



## CITY OF CAYCE

*MAYOR*  
ELISE PARTIN

*MAYOR PRO-TEM*  
JAMES E. JENKINS

*COUNCIL MEMBERS*  
TARA S. ALMOND  
PHIL CARTER  
EVA CORLEY

*CITY MANAGER*  
REBECCA VANCE

*ASSISTANT CITY MANAGER*  
SHAUN M. GREENWOOD

### CITY OF CAYCE Public Hearing and Special Council Meeting September 16, 2015

A Public Hearing was held at 5:00 p.m. in Council Chambers to obtain public comment on the proposed fee schedule for the International Property Maintenance Code. Those present included Mayor Elise Partin, Council Members Tara Almond, Eva Corley, and James Jenkins, City Manager Rebecca Vance, Assistant City Manager Shaun Greenwood, Mendy Corder, Municipal Clerk and Garry Huddle, Municipal Treasurer. Mayor Partin asked if members of the press and the public were duly notified of the Public Hearing in accordance with the FOIA. Ms. Corder confirmed they were notified.

#### **Opening Statement**

Mayor Partin stated that in accordance with State Law, the establishment of new fees requires a Public Hearing. She explained that City Council recently adopted staff's recommendation for policy guidelines related to the removal of dilapidated and unsafe structures throughout the City. In an effort to ensure that all associated costs can be charged against the property and can be ultimately recovered by the City, a fee structure needs to be inserted into the International Property Maintenance Code. She stated staff believes the suggested fees will cover the immediate costs of demolition and any ancillary costs related to the administration of the program. Additional fees can be added at a later date if they become necessary.

Mayor Partin explained that there are nine houses on the Unsafe Structures List for 2015. The City has received good press coverage regarding this program and the owner of the property listed as number one has contacted the City and is demolishing the property themselves. Ms. Vance stated that staff has heard from two property owners who are willing to demolish their property themselves and two who have said they will not contest the City demolishing their unsafe structure.

#### **Public Testimony**

No one from the public in attendance offered any public testimony or comment.

#### **Close Hearing**

Mayor Partin closed the public hearing noting that no public comment was received.

### **Call to Order**

The Special Council Meeting immediately followed the Public Hearing at 5:10 p.m. in Council Chambers. Those present included Mayor Elise Partin, Council Members Tara Almond, Eva Corley, and James Jenkins. City Manager Rebecca Vance, Assistant City Manager Shaun Greenwood, Municipal Clerk Mendy Corder, Garry Huddle, Municipal Treasurer and Public Safety Director Charles McNair were also in attendance. Mayor Partin asked if members of the press and the public were duly notified of the Council Meeting in accordance with the FOIA. Ms. Corder confirmed they were notified.

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

### **Public Comments Regarding Items on the Agenda**

Ms. Corder advised that no one had signed up for Public Comment.

### **Presentation**

- A. Presentation by Assistant City Manager Shaun Greenwood re Rental Registration Policy Research

Ms. Vance stated that at the Strategic Planning Session in July Council and staff discussed many quality of life issues that affect the City. The Demolition of Unsafe Structures Program was implemented to improve the quality of life for the City's residents and the Rental Registration Program is another program that will help in this endeavor.

Mr. Greenwood stated that he had conducted extensive research on the Rental Registration Program and looked at various City's around the country that have one. He stated that currently the City does not have a comprehensive list of rental properties. Staff has limited ability to contact out of town property owners which makes it difficult in regards to code enforcement. He explained that most renters are unaware of their rights and unfamiliar with City Ordinances. Currently staff has an extremely limited ability to deal with occupancy issues since it is difficult to prove who does and does not live in the home. He explained that there is limited effectiveness of the enforcement of City Ordinances on renters since the property owner is the one who should make the repairs and improvements to the property.

Mr. Greenwood explained that the City's proximity to a major university and the fact that it is primarily a residential community situated next to a major urban center had made it attractive to renters. Also, the City's aging population and housing stock have created a rent friendly situation. He explained that trends in home ownership have changed over time and traditional neighborhood pressures are no longer valid. He stated that unfortunately the market may take too long to correct on its own so the City needs to come up with a solution.

Mr. Greenwood stated that the City can continue to operate as things are and wait for community development projects to influence the housing market to change. Another option is to increase scrutiny on property maintenance issues city-wide with the understanding that some enforcement issues will persist when dealing with absentee landowners. Staff can create a Rental Registration Program and increase scrutiny on property maintenance issues city-wide or create a program that only requires the registration of rental properties.

Mr. Greenwood explained that the advantages to continuing with the City's current operation is there will not be additional cost incurred by the City. Also, rental property owners would not be upset by a new level of required maintenance and any costs associated with new programs would not be passed on to renters. The disadvantages are there is currently not a comprehensive list of rental properties. Staff will continue to have the inability to effectively deal with absentee landowners and limited ability to deal with occupancy issues. He stated that currently renters are not aware of their rights.

Mr. Greenwood stated that the advantages for increased property maintenance focus city-wide are an increased focus on International Property Maintenance Code issues that will handle many of the complaints the City receives and will help to maintain current property values. Also, rental property owners and renters will not be burdened with administrative requirements of a formal program. He stated that renters can be made aware of their rights under the IPMC. The disadvantages are no comprehensive list of rental properties, continued inability to effectively deal with absentee landowners and limited ability to deal with occupancy issues. He stated there would be additional personnel costs to focus on the IPMC.

Mr. Greenwood reviewed the advantages and disadvantages if Council decides to proceed with the Rental Registration Program and focus on IPMC. The advantages are the City would have a comprehensive list of rental properties. Staff would have an increased ability to effectively deal with absentee landowners and an increased ability to deal with occupancy issues. Renters would be aware of their rights under the IPMC. He explained there would be increased Business License revenue from previously undocumented properties. Mr. Greenwood stated one disadvantage would be the

additional costs incurred by the City. He stated rental property owners would be upset by the new level of required maintenance. Also, the costs associated with complying with new programs would likely be passed on to renters. It might be potentially necessary to displace renters when properties are not brought in to compliance.

Mr. Greenwood stated that if Council decided to proceed with the Rental Registration Program one of the advantages would be a comprehensive list of rental properties, an increased ability to effectively deal with absentee landowners and an increased ability to deal with occupancy issues. Also, the enhanced ability to make educated policy decisions once the scope of the program is fully identified. There would be increased business license revenue from previously undocumented properties. The disadvantages would be an increased administrative burden on staff. He stated rental property owners may be upset by new registration requirements and it potentially might be necessary to take enforcement actions against properties that do not comply.

Mr. Greenwood stated that the key components of a Rental Registration Program are the ability to identify goals and objectives and to identify how a comprehensive list of rental properties would be created and maintained. Council and staff could determine what type of housing and structures will be included and whether any fees will be associated with the program. It would be necessary to determine how intensive the inspection elements of the program would be and to determine the fines and penalties for non-compliance.

Mr. Greenwood stated that the program's goal is to identify rental property ownership with a local contact in case of health, safety or other code violations that might be detrimental to properties, tenants or surrounding neighborhoods. The desired objective is to keep neighborhoods safe, clean and peaceful for everyone.

Mr. Greenwood explained that creating the list would entail collaboration with all City Departments. Staff would need to notify all current residents via letters on roll carts. Requests to the public to assist the City in identifying any rental property in their neighborhood would be made and there would be social media and newsletter notifications. Also, print and news media would be utilized when available. He stated it would need to be decided which types of structures should be included. Single family residences, accessory apartments, multi-family residences, duplexes, triplexes, quadraplexes, and/or apartment complexes. Also, it would need to be decided if only rental properties would be included or all non-owner occupied residential dwellings.

Mr. Greenwood explained that there are many options regarding the Rental Registry Program fees. He stated that the registration fee structures vary around the Country. There are flat fees according to the type of structure, a flat fee with a declining element depending on the number of structures. He stated there is also a flat fee

application fee and a flat fee per application in addition to a registration fee. Mr. Greenwood stated there are also business license considerations. Cayce currently requires a business license for any rental property whereas some communities only require a business license when a certain number is reached. Some communities do not require a registration fee when a business license is required.

Mr. Greenwood stated there are also inspection element options to be considered. One option is a mandatory interior inspection held either yearly, every two years, every three years, etc. Another option is to perform an interior inspection by complaint only. Another option is to only require an inspection when the current occupant or governmental agencies files an official complaint. Complaints received during the eviction process will be addressed once the process is finalized. An interior inspection can be performed with each new tenant or when there are numerous exterior violations. The last option is to do exterior inspections only.

Mr. Greenwood stated that fines and penalties can be set in accordance with the designs of the program. He explained that Cayce's standard fine of \$500.00 per violation per day can be applied. Properties that have numerous violations on a regular basis can have their business license revoked. Also, some programs delay enforcement of revocation of permit or license until the current lease has ended.

Mr. Greenwood stated that in moving forward with a Rental Registry Program a methodical approach needs to be used. Staff could start by enacting a program that only requires registration of rental and non-owner occupied property. This would ensure minimal negative impact on the community and it addresses key concerns dealing with occupancy and absentee landowners. It would allow staff adequate time to best evaluate the burdens of additional elements to the program. He stated additional elements could be added by City Council in the future according to desired outcomes and program success.

Council Member Almond stated she would like to see the City initially just enact a program that only requires registration of rental and non-owner occupied property but not wait too long to enact other elements to the program. Ms. Vance stated that if it is decided to move forward with a strict enforcement of the IPMC then the City will have to start enforcing it for residential homes and commercial property.

Council Member Jenkins and Council Member Corley both stated they would like to see a way that staff can locate absentee land owners so they can be held responsible for the disrepair of their rental property. Ms. Vance explained that with the Rental Registration Program no one would be allowed to rent their property until they have registered therefore staff will have contact information for them and a local contact for them as well.

Ms. Vance stated staff will put the program guidelines and application together and bring it before Council at a future meeting for approval to move forward.

### **Ordinances and Other**

- A. Discussion and Approval of Ordinance 2015-08 Amending Section 103.5 “Fees” of the International Property Maintenance Code to Set a Fee Schedule Relating to the Removal of Unsafe Structures – Second Reading

Council Member Almond made a motion to approve the Ordinance on Second Reading. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

- B. Request by Beautification Board to Revise the Decorate Cayce Contest

Ms. Corder stated that the Decorate Cayce Contest is sponsored by the City of Cayce Beautification Board and is part of the Christmas in Cayce events. Currently a home has to be nominated to be considered for the contest. In mid-December the Beautification Board rides throughout the City viewing the nominated homes and chooses a 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Place Winner and the awards are presented at the January Council Meeting. The Beautification Board has suggested changing the contest from the best decorated house or yard to a best decorated front door. The Board felt that this would enable more residents to participate since it would not be as costly to decorate one’s front door. The Board hopes that the City’s senior population would be more likely to participate in a contest that is not so labor intensive. The Board is also requesting to give more than the three prizes that are currently awarded. There is \$500 budgeted for the contest so they could award ten \$50 prizes.

Mayor Partin stated she liked the concept and asked that a representative from the Board come before Council after the contest to review it with Council and update them on how the new contest went. Council Member Corley made a motion to approve the Beautification Board’s request to revise the contest and their request to give more prizes. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

### **Council Comments**

Mayor Partin congratulated Mr. Phil Carter for winning the District 4 Council seat and stated she looks forward to having him join the team. Council Member Almond and Council Member Corley congratulated Mr. Carter as well. Mayor Partin announced that she had been accepted to the Mayors Institute on City Design. The Mayors’ Institute on

City Design (MICD) is a leadership initiative of the National Endowment for the Arts. They are having a workshop in October that she will attend at no charge to the City. She explained that it is a two day event where sessions are organized around case-study problems. Each mayor presents a problem from his or her city and get feedback from other mayors and design experts. She stated that the Director of the session was coming to the City for a tour and to assist with helping to identify what issues to focus on.

**Executive Session**

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

Mayor Partin stated there were not any items to be discussed in Executive Session.

**Adjourn**

There being no further business, Council Member Almond made a motion to adjourn the meeting. Council Member Corley seconded the motion which was unanimously approved by roll call vote. The meeting adjourned at 5:53 p.m.

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Elise Partin, Mayor

ATTEST:

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Mendy C. Corder, Municipal Clerk

