall take effect upon the second and final reading.

**DONE IN MEETING DULY ASSEMBLED**, this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Elise Partin, Mayor

Attest:

\_\_\_\_\_  
Mendy Corder, CMC, Municipal Clerk

First Reading: \_\_\_\_\_

Second Reading and Adoption: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
Danny C. Crowe, City Attorney

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )

**PURCHASE AND SALE AGREEMENT**  
[DRAFT: 05.02.2024]

This Purchase and Sale Agreement (the "Agreement") is made and entered into by and between **CYPRESS DEVELOPMENT PARTNERS, LLC**, a South Carolina limited liability company ("Buyer"), and the **CITY OF CAYCE**, a body politic and corporate and a political subdivision of the State of South Carolina ("Seller") as of the date of later execution hereof by Buyer and Seller (the "Effective Date").

WITNESSETH:

WHEREAS, Seller owns certain real property containing approximately 0.43 of an acre located in the City of Cayce, South Carolina, as more fully described in that certain Limited Warranty Deed dated September 8, 2017, and recorded September 13, 2017 in Deed Book 19485, page 112, Lexington County ROD Office (the "LW Deed"); and

WHEREAS, Seller desires to sell and Buyer desires to purchase the property described in this Agreement upon the terms and conditions set forth herein below.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **PURCHASE AND SALE.** Seller agrees to sell and convey to Buyer, and Buyer agrees to purchase from Seller, on the terms and conditions set forth herein, the real property described in the LW Deed and shown on the on a Plat prepared for the City of Cayce dated August 15, 2017, recorded in Book 19476, page 35, located in the City of Cayce, Lexington County, South Carolina (the "Property").
2. **PURCHASE PRICE.** The Purchase Price for the Property shall be One Hundred Fifty-Two Thousand One Hundred Twenty-Nine and 45/100s Dollars (\$152,129.45) and shall be paid by Buyer to Seller at Closing (as defined herein) in immediately available funds.
3. **EARNEST MONEY.** Within five (5) days of the execution of this Agreement, Buyer shall deliver to Turner, Padgett, Graham & Laney, P.A. (the "Escrow Agent") as escrow agent, the sum of Five Thousand and No/100 Dollars (\$5,000.00) in immediately available funds (the "Earnest Money"), to be held by the Escrow Agent in a non-interest-bearing account selected by Escrow Agent. Escrow Agent shall hold the Earnest Money pursuant to this Agreement, including **Exhibit A** attached hereto.
4. **INSPECTION PERIOD.** Buyer shall have one hundred twenty (120) days from the Effective Date of the Contract (the "Inspection Period") to evaluate the Property. If, prior to the expiration of the Inspection Period, Buyer determines that the Property is unsuitable for any reason, in Buyer's sole discretion, and provides written notice to Seller thereof on or before the last day of the Inspection Period, then this Contract shall terminate and Buyer shall receive a refund of the Earnest Money, and neither party shall have any further obligation or liability hereunder, except as otherwise stated in this Agreement. If Buyer does not provide such written notice to Seller prior to the expiration of the Inspection Period, any right of Buyer to terminate under this provision shall expire. Seller shall provide Buyer with documents related to its ownership of the Property in Seller's reasonable possession within five (5) business days of the Effective Date. Buyer agrees to indemnify and hold Seller harmless from and against any and all claims, costs, expenses and liabilities, including reasonable attorney's fees arising from or by reason of Buyer's inspections. Buyer shall restore any disturbance of the Property caused by its inspections into the same condition that existed prior to the Effective Date in the event Buyer fails to close or terminates this Agreement. If Buyer has not terminated this Agreement by the expiration of the Inspection Period, the Earnest Money shall become non-refundable but applicable to the Purchase Price.

5. TITLE AND SURVEY OBJECTIONS. Buyer, at its sole expense, shall have the right to order a current survey of the Property ("Survey"). Buyer shall notify Seller of any objections revealed by the Survey within the Inspection Period. With respect to title and survey matters, if Buyer disapproves any particular item Buyer shall provide written notice to Seller of such objections prior to the end of the Inspection Period. Seller may cure or attempt to cure Buyer's objections to such item within fifteen (15) days after Buyer's notice of disapproval but shall not be required to do so. If Seller is unable to cure or chooses not to cure any one or more of Buyer's objections, Seller shall notify Buyer within such fifteen (15) day period, and Buyer shall have five (5) days from receipt of such notice to notify Seller as to whether Buyer intends to: (i) waive the particular objection and continue under the terms of this Agreement, provided, however, that the Purchase Price shall be not reduced; or (ii) terminate this Agreement and be refunded the Earnest Money. The term "Permitted Exceptions", as used herein, shall mean (i) the title exceptions listed in Schedule B of the title commitment which Buyer approves or is deemed to approve pursuant to this Section 5; and (ii) any general exceptions and exclusions contained in the standard owner's policy that are not deleted pursuant to the delivery of a standard owner's title affidavit.
6. CLOSING/CLOSING DOCUMENTS. The closing ("Closing") shall within ten (10) business days from the expiration of the Inspection Period. At Closing, Seller agrees to convey the Property by limited warranty deed. Seller shall also provide such documents as Buyer or Buyer's title insurance company may reasonably require to issue title insurance and documents typically needed in connection with a commercial real estate closing. At Closing, Buyer agrees to pay Seller the balance of the Purchase Price in immediately available funds.
7. POSSESSION/"AS-IS" CONDITION. Seller shall deliver possession of the Property to Buyer at Closing. Buyer acknowledges and agrees that the Property is sold in its "where is, as is" condition existing at the time of Closing.
8. PRORATIONS. Seller shall pay all past due taxes, if any, applicable to the Property. Any and all real or personal property taxes and assessments, utility bills, or similar charges or credits for the year 2024 shall be prorated at Closing. Any and all roll back taxes relating to the change of use and development of the Property shall be the responsibility of Buyer.
9. CLOSING COSTS. Seller shall pay all applicable property transfer costs and Seller's attorneys' fees. Buyer shall pay the cost of the title examination, title insurance, the recording of the deed, all inspections, and Buyer's attorneys' fees.
10. BUYER'S DEFAULT. In the event of a default by Buyer, Seller may, as its sole remedy, retain the Earnest Money as liquidated damages but not as a penalty; provided, however, if Buyer shall breach any indemnification obligations of Buyer under this Contract, Seller may pursue all rights and remedies available to it at law and in equity necessary for Seller to enforce Buyer's obligation to indemnify. Buyer and Seller agree that it would be impracticable or difficult to establish damages if Buyer should default and that the amount of the Earnest Money is a reasonable, negotiated and liquidated estimation thereof.
11. SELLER'S DEFAULT. In the event of a default by Seller, Buyer may, as its sole remedy, (i) terminate this Contract by written notice to Seller, whereupon the Earnest Money shall be returned to Buyer or (ii) institute proceedings to obtain Seller's specific performance of this Contract as long as legal action commences within sixty (60) days of such default.
12. NOTICES. All notices required hereunder will be in writing and delivered by a recognized overnight courier or by certified mail, return receipt requested, postage prepaid, or hand delivered at the addresses shown below, until notification of a change of such addresses. Each party agrees that its attorney shall be authorized to deliver notices on its behalf, and each party agrees to accept notice from the other party's attorney in the same

manner as if the other party had given such notice. Notice by other methods, such as e-mail transmission, shall be valid if receipt is acknowledged in writing by the receiving party.

TO SELLER: Tracy Hegler, City Manager  
1800 12th Street  
Cayce, South Carolina 29033

with a copy to:

Lanneau Wm. Lambert, Jr.  
Turner, Padgett, Graham & Laney, P.A.  
1901 Main Street, 17<sup>th</sup> Floor  
Columbia, South Carolina 29201

TO BUYER: Cypress Development Partners, LLC

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. BROKERAGE COMMISSIONS. Seller and Buyer represent to each other that neither has dealt with any brokers/agents in connection with this transaction. Buyer and Seller each agree to indemnify and hold each other harmless from any damages or causes of action which result, directly or indirectly, from a breach of the above representation. Such agreement to indemnify shall survive the termination of this Agreement or the closing of the sale and purchase contemplated by this Agreement.

14. SUCCESSORS AND ASSIGNS/ASSIGNMENT. This Agreement shall be binding upon and shall inure to the benefit of the respective parties, and to their respective successors and assigns. Buyer may not assign this Agreement without the prior written consent of Seller.

15. ENTIRE AGREEMENT; MODIFICATIONS; COUNTERPARTS. This Agreement constitutes the entire and complete agreement between the parties hereto and supersedes any prior oral or written agreements between the parties with respect to the Property. It is expressly agreed that there are no verbal understandings or agreements which in any way change the terms, covenants and conditions herein set forth, and that no modification of this Agreement, and no waiver of any of its terms and conditions shall be effective unless made in writing and duly executed by the parties hereto. This Agreement may be signed in counterparts. The parties intend that facsimile and scanned signatures shall constitute original signatures and that a facsimile or scanned copy of this Agreement or any document to be executed and delivered pursuant to this Agreement, containing the signature of each party shall be binding upon the parties hereto.

16. BINDING EFFECT. All covenants, agreements, warranties and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto, their respective successors and assigns.

17. CAPTIONS. The section headings or captions appearing in this Agreement are for convenience only, are not part of this Agreement, and are not to be considered in interpreting this Agreement.

18. SEVERABILITY. If any provision of this Agreement is held to be illegal, invalid or unenforceable (the "Offending Provision"), the Offending Provision shall be fully severable; this Agreement shall be construed and enforced as if the Offending Provision had never comprised a part of this Agreement; and the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the Offending Provision or by its severance from this Agreement. Furthermore, in lieu of the Offending Provision, there shall be

added automatically as part of this Agreement, a provision as similar in terms to the Offending Provision as may be possible and be legal, valid and enforceable.

19. NO ADVERSE PRESUMPTION. The parties acknowledge that this Agreement arose as the result of arms-length negotiations between them and that this Agreement is the product of input by both parties. Accordingly, any ambiguity or uncertainty is not to be construed against either party.

20. TIME OF THE ESSENCE. Time shall be of the essence with respect to all provisions of this Agreement.

21. CONTROLLING LAW. This Agreement shall be governed, enforced and construed in accordance with the laws of the State of South Carolina and the parties hereto specifically agree to submit to and be bound by the jurisdiction of the courts, either federal or state, of the State of South Carolina. Venue for any action brought to enforce this Agreement shall lie in Lexington County, South Carolina.

***REMAINDER OF PAGE INTENTIONALLY LEFT BLANK***

***SIGNATURE PAGE FOLLOWS***

**SIGNATURE PAGE OF PURCHASE AND SALE AGREEMENT**

**IN WITNESS WHEREOF**, Seller and Buyer have executed the foregoing Agreement as of the Effective Date.

**BUYER:**

**CYPRESS DEVELOPMENT PARTNERS, LLC**

\_\_\_\_\_  
Witness  
May \_\_, 2024

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**SELLER:**

**CITY OF CAYCE**

\_\_\_\_\_  
Witness  
May \_\_, 2024

By: \_\_\_\_\_  
Tracy Hegler, City Manager

## EXHIBIT A

### Escrow Provisions

1. In performing any of its duties hereunder, Escrow Agent shall not incur any liability to anyone for any damages, losses, or expenses in connection with its actions as Escrow Agent including, without limitation, (i) any action taken or omitted upon advice of its legal counsel given with respect to any questions relating to the duties and responsibilities of Escrow Agent under this agreement; (ii) any action taken or omitted in reliance upon any instrument, including any written notice or instruction provided for in this agreement; or (iii) any loss or delay caused by or due to the bank in which the escrowed funds are deposited. Escrow Agent may rely upon any instrument pursuant to clause (ii) in the preceding sentence as being duly executed, valid, and effective, and as containing accurate information and genuine signatures.

2. In the event of a dispute between Seller and Buyer arising prior to or at the time of the delivery or other disposition of the Earnest Money by Escrow Agent pursuant hereto, which dispute shall be sufficient, in the sole discretion of Escrow Agent, to justify its doing so, Escrow Agent shall be entitled to tender the Earnest Money into the registry or custody of any court of competent jurisdiction, together with such legal pleadings as it may deem appropriate, and thereupon Escrow Agent shall be discharged from all further duties and liabilities under this agreement. Any such legal action may be brought in such court as Escrow Agent shall determine to have jurisdiction thereof. Escrow Agent's determination of whether a dispute exists between Seller and Buyer shall be binding and conclusive upon all parties hereto, notwithstanding any contention that no dispute exists. All costs and expenses incurred by Escrow Agent in taking any action pursuant to this paragraph shall be covered by and paid pursuant to the indemnification of Escrow Agent contained in the following paragraph.

3. Buyer and Seller shall, and do hereby, jointly and severally indemnify, defend, and hold Escrow Agent harmless from, against, and in respect of: (i) any and all demands, judgments, expenses, costs, losses, injuries, or claims of any kind whatsoever whether existing on the date hereof or hereafter arising, incurred by Escrow Agent by reason of, from, or in connection with this agreement or any action taken or not taken by Escrow Agent under or in connection with this agreement; and (ii) any and all counsel fees, expenses, disbursements of counsel, amounts of judgments, demands, assessments, costs, fines, or penalties, and amounts paid in compromise or settlement, incurred or sustained by Escrow Agent by reason of, in connection with, or as a result of any claim, demand, action, suit, investigation, or proceeding (or any appeal thereof or relating thereto or other review thereof) incident to the matters covered by the immediately preceding clause (i).

4. If Escrow Agent shall notify Seller and Buyer of its desire to be relieved of any further duties and liabilities hereunder, then Escrow Agent shall deliver the Earnest Money to a successor escrow agent designated by Seller and Buyer. If Seller and Buyer shall fail to agree upon and designate a successor escrow agent within ten (10) days after having been requested by Escrow Agent to do so, then Escrow Agent shall in its discretion designate the successor escrow agent. The successor escrow agent designated by Seller and Buyer or by Escrow Agent, as the case may be, shall be a bank or trust company having trust powers in good standing and located in Columbia, South Carolina, and shall agree to be bound by all the terms and conditions of this agreement. Immediately upon agreement by the successor escrow agent to be bound by all the terms and conditions of this agreement, the original Escrow Agent shall be relieved of any and all duties and liabilities under or in connection with this agreement; provided, however, that no successor escrow agent shall assume any liability for the acts or omissions of its predecessor escrow agent(s) hereunder.

5. The agency created in Escrow Agent hereby is coupled with an interest of Seller and Buyer and shall be binding upon and enforceable against the respective heirs, successors, legal representatives and assigns of Seller and Buyer. This escrow shall not be revoked or terminated by reason of the death, incompetency, dissolution, or liquidation of Seller or Buyer, but shall continue to be binding upon and enforceable against the respective heirs, successors, legal representatives and assigns of Seller and Buyer in the manner provided herein.

In the event of the death, incompetency, dissolution, or liquidation of Seller or Buyer, Escrow Agent may rely and act upon any notices permitted or required to be given hereunder from any person, firm, partnership, or corporation believed by Escrow Agent in good faith to be the heir, successor, legal representative or assign of such dissolved or liquidated party.

6. The address for the receipt of notices and other communications by Escrow Agent hereunder is as follows:

Turner Padget Graham & Laney, P.A.  
Attn: Lanneau Wm. Lambert, Jr., Esquire  
1901 Main Street, Suite 1700  
Columbia, SC 29201  
Telephone: 803-227-4248  
Email: llambert@turnerpadget.com

7. Buyer hereby expressly consents to Escrow Agent's acting both as legal counsel for Seller and as Escrow Agent hereunder, including, without limitation, in connection with any dispute regarding the disbursement of the Earnest Money hereunder.

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# Memorandum

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**To:** Mayor and Council

**From:** Tracy Hegler, City Manager

**Date:** May 7, 2024

**Subject:** Municipal Prosecutor

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## Issue

City Council's approval is needed to enter a contract to fill the vacant Municipal Prosecutor's Position.

## Discussion

The City of Cayce recently had a vacancy with one of our two Prosecutor positions. The Municipal Court needs to have both positions due to the current docket.

The City has received an interested candidate who comes to us with extensive experience as a trial lawyer (See Attached Resume). This level of experience will allow the prosecutor to immediately assist the Municipal Court with its current docket without any delays. Upon approval from Council, Thomas Scott can begin with his prosecutorial duties immediately.

## Recommendation

Staff and City Attorney Danny Crowe request Council's approval to accept Mr. Thomas Scott for the vacant City Prosecutor's position.

Thomas Bruce Scott, III  
thomasbscott@yahoo.com

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1 Lakecrest Drive Columbia, SC 29206 (803) 747-1556

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## EXPERIENCE

### **First Circuit Solicitor's Office;** Orangeburg, SC

*Deputy Solicitor / First Assistant Solicitor* January 2005 – Present

- Prosecuted more than 7,500 cases, including over 65 murder defendants
- Manage the day-to-day operations of the Orangeburg County Solicitor's Office, including the supervision of 6 attorneys and 15 support staff
- Responsible for the financial integrity of multiple operating and trust accounts
- Primary point of contact for local, state, and federal law enforcement agencies seeking guidance and assistance during criminal investigations
- Served as faculty member on multiple occasions for the SC Commission on Prosecution Coordination's statewide training program for new prosecutors

### **Strom Law Firm, LLC;** Columbia, SC

*Attorney* January 2003 – December 2004

- Represented clients in federal, state, and magistrate/municipal courts
- Assisted with civil cases, including the development of class-action lawsuits

### **Fifth Circuit Solicitor's Office;** Columbia, SC

*Assistant Solicitor* May 1999 – December 2002

- Prosecuted criminal cases in General Sessions Court, Family Court and Magistrates Court
- Conducted jury trials, bench trials, and represented the State of South Carolina in other courtroom proceedings, such as plea hearings and motion hearings.

### **Thirteenth Circuit Solicitor's Office;** Greenville, SC

*Assistant Solicitor* August 1998 – May 1999

- Began my career prosecuting cases involving misdemeanors and low-level felonies
- Conducted multiple jury trials, mostly in magistrates court

## EDUCATION

### **University of South Carolina;** Columbia, SC

*J.D. Degree,* May 1998

Honors: Articles Editor, ABA Real Property, Probate and Trust Journal

### **University of Florida;** Gainesville, FL

*B.S. Degree,* Journalism, December 1994

Honors: Dean's List; Hugh Cunningham Applied Journalism Award



of law as provided by the Supreme Court of South Carolina, the South Carolina Rules of Professional Conduct and the South Carolina Bar, and shall, at all times, be a member in good standing of the South Carolina Bar and meet all requirements for practice as an attorney in the courts of this State. Further, the City Prosecutor shall, at all times, maintain his own professional liability (malpractice) insurance, either individually or through a company with no exclusions applicable to service as City Prosecutor.

- 5. This Contract constitutes the entire understanding of the parties, and no oral representations shall be binding unless, specifically included herein. Any change or modification hereto must be in writing and signed by both parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, on this \_\_\_\_ day of May, 2024.

WITNESSES AS TO CITY:

CITY OF CAYCE

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Name: Tracy Hegler  
Its: City Manager

WITNESSES AS TO CITY  
PROSECUTOR:

CITY PROSECUTOR

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_