

**City of Cayce
Regular Council Meeting
October 2, 2012**

The October Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Councilmen Steve Isom, Tim James, James Jenkins, and Kenneth Jumper, City Manager Rebecca Rhodes, Municipal Clerk Tammy Barkley, and Municipal Treasurer Garry Huddle. City Attorney, Danny Crowe, Blake Bridwell, Interim Director of Utilities, Shaun Greenwood, Director of Planning & Development, and Chief Charles McNair, Public Safety Director were also in attendance. Mayor Partin advised that members of the press and the public were duly notified of the meeting in accordance with the FOIA.

Mayor Partin stated that if there was no voice objection, she proposed to relinquish the chair to the Mayor Pro-Tem so that he could preside for the first time at a meeting of the Council on which he has served for 24 years. Hearing none, she invited Mayor Pro-Tem Kenneth Jumper to take the chair's seat and preside.

Call to Order

Mayor Pro-Tem Jumper called the meeting to order. Councilmember Jenkins gave the invocation and the assembly recited the Pledge of Allegiance.

Approval of Minutes

Councilmember Jenkins made a motion to approve the minutes of the September 4, 2012 Regular Meeting, September 10, 2012 Council Strategic Planning Session, and September 20, 2012 Special Meeting as submitted. Councilmember James seconded the motion which was unanimously approved by roll call vote.

The Mayor Pro-Tem, hearing no voice objection, relinquished the chair back to Mayor Partin to preside over the rest of the meeting.

Presentations

- A. Presentation of Plaque to Councilmember Kenneth D. Jumper
Congratulating him on his retirement from Council and his 24 Years of
Service to the City of Cayce

Mayor Partin and all members of Council presented a plaque to Councilmember Kenneth D. Jumper congratulating him on his retirement from Council and his 24 years of service to the City of Cayce.

Ms. Ada Jane Setzler, on behalf of Senator Nikki Setzler, presented Councilmember Jumper with a Senate Proclamation congratulating him on his retirement from Council.

Ms. Rhodes, on behalf of staff, presented Councilmember Jumper with a Scrapbook of memories that reflected his time on Council and letters of congratulations from various State and City officials.

Councilmember Jumper thanked Council and staff for all their assistance during his years on Council stating it was his pleasure to have been of service to the City and its residents.

B. Presentation of Whole Sole Award

Mayor Partin presented the Whole Sole Awards to Garage staff members Jeff Lawhon, Dale Conley and Zack Denny and thanked them for their extraordinary efforts during the Worldwide Recycling Plant fire.

C. Presentation by Mr. Ernie Paramo of Clear Talk re Location of Cell Towers

Mr. Ernie Paramo and Mr. William Howard of Clear Talk addressed Council regarding their concerns with the City's set back requirements for cell towers. He asked Council to consider changing the set back requirements in order to create better land use for the towers.

D. Presentation by Ms. Ina Tyler re Precinct 2 Location, City Bus Service, Business Licenses

Ms. Ina Tyler addressed Council regarding the bus service in the City of Cayce stating that she worked at Midlands Technical College and that students are now without transportation to school and between campuses as there is no bus service. In addition, she stated that she speaks for her community and the people are in dire need of transportation. She asked Council to consider funding for bus service in the city.

Ms. Tyler also asked Council to reconsider charging a business license fee to individuals who cut grass but do not have a full landscaping business.

In reference to the change in location for Precinct 2, Ms. Tyler stated that she just found out that the change was made by the Lexington County Voters Registration office and she would contact them regarding this matter.

Mayor Partin stated that staff did place notes on the roll carts advising of the location change of Precinct 2 and has been notified that the wording may have been confusing. She stated that the notices would be redone and redistributed. She stated that only this precinct changed and no others.

Public Comment Regarding Items on the Agenda

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

Ordinances and Other

- A. Approval of Resolution Supporting and Endorsing the Airport Connector, Also Known as the Hardee Expressway

Council considered for approval a Resolution supporting and endorsing the Airport connector, also known as the Hardee Expressway as requested by Mr. Bill Banning, Chairman, of Lexington County Council. Councilmember James made a motion to approve the Resolution. Councilmember Jumper seconded the motion. Councilmember Isom inquired as to where the funding for the project would be obtained. He questioned the validity of the pending beautification project along Airport Boulevard that was discussed a few years ago and did not think there was a need for that project if the connector is completed. He stated he liked the concept of the Hardee Expressway, but would like to have additional information prior to voting on the matter. After discussion, the motion passed four to one by roll call vote with Councilmembers Jumper, Jenkins, James and Mayor Partin voting yes and Councilmember Isom voting no.

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

Councilmember James made a motion to postpone the issue until further information is received from the City Manager. Councilmember Isom seconded the motion which was unanimously approved by roll call vote.

- C. Approval of Ordinance to Amend the Zoning Ordinance – Second Reading

Councilmember Jenkins made a motion to approve the Zoning Ordinance on second and final reading. Councilmember Jumper seconded the motion. Councilmember Isom stated he did not see a point in reiterating his comments from last time but let them stand. The motion was approved four to one with Councilmembers Jumper, Jenkins, James and Mayor Partin voting yes and Councilmember Isom voting no.

- D. Approval of Memorandum of Agreement for the Brownfields Congaree Coalition

Councilmember James made a motion to approve the Memorandum of Agreement for the Brownfields Congaree Coalition. Councilmember Jenkins seconded the motion. Councilmember Isom asked will the determination be made on the funds

that will be received. Mayor Partin stated that this information is included in the Agreement and in the City Manager's white paper, she states approximately \$90,000 will go for Brownfield projects in the city. She explained the grant requires no match and projects could be funded with grant funds. She stated that specifically within the City of Cayce, the Worldwide Recycling Plant property meets the requirements of a Brownfield property. Councilmember Isom inquired as to how many sites the City has that would meet the requirements of the grant. Mayor Partin advised that the Agreement provides for an assessment of properties. After discussion the motion was unanimously approved by roll call vote.

City Manager's Report

Ms. Rhodes stated that the City has received a partial permit from DHEC to operate the new Wastewater Treatment Plant. She stated the plant did start flowing today and we need to make sure everything is working correctly prior to receiving a full permit to operate. She asked Council to start looking at dates available to hold the Grand Opening the end of October or beginning of November.

Ms. Rhodes advised that the Director of Utilities, Mr. Frank Robinson, is retiring and his last day is November 19. She stated there would be a reception for him that afternoon. She stated that she has appointed Blake Bridwell, the City's Engineer as Interim Director of Utilities and he will take Mr. Robinson's place when he leaves. She stated that Mr. Robinson has been with the City for 39 years.

Ms. Rhodes advised that the City received C-Funds in the amount \$25,000 from Lexington County for repairs to the steps and walkways in Guignard Park. She stated that project would need to be bid out through the State Procurement process before work could begin. She thanked Tara Yates and the Planning Department for their efforts in obtaining these funds.

She stated that at the October 25 Special Council Meeting, Jumper, Carter, Sease will be in attendance to present the Architectural Study on City Hall.

She advised that the position for the Special Projects Manager has been posted and thanked Council for allowing her to go ahead with filling this position.

Ms. Rhodes announced that Tammy Barkley, Municipal Clerk, will be retiring at the end of the year.

Committee Matters

- A. Approval to Enter the following approved Committee Minutes into the City's Official Record
Cayce Historical Museum Commission – May 2, 2012
Cayce Events Committee – August 9, 2012

Beautification Board – August 14, 2012
Planning Commission – August 20, 2012

Councilmember Isom made a motion to approve the above Committee minutes be entered into the City's official record. Councilmember Jumper seconded the motion which was unanimously approved by roll call vote.

B. Appointments and Reappointments

Beautification Board – One Position. Ms. Joanne Wilson's term expires October, 2012. There is no recommendation at this time.

Events Committee – Two Positions. Ms. Ellen Mancke and Mr. Jay Thompson's terms expire October 2012. There is no recommendation at this time.

Councilmember James made a motion to postpone the above positions until recommendations are received. Councilmember Isom seconded the motion which was unanimously approved by roll call vote.

Consolidated Board of Appeals – One Position. Mr. Robert Lampley's term expires September 2012. He has been contacted and would like to serve again. His reappointment application was provided to Council for review. Councilmember Jenkins made a motion to reappoint Mr. Lampley to the Board. Councilmember Isom seconded the motion which was unanimously approved by roll call vote.

Executive Session

- A. Discussion of negotiations incident to proposed contractual arrangements For Wastewater Treatment Services between the City of Cayce, the Town of Lexington, and the Joint Water & Sewer Commission
- B. Receipt of legal advice relating to claims and potential claims by the City and other matters covered by the attorney-client privilege
- C. Discussion of negotiations incident to proposed contractual agreement Between the City of Cayce and Lexington Two School District

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

Reconvene

Councilmember James made a motion to move out of Executive Session and reconvene the Regular Meeting. Councilmember Jenkins 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.

Mayor Partin asked that the City Attorney review the video tape of the meeting to ensure that the Executive Session had not been taped in error. Mr. Crowe stated that it appears the video ended the recording of this session at the conclusion of the public portion of the meeting.

Possible Actions by Council in follow up to Executive Session

Councilmember James made a motion to approve the amendment to the Wastewater Services Agreement between the City of Cayce, Town of Lexington and Joint Water and Sewer Commission and to authorize the Mayor to executive the Agreement on behalf of the City. Councilmember Jenkins seconded the motion. Councilmember Isom stated he understands the logic but would vote in the best interest of the citizens. After discussion, the motion was approved four to one by roll call vote with Councilmembers Jumper, Jenkins, James and Mayor Partin voting yes and Councilmember Isom voting no.

Councilmember James made a motion to authorize staff to continue discussions with Lexington 2 School District in reference to the conceptual drawings presented to Council. Councilmember Jenkins seconded the motion. The motion was approved four to one with Councilmembers Jumper, Jenkins, James and Mayor Partin voting yes and Councilmember Isom voting no.

Councilmember James made a motion to authorize staff to work in conjunction with Lexington 2 School District in reference to the issuance of a press release within two weeks that would outline the facts of the City of Cayce not only working with the District but certainly not holding up any of the progress for the project. Councilmember Jenkins seconded the motion which was unanimously approved by roll call vote.

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

Elise Partin, Mayor

ATTEST:

Tammy P. Barkley, CMC, Municipal Clerk