

**CITY OF CAYCE
Regular Council Meeting
June 2, 2009**

A Public Hearing was held in Council Chambers at 6:00 p.m. to obtain public comment on the proposed FY 2009-2010 Budget. Those present included Mayor Elise Partin, Councilmen Steve Isom, James Jenkins, Kenneth Jumper, and Rick Myers, City Manager John C. Sharpe, Tammy Barkley, Municipal Clerk and Garry Huddle, Municipal Treasurer. Mayor Partin advised that members of the press and the public were duly notified of the Public Hearing in accordance with the FOIA.

Opening Statement

Mayor Partin stated that the purpose of the Public Hearing was to obtain public comment regarding the Proposed FY 2009-2010 Budget for the city.

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.

The Regular Council Meeting immediately followed the Public Hearing. Those present included Mayor Elise Partin, Council members Steve Isom, James Jenkins, Kenneth Jumper and Rick Myers, City Manager John C. Sharpe, Tammy Barkley, Municipal Clerk, and Garry Huddle, Municipal Treasurer. City Attorney, Danny Crowe, Ken Knudsen Director of Planning & Zoning, and Chief Charles McNair, Director of Public Safety, were also in attendance. Mayor Partin advised that members of the press and the public were duly notified of the meeting in accordance with the FOIA.

Mayor Partin called the meeting to order. Mr. Jumper gave the invocation and Mayor Partin led everyone in the Pledge of Allegiance.

Approval of Minutes

The minutes of the May 5, 2009 Regular Meeting were presented for approval. Mr. Myers made a motion to approve the minutes as submitted. Mr. Jenkins seconded the motion which was unanimously approved.

The minutes of the May 11, 2009 Special Meeting were presented for approval. Mr. Myers made a motion to approve the minutes as submitted. Mr. Jenkins seconded the motion which was unanimously approved.

The minutes of the May 18, 2009 Special Meeting were presented for approval. Mr. Myers made a motion to approve the minutes as submitted. Mr. Jumper seconded the motion which was unanimously approved.

Presentations

A. Presentation of Community Service Awards

Mayor Partin, on behalf of Council, presented the Community Service Awards to members of the City's various committees who have served for 5 to 9 years: Mr. Frank Dickerson, Mr. Larry Mitchell, Ms. Julie Isom, Ms. Cindy Pedersen, Mr. Milton Fletcher, Mr. John Hert, and Ms. Brenda Kegler. She thanked them for their outstanding service to the city and stated that future Community Service Awards would be presented in December of each year.

A. Presentation by Mr. Larry McNair Re Development of 1,400 Acres of Richland County Property Located in Cayce City Limits

Mr. Larry McNair, a developer from Greenville, SC, appeared before Council to review his development plans for 1,400 acres of Richland County property located in the city limits of the City of Cayce. He stated that he has been in development business since 1985 and that he has finally secured a contract on the property. He explained the property involved in the development and that his engineer came up with a plan of how the property could be developed without disturbing the wetlands and comply with FEMA regulations and guidelines. He provided Council with an explanation of the type development which includes mixed density residential, high density residential, and a golf course, golf estate, and single family residences. He stated that the commercial area would encompass 82 acres near the Interstate. He also stated that the pond area would be designated as a community park and he would be glad to deed that to the city. The proposed Sports entertainment complex would include a driving range but would also be used as a parking area for members of the golf complex. He stated that his plan also includes lakes and would like to build a small marina. He stated that this is a broad brush plan or verbal plan right now which can be massaged.

Mayor Partin inquired if the plan included any changes to the burn or levees. Mr. McNair stated his understanding is that FEMA would not let the levees be changed and that is why he has dealt with the property only and not the levees. Mr. Myers asked Mr. McNair to define a golf estate lot. Mr. McNair explained that initially the medium density would be a multi-family dwelling, but that he was not sure it would work with the property. The alternative option would be to take that property and make it estate lots.

He stated that he was working with professional golfer, Gary Player's design group to build the golf course in an area that is now restricted from development.

Mr. Myers inquired as to the dollar amount for commercial development. Mr. McNair stated that the development is estimated at \$80 million in pricing the land, roads, water, sewer, golf course, etc. not including buildings. Mr. Myers inquired as to the number of estate lots. Mr. McNair stated that plan includes 650 lots and then another 510 medium density, town home type design. Mr. Myers asked if any of the development would be for student housing. Mr. McNair stated that there would be no student housing and would be a high-end development. Mr. Myers inquired as to the build out time for the project. Mr. McNair stated at least 5 years. Mr. Myers inquired if all the property was flood plain or better. Mr. McNair stated that was correct.

Mr. Isom inquired as to the acreage of the pond. Mr. McNair stated that it is comprised of a total of 81 acres in the community park. Mr. Isom inquired if the plan would go before the Planning Commission. Mr. Myers stated that it would. Mr. Isom stated that considering how controversial this property has been, the project looks good at first glance. He stated he was happy with the potential tax revenue it would bring to the city. Mr. Myers stated that he felt it was a great plan. Mayor Partin stated that if the project truly meets the FEMA standards, does not affect the levees, and is environmentally friendly, it appears to be an exciting plan. Mayor Partin thanked Mr. McNair for sharing his plan with Council.

Public Comment regarding Items on the Agenda

Daytona Jarman appeared before Council to discuss Item II. A. – see comments attached.

Joe Long appeared before Council to discuss Item IV. E. – see comments attached.

Angela Hoyle appeared before Council to discuss Items II. B. and IV. E. – Ms. Hoyle stated that she believes the charrette has great possibilities. However, she stated that going forward with the final presentation is not the best representation of the City of Cayce as a lot of citizens were not able to participate at the times scheduled for input sessions. She stated that she also felt there was duplication of services between the Comprehensive Plan rewrite process and the charrette. She stated that she felt it would be best to have the Comprehensive Plan in place before going forward with the charrette.

In reference to the presentation made by Mr. McNair, Mr. Hoyle stated that she was excited that the developer shared his plans in advance and asked that the information be available to all citizens and that citizens be kept informed during the process.

Earle Smith appeared before Council to discuss Item IV.E.– Mr. Smith stated that he was delighted with the charrette and asked that Council support the adoption of the final presentation of the charrette. He stated that he is also a member of the Ad Hoc Committee for the rewrite of the Comprehensive Plan and hoped that the charrette would be incorporated in that plan.

Ordinances and Other

A. Continued Discussion of Lexington County Voters Registration's request to Change Election from Even to Odd Years

Mr. Dean Crepes with the Lexington County Voters Registration office was in attendance. He stated that after the last meeting, he had received a list of questions posed and has responded to those questions. He stated that elections are very confusing for his office and the people in the precincts when two elections are going on at the same time. He stated in reference to moving municipal elections to the odd year, there would more than likely be some drop in turnout, but did not feel it would be a massive amount. In reference to voters in Richland County, he stated that voters would receive letters asking them to come across the river to vote.

Mayor Partin stated that her concerns stem from Mr. Crepes comments regarding less voter turnout and less precincts. Mr. Crepes explained that in combining precincts in Batesburg-Leesville, his office sent individual letters using the town's utility records to make sure the proper person received the notice and the letter communicate fully with them regarding different voting precincts for local elections versus federal and state elections. Mr. Myers stated that because all of Cayce's precincts contain more than 100 voters, it is not likely that precincts will be combined. He stated his concern was extending Council terms and decisions made by the Department of Justice (DOJ) in this regards. Mr. Crepes stated that in his dealings with DOJ, they are very direct in stating their position of the extension of council terms when elections are moved to odd years. He stated that DOJ does not have any problem with that and that DOJ will consider it favorably if the change is within a reasonable time.

Mr. Myers inquired if the School Boards would be changing their election to odd years. Mr. Crepes stated that as of now, the school boards will stay on the general election as state law mandated a few years ago. He stated that there was some talk of moving their elections, but nothing solid. Mr. Myers inquired if the request to move Cayce's elections is more for the benefit of the Lexington County Voters Registration office versus the citizens of the cities. He stated that if the other non-partisan elections are not moving their elections, he did not see the benefit of the cities moving their elections. Mr. Crepes explained that in the past, the cities have paid for their elections. He stated that the School Boards' elections are paid for by the government. He stated that if that changes, then his office would request that their elections be moved as well. He stated that the move is for the benefit of his office, but it is also difficult to explain to individuals when you have to send two ballots for absentee voting.

Mayor Partin stated that since all other cities in Lexington County have agreed to move their elections would enough pressure be taken off the voting system if Cayce does not move its election. Mr. Crepes stated his office would do the best they could to handle the city's election in even years. Mr. Isom stated that he did not feel comfortable rewarding Council by extending terms. He stated that he understood Mr. Crepe's side and logic, but as servants of the public Council has to follow within their guidelines and that is the dilemma he sees.

Mr. Jenkins stated that Mr. Crepe's office seems to have several issues and this is the first time he has heard about the issues. He stated that he has worked at the Edenwood precinct and people come there to vote and they are supposed to go to another precinct. Mr. Crepes stated that his office does everything it can and have spoken to some of the house and senate members about the problem with coming to the wrong precinct to vote. He stated he is pushing early voting and hopefully that will take care of some of the issues.

Mr. Myers asked Mr. Crepes where he sees the voting process going 10 years from now. Mr. Crepes stated that he would like to see early voting continue. In addition, his office has experimented on-line voting, but there is a problem in making sure the person voting on-line is the correct person. He stated that he sees that expanding to include the 2010 elections for early voting so it can be tested for the for the 2012 general election. He stated that he is working on a system whereby a voter can input an address on line and information provided will tell the voter what precinct they need to go to vote.

Mr. Jumper stated that the last time Mr. Crepes presented his request to Council, he stated he would not be in favor of moving the election and still felt that way. Mr. Myers asked if the request to move the election was more about absentee ballots versus precinct voting. Mr. Crepes advised that it was. Mr. Myers inquired as to when Mr. Crepes would need a decision from Council. Mr. Crepes stated that he was not in a major rush for an answer. Mr. Myers made a motion to postpone this issue until March 2010 and that a public hearing on the issue held so that Council could reply July 1, 2010. Mr. Isom seconded the motion which was unanimously approved.

B. Approval of Ordinance to Amend Zoning Map for Brickworks Project - First Reading

Council considered for first reading an Ordinance to amend the existing PDD-MU zoning for the Brickworks project to allow for an additional driveway access off Knox Abbott Drive. The City Manager advised that the issue did go before the Planning Commission and their recommendation is to approve the request. Mr. Myers made a motion to approve the Ordinance on first reading. Mr. Isom seconded the motion which was unanimously approved.

C. Continued Discussion of FY 2009-2010 Draft Budget and Approval of Ordinance to Adopt FY2009-2010 Budget to Provide Revenue for the City of Cayce for FY09-10 – First Reading

The City Manager provided Council with an explanation of the draft budget stating that it does not include COLA or Merit increases for employees, no tax millage increase, and no capital equipment in the General Fund. The General Fund budget as presented is \$8,123,411. He stated that assessments are up and he is expecting new assessment numbers to come in soon. The millage rate will remain at 46 mills in the proposed General fund budget for next year. He stated that the O&M budget also does not include COLA or Merit increases, but does include some capital equipment. As presented, the O&M budget is \$7,508,976.

Mr. Isom asked for explanation of the transfer of funds between departments as stated in the Ordinance. The City Manager advised that generally if there is an over-run in one department and a transfer is needed, it is communicated to Council. Mr. Isom inquired if that happens frequently. The City Manager stated that it does not happen often. Mayor Partin stated that if the city ends up with some good surprises, she would like Council to review the budget at mid-year and revisit the COLA, and possibly including some of the capital. Mr. Myers inquired as to the value of a mil. The City Manager stated that he did not have that specific amount with him, but estimated the value at \$36,000-\$38,000. Mr. Myers inquired as to expense of a 1% COLA. The City Manager advised that it would be approximately \$40,000. Mr. Myers made a motion to approve the Ordinance on first reading. Mr. Jumper seconded the motion which was unanimously approved.

D. Review and Discussion of FEMA's Community Rating System (CRS)

The City Manager advised that at Council's request, staff has made some inquiries regarding the program and the city's participation. He stated that the city has received a draft letter that the city would need to send if it wants to participate in the program and begin the application process. He stated that Mr. Knudsen has contacted the agencies handling the program and has not yet received all the answers to his questions. He suggested that the city wait until all answers are received and reviewed by Council before moving forward. Mr. Jenkins inquired if the letter could be sent prior to receiving the answers to questions. Mr. Knudsen advised that the City can submit the letter and start the process but whether it would be advantageous to the city, he did not know. He stated that the city will have a 6-month window to complete the application process once the letter is received. The City Manager stated that preliminary research indicates that the city is receiving a less expensive insurance premium than offered by this program since they may be possibly be using pre-FIRM premiums.

Mr. Jenkins made a motion to proceed with the letter of intent. Mr. Isom seconded the motion. The motion passed four to one with Mr. Jenkins, Mayor Partin, Mr. Jumper and Mr. Isom voting yes and Mr. Myers voting no.

E. Approval to Adopt Final Presentation of Charrette Plan

Mayor Partin advised that Council has been provided with a print out of the final presentation of the charrette. She recognized sponsors of the project who were in attendance and thanked them for staying committed and standing by the fact that Cayce needed a Master Plan.

Mayor Partin stated that by adopting the final presentation it does not commit the city to doing anything included in the plan. She stated adoption would only mean that the charrette did occur and that the process is a good guideline. She stated that the document is not to be followed to the letter, but is to be used as a guide. She stated that in reference to the rewrite of the Comprehensive Plan, the team that conducted the charrette has worked with cities who were in different stages of their comprehensive plans and coordinated efforts so it all flows together nicely with the comprehensive plan. She stated that adoption of the plan does not commit the city monetarily. She stated that one of the first steps would be to pull together a steering committee and making a matrix of what is doable now and planning for the future.

Mr. Jumper stated that he attended the final presentation and the team did a great job. However, he stated that whether it is best for the city or not, it will take a while to accomplish it. He stated that he would like to see the city take the next step to see if the plan can move forward. Mr. Jumper made a motion to move forward to the next step to see what can be accomplished at this time. Mr. Jenkins seconded the motion.

Mr. Isom inquired as to the funding that would be needed. Mayor Partin stated that she did not have that data. She stated it is suggested that a matrix be developed to indicate the different parts of the plan, how expensive the projects would be and then discuss what can be done first with the least expense.

Mr. Isom stated that he has attended several of the Ad Hoc Committee meetings and has noticed duplication of services between the Ad Hoc Committee and the Charrette. Mr. Myers stated he was concerned about the next step and felt Council may be putting the cart before the horse. He stated that some of the things brought forward in the charrette process may need to be considered by the Ad Hoc Committee to see how it can be molded into the Comprehensive Plan, forwarded to the Planning Commission for review and recommendation and then back to Council prior to putting together a steering committee. He stated he was concerned with moving forward with a steering committee at this point. He stated that he felt the charrette contained some good information, but stated that Council needed to be careful putting expectations out there that are unreal. He suggested that Council not move forward with ideas until it is

determined how it will fit into the comprehensive plan. He suggested that the plan be moved to the Ad Hoc Committee to obtain their opinions and input. Mr. Jenkins stated that input sessions were scheduled for three days where anyone could come in and give their input and felt that enough time was given for input and the city needed to move forward. Mr. Isom stated that he felt Mr. Myer's suggestion to move it to the Ad Hoc Committee was a great suggestion as it would make it a much more efficient and effective process and eliminate duplication. After discussion the motion passed three to two with Mr. Jenkins, Mayor Partin and Mr. Jumper voting yes and Mr. Myers and Mr. Isom voting no.

Committee Matters

A. Committee Minutes

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

Planning Commission – March 16 and April 20, 2009
Cayce Historical Museum Commission – May 13, 2009
Cayce Events Committee – May 14, 2009

Mr. Jenkins made a motion to approve entering the minutes into the official city record. Mr. Jumper seconded the motion which was unanimously approved.

B. Committee Appointments

Beautification Board – One Position

Ms. Patricia Berger has resigned from the Board. Staff contacted members of the recently dissolved SPAT Committee to see if they would be interested in serving. None of the members were interested in serving on this Board. Several potential member applications (attached) were forwarded to the Beautification Board for review. The Board recommends the appointment of Mr. Joe Long for this position. Mr. Myers made a motion to appoint Mr. Long to the Board. Mr. Isom seconded the motion which was unanimously approved.

City Manager's Report

The City Manager stated that the May financial reports would be sent to Council by the end of the week and placed on the web site as well.

The City Manager provided Council with information on the following dates:

June 4, 2009 – Western Weekend Rodeo Lunch – Noon – 2 pm, Love Chevrolet
June 10, 2009 – Government Information Meeting – 10 am – Dixiana Postal
Distribution Center

June 18, 2009 – BBQ Lunch at Farmers Market Site – 12 noon, courtesy of George Lee; tour to follow

June 18, 2009 – LCMA – 6:30 pm – Springdale House

June 22, 2009 – MASC Annual Meeting registration and hotel worksheets due

June 23, 2009 – Special Council Meeting – 5 pm`

July 7, 2009 – Public Hearing and Regular Council Meeting – 6 pm

July 14, 2009 – Special Council Meeting – 6 pm

Update on Wastewater Treatment Plant – The City Manager advised that the Wasetwater Services Agreement has been approved by all parties and the attorneys are working through the final minor revisions to the document. He stated that the City did get word this week that the city was given a \$35 million State Revolving Fund loan for this project and will be moving forward with a letter of commitment. He stated that American Engineering has already advertised the project out for bid. He stated that the total project is estimated at \$81million and is optimistic it will come under that.

The City Manager advised that the Taylor Road construction project is underway and that the parties involved met onsite today for the preconstruction conference. He stated that contractors should be onsite mobilizing the equipment and work can begin next week. He stated that the railroad already has their equipment onsite.

Mr. Myers requested that the November 3, 2009 meeting be moved to November 10 due to a conflict in schedule. Mayor Partin asked Council to review their calendars to confirm the change at the next meeting.

Mayor Partin advised that the final presentation of the charrette is now on city's website for review and recognized other sponsors in attendance. The City Manager advised that printed copies of the plan are also available at City Hall for those who do not have internet access.

There being no further business, the meeting adjourned at 7:50 p.m.

Elise Partin, Mayor

ATTEST:

Tammy P. Barkley, CMC, Municipal Clerk