



## CITY OF CAYCE

*MAYOR*  
ELISE PARTIN

*MAYOR PRO-TEM*  
JAMES E. JENKINS

*COUNCIL MEMBERS*  
TARA S. ALMOND  
EVA CORLEY  
TIMOTHY M. JAMES

*CITY MANAGER*  
REBECCA V. RHODES

*ASSISTANT CITY MANAGER*  
SHAUN M. GREENWOOD

### City of Cayce Special Council Meeting and Public Hearing January 16, 2013

A Special Council Meeting was held this afternoon at 5 p.m. in Council Chambers. Those present included Mayor Elise Partin, Council Members Tara Almond, Eva Corley, Tim James and James Jenkins. City Manager Rebecca Rhodes, Assistant City Manager Shaun Greenwood, Lt. Tom Steinbring, Administrative Assistant Kirsten Davis 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. Davis confirmed they were notified.

#### Call to Order

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

#### Other

- A. Approval of Ordinance Providing for and Approving Amendments to the Amended and Restated Indenture of Trust and Other Matters Relating Thereto – Second Reading

Ms. Rhodes stated the ordinance was tweaked very slightly between First Reading and Second Reading therefore Council will need to amend the ordinance then go back and approve the amended ordinance. Council Member Jenkins made a motion to amend the proposed ordinance to conform to the copy attached to the staff white paper. Council Member James seconded the motion which was unanimously approved by roll call vote. Council Member James made a motion to approve the ordinance as it was amended. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

- B. Approval of Ordinance Amending the SRF Loan Agreements – Second Reading

Ms. Rhodes stated this ordinance was also tweaked slightly between the first and second reading. Council Member Jenkins made a motion to amend the proposed ordinance to conform to the copy attached to the staff white paper. Council Member James seconded the motion which was unanimously approved by roll call vote. Council Member James made a motion to approve the ordinance as amended. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

C. Approval of Ordinance to Amend the City of Cayce FY2012/2013 Utility Budget – First Reading

Councilmember Jenkins made a motion to approve the ordinance to amend the Utility budget. Council Member Almond seconded the motion which was unanimously approved by roll call vote. Ms. Rhodes stated the FY12-13 Utility Budget included sewer sales from the Purchasers for 12 months. Since the WWTP was not completed and the amendment to the Wastewater Agreement was not approved as early as hoped, the City has not been able to meet the requirements for establishing a completion date and has been unable to begin billing the Purchasers under the new rate methodology. She stated this has left the City with a budget deficit of approximately \$460,000.

Ms. Rhodes stated the amendment to the Bond Indenture allows the City to reduce its Utility Debt Reserve Funds for its existing bonded indebtedness by half and allows the City to use those excess funds as gross revenue in the Utility Budget. This reduction will produce approximately \$748,000 that can be placed in the gross revenue for the Utility Department.

D. Approval of Resolution Authorizing and Approving the Acceptance of Certain Loan Assistance Monies from the South Carolina Water Quality Revolving Fund Authority

Ms. Rhodes stated this is the actual loan documents for the septage and grease hauling facility. Staff and the City Attorney have reviewed the documents and found there is no requirement for the length of time the City operates the septage and grease facility and no "strings" attached to this money above those of a normal SRF loan/grant.

Ms. Rhodes stated she spoke to the State Budget and Control Board and DHEC. Both agencies stated they would do anything to assist the City with this project. Mr. Jeff deBessenet with DHEC stated as of December 31, 2012 CE Taylor could no longer accept any waste from themselves or any other haulers.

Council Member James inquired if the City is privy to the company's names that previously used CE Taylor. Ms. Rhodes stated as part of the rate analysis staff will get that data. Council Member Jenkins inquired how much the City would have tied into the facility in the chance that no one uses it. Ms. Rhodes stated the City will have \$115,000 in the facility but will have no debt.

Council Member James made a motion to approve the resolution which would authorize the acceptance of the loan assistance money. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

E. Approval of Resolution Authorizing and Approving Financing through Lease/Purchase and Award of Lease/Purchase Contract

Council Member James made a motion to approve the resolution for financing with First Citizens Bank for a three year term at 1.13%. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote. Ms. Rhodes stated these were two Chevy Tahoes and three Interceptors for Public Safety and one truck for the Garage. All six vehicles were approved for purchase in January by Council when the FY 2012-2013 Budget was approved.

Council Member James explained to the audience that the Tahoes are actually less expensive than the Interceptors. Ms. Rhodes stated the Tahoes are used by the Lieutenants at Public Safety who do not drive them as much as a Patrol Officer would. The Tahoes hold their value well so at the end of five years they can be sold and that money can be put back into the General Fund for replacement vehicles.

F. Bid Approval for the Stair Replacement Project at Guignard Park

Council Member James made a motion to accept the bid award from Boykin Contracting Group for the stair replacement project at Guignard Park with an authorization for the City Manager to execute the contract. Council Member Almond seconded the motion. Ms. Rhodes stated this project is for the stairs in Guignard Park. The City was able to get C Funds for this project and it will be fully funded with grant funds.

G. Discussion of Options for City Hall Facilities

Ms. Rhodes stated Todd Sease and Joel Carter with Jumper Carter Sease were in attendance to briefly review the Asbestos and Lead Based Paint Survey Report for the City Hall Facilities. Mr. Carter stated asbestos was found in three areas of City Hall but are considered to have low potential for disturbance based on the current use of these spaces. The majority of the asbestos found is non-friable which Mr. Carter explained means it will not become airborne by touch therefore it is much less dangerous. He stated it is a much easier process to remove the structure containing asbestos rather than renovate it since the quality of air has to be much better when renovating since people will be moving back into the building.

Mr. Carter stated painted surfaces throughout the buildings were tested for lead content. Multiple painted surfaces in the interior and exterior of the buildings had detectable levels of lead but only two were considered lead based. One is the orange paint on the stairs, stair rail and ladder to the roof in the mechanical room in the central

building. The other is the yellow warning stripe on the concrete step of the west side of the North building. Mr. Carter stated the lead based coatings are generally in fair condition. Council Member Jenkins asked if the air quality was monitored. Mr. Carter said the air was not tested since friable materials were not found. Ms. Rhodes asked Mr. Carter how much the presence of asbestos would increase the City's cost if they decided to renovate. Mr. Carter explained if the entire facility is renovated it will not really increase the cost but if a small area is chosen to be renovated and there are friable materials involved there will be a considerable increase in cost. Council Member Almond asked if there were tests done for mold. Ms. Rhodes explained there have been tests done on the presence of mold in Council Chambers. She stated there are not a lot of mold spores but there is a lot of moisture in the air and the bricks on the internal walls of Council Chambers show signs of moisture on them.

Ms. Rhodes stated the Architectural Study recommends that the current functions at City Hall need 16, 240 square feet and there is currently only 8,813 square feet. This does not take into consideration any future growth or additional employees. The study highlights several safety, health and appearance issues with the current facilities. She stated the study points out several ADA and Code compliance issues that need to be addressed.

Ms. Rhodes explained the study discusses three different options to address these issues. One option is to renovate the existing facility at a cost of \$1,101,625. Another option is to renovate the existing facility and have new construction on the site to add extra square footage at a cost of \$2,401,350. The third option is new construction which would cost approximately \$2,436,000 plus the cost of land. Ms. Rhodes pointed out that none of these options include room for future growth so these numbers would need to be increased to accommodate ten to twenty years of future growth.

Ms. Rhodes asked Council for guidance on which of these options they would prefer. Council Member James recommended staff look into another piece of property and look into building a new City Hall. Council Member Almond stated she would like the City to look into other properties as well. Council Member Corley asked Ms. Rhodes what the asking price is on Mr. Como's property. Ms. Rhodes answered it is listed for \$450,000.

Ms. Rhodes stated there are three different general locations the City could build a new complex on. One is the two pieces of property in front of City Hall that Dominic Como and Julian Wilson own. Another option is property near the intersection of Knox Abbott Drive and Axtell Drive and lastly is property near the intersection of Knox Abbott Drive and 12<sup>th</sup> Street. Ms. Rhodes stated with Council's permission staff will begin

looking at other properties as well. Council Member Jenkins stated it makes the most sense to him to stay within the Knox Abbott Drive and 12<sup>th</sup> Street boundary.

Mayor Partin stated this means in the near future staff will be bringing options to Council on how to come up with the funds for this project. Council Member James stated the City wants to be well prepared to inform its citizens before the new budget year starts. Ms. Rhodes asked Council to keep in mind that the funds for a new City Hall complex will come out of both the General Fund and the Utility Fund since City Hall does house the Utility Administration department and other offices relating to Utilities.

Council Member Almond made a motion to suspend the Regular Council Meeting and begin the Public Hearing. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

A Public Hearing was held at 6:00 p.m. in Council Chambers to obtain public comment on the proposed development agreement between the City of Cayce and Lexington School District II. Those present included Mayor Elise Partin, Council Members Tara Almond, Eva Corley, Tim James, and James Jenkins. City Manager Rebecca Rhodes, Assistant City Manager Shaun Greenwood, Lt. Tom Steinbring, Administrative Assistant Kirsten David 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 Public Hearing in accordance with the FOIA. Ms. Davis confirmed they were notified.

### **Opening Statement**

Mayor Partin stated that everyone in attendance knows the history of the proposed project and Council is excited to be at a good place for both sides involved.

### **Public Testimony**

Dr. Venus Holland, Superintendent of Lexington County School District II, was elected as the spokesperson for everyone in attendance in support of the proposed project. Mr. Phil Carter is on the Board of Trustees for Lexington School District II and did the formal introduction of Dr. Holland. He stated the Board had asked him to thank Mayor and Council for getting them where they are today, two public entities working together for the betterment of the community. The Board also asked him to give a special thanks to Ms. Rhodes and Mr. Greenwood for all their guidance and assistance. Their professionalism and leadership were a huge help during this complex legal process. Mayor Partin asked Mr. Carter to introduce the Board members present. He also introduced the other staff from Lexington School District II that were in attendance.

Dr. Holland stated both the vision of the City and the School Board are aligned as they move forward in the development agreement district. The stadium will serve as both a beautiful entryway to the City and the face of Brookland-Cayce High School on Knox Abbott Drive. The structure will serve children and the community into the 21<sup>st</sup> Century and beyond. She stated the City and the School will work collaboratively to attract families and taxpayers to the City of Cayce and to live in the new neighborhoods that are being built in Cayce. She stated this vision will serve the City's children, citizens and community and serve as a legacy for both the School Board and the City of Cayce Council. Dr. Holland stated this truly is an opportunity to touch the future.

### **Close Hearing**

Mayor Partin closed the public hearing noting that no further public comment was received. Council Member Almond made a motion to reconvene the regular council meeting. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

#### **H. Approval of a Development Agreement with Lexington School District II for Land-Use Development of Brookland-Cayce High School – First Reading**

Council Member James made a motion to approve the development agreement with Lexington II for land-use development of BC High School. Council Member Almond seconded the motion. Ms. Rhodes stated that currently the property the school district is on and the property the school district is proposing to build the stadium on is a planned development. The current zoning does not allow for any "major" changes to be made therefore the property had to be rezoned to a development agreement district and the City had to approve a development agreement with the School District.

Ms. Rhodes stated that state law requires two public hearings to approve the development agreement then the City will approve the actual rezoning of the property to a development agreement district. She stated they hope to have everything completed by February or March so the School District can move forward. The DAD takes into consideration all the things that were in the PDD but also puts in there all the considerations and issues the City had. All the drawings, architectural renderings and parking plans are attachments and are part of the document.

The City Attorney advised that an amendment needs to be made to the motion to state Council approves the ordinance to approve the development agreement. Council Member James made a motion to approve the ordinance on the first reading. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

### **Executive Session**

Council Member Corley made a motion to move into Executive Session to discuss the matter below. Councilmember James seconded the motion which was unanimously approved by roll call vote.

- A. Receipt of Legal Advice Relating to a Potential Claim or Other Matters Covered by the Attorney-Client Privilege

Council Member Jenkins made a motion to move out of Executive Session and reconvene the regular meeting. Council Member 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 by Council in follow up to Executive Session**

There being no further business, Councilmember James made a motion to adjourn the meeting. Councilmember Corley seconded the motion which was unanimously approved. The meeting adjourned at 6:55 p.m.

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Elise Partin, Mayor

ATTEST:

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Mendy C. Corder, Municipal Clerk