

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, April 9, 2024
6:00 p.m. – Cayce City Hall – 1800 12th Street
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
March 5, 2024 Regular Council Meeting
March 20, 2024 Budget Work Session
March 20, 2024 Regular Council Meeting

II. Public Comment Regarding Items on the Agenda

III. Items for Discussion and Possible Approval

- A. Discussion and Approval of Selection of Vendor for the Purchase of Handheld Radios for the Police Department
- B. Discussion of, and Motions Approving, Service of Council Members on Designated External Boards and Commissions
- 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

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

V. 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

- B. Appointments and Reappointment
Board of Zoning Appeal – Two (2) Positions
Planning Commission – 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:
 - 1. Update on Lexington County’s Cancellation of Road Maintenance Agreement
 - 2. 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

XI. Discussion and Approval of Sale of Real Property of City at 800 Lexington Avenue

XII. 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, March 5, 2024**

The March 5, 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. 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, Utility 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.

Approval of Minutes

Council Member Sox made a motion to approve the February 6, 2024 Regular Council Meeting, the February 21, 2024 Council Work Session, and the February 21, 2024 Regular Council Meeting minutes as written. Council Member Carter asked if the minutes would need to be separated as he was not present for the meetings on February 21. Mayor Partin stated that as it was just an approval of minutes it was not necessary. Council Member Carter seconded the motion. Council Member Thomas stated that he wanted to ensure it was documented in the minutes that he did attend the Riverland Park Neighborhood meeting but he did not attend the cleanup. Mayor Partin requested the motion be amended to be approved with that change. Mayor Partin called the question which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

Mr. Shelby Judd – Item III. B. Mr. Judd stated he was co-founder and CEO of the Hidden Music Festival. He stated that the upcoming festival was the third edition of the Hidden Music Festival and that Shaquille O’Neal would be headlining. He stated he wanted to thank Council for taking the time to review the fireworks request and wanted to emphasize that the majority of the fireworks would be quiet. He also stated that postcards had been sent to all residents who would be affected by the festival with festival details.

A. Discussion and Approval of Letter of Support for the Disposition of Public Housing for the Cayce Housing Authority

Council Member Sox made a motion to move item III. A. to Item X. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

B. Consideration of Fireworks Exemption Request for Hidden City Music Festival

Mr. Crosland stated that approval was needed to grant the Hidden City Music Festival exemption from the City's Ordinance Section 20-46 Discharge of Fireworks and Section 20-47 Exceptions in City Music Festivals. He stated the festival was currently working on a permit to host a concert on March 30, 2024 at the Historic Columbia Speedway and that the event would start at 2:00pm and end at 10:30pm. He stated that the festival organizers obtained a State Fire Marshal permit, but Mr. Judd, one of the festival organizers, would have to adjust the times on the permit since it currently only permitted fireworks from 7:00pm until 9:00pm. Mr. Crosland stated if the festival wanted to go beyond 9pm the organizers would need to call the State Permit Office.

Mr. Crosland stated that staff's recommendation was for the exemption of the fireworks upon approval of the State Permit's hours. Council Member Sox made a motion to approve the exemption. Mayor Pro Tem James seconded the motion and requested the festival clarify the times. Mayor Partin stated that what was on the permit was what was being approved and if the festival organizers did not update the times, then the City would only approve those hours. Mayor Pro Tem James asked Mr. Crosland if staff would like the City to support the motion. Mr. Crosland stated that the previous year the event went until 10:30 pm. Council Member Carter stated that the permit could not go past 10:30 with the amended hours. Mayor Partin requested Council add the caveat to the motion that with the amended hours from the State, the permit could not go past 10:30pm and that if the hours were not changed, the City would only approve the hours listed by the State. Mayor Partin stated that she wanted to be upfront and let Council know that she was going to vote no. She stated that she had heard from too many citizens that have pets that the fireworks were hard on them. She stated that the fireworks were going off for about three hours but she did appreciate all the thought and communication that had gone into the planning. Mayor Pro Tem James stated that he appreciated Mayor Partin letting Council know ahead of time that she was voting no. He asked Mr. Crosland for his perspective. He stated that Mr. Crosland had met with the festival organizers and he knew how the festival went the prior year. He asked if Mr. Crosland felt comfortable to move forward. Mr. Crosland replied yes. Mayor Partin called the question. Mayor Pro Tem James, Council Member Carter, Council Member Sox and Council Member Thomas voted yes. Mayor Partin voted no.

C. Discussion and Approval for the Repair of the Cayce Riverwalk Boardwalk

Mr. Crosland stated that over the past few months the Congaree River experienced severe flood levels. He stated that in February the City's entire Riverwalk and the Thomas Newman Boat Landing flooded and during this weather event severe structural damage occurred to the boardwalk located between the train trestles and Kelly Jones Park. He stated that damaged section had been closed since the flooding and would remain closed until repaired. He stated that the City's on-call general contractor, 3D Dirt Works, provided an estimate of \$275,000 for repairs with an additional \$25,000 for contingencies, for a total of \$300,000 to be paid from the City's TIF Fund. Mr. Crosland stated that the TIF Fund currently had a balance of \$4,671,000. Mayor Pro Tem James made a motion to approve 3D Dirt Works to repair the boardwalk in the amount not to exceed \$300,000 from the City's TIF Fund. Council Member Sox seconded the motion. Mayor Pro Tem James stated that 99.9% of the repairs done in the Riverwalk were done by Parks staff. He stated that they worked so hard to get the Riverwalk back into working order when it flooded. He stated that the Park Rangers worked hard to make everything safe and for Council to use TIF funds to be able to continue to make the Riverwalk the hidden gem as great as it was that was minimal compared to the enjoyment the Riverwalk brought people. Mayor Partin called the question which was unanimously approved by roll call vote.

Ordinance and Resolution

- A. Discussion and Approval of Ordinance 2024-02 Granting Lumos Fiber of South Carolina, LLC a Nonexclusive Franchise for the Use of Public Streets and Public Rights-of-Way for Facilities for Telecommunications Services – Second Reading

Mr. Crosland stated that the General Assembly had granted cities the ability to enter into franchise agreements with telecommunications companies wishing to operate in their jurisdictions and use their public rights-of-ways. He stated that over the past few months City staff had continued to negotiate with Lumos and was presenting a new agreement. He stated that the new agreement stated in lieu of the \$750 franchise fee, Lumos had agreed to install internet at five (5) of the City's parks. Mayor Pro Tem James made a motion to approve Ordinance 2024-02 on Second Reading. Council Member Thomas seconded the motion. Council Member Thomas stated that he wanted to thank staff for working hard with the negotiations. He stated that initially Lumos only agreed to lay fiber in three (3) City parks but after negotiating with staff had agreed to five (5). He stated that was life changing, especially for people that really could not afford internet. He stated that kids and families could play in the City's parks, but they could also do their homework. Council Member Thomas stated that he had some constituents in the Riverland Park area that were concerned because Lumos had not been there yet. He asked Mr. Crosland if staff could give updates on when Lumos was going to be in different sections of the City. Mr. Crosland said yes, staff could do that. Mayor Partin called the question which was unanimously approved by roll call vote.

- B. Consideration and Approval of Resolution Requesting the Lexington County Delegation to Establish a New County Transportation Committee with a Majority of Appointees to the Committee from Local Municipalities and Transferring the Authority of Lexington County Council to the New County Transportation Committee

Mr. Crosland stated that Code Section 12-28-2740B required that the County Transportation Committee (CTC) be appointed by the County Legislative Delegation and must be made up of fair representation from municipalities and unincorporated areas of that county. He stated that Lexington County was only one (1) of six (6) counties in the state where the County Council served as the CTC. Mayor Partin stated that it was a great to give municipalities more of a voice on how roads money that comes into the county was spent. Council Member Thomas made a motion to approve the Resolution. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Committee Matters

- A. Approval to Enter the following Committee Approved Minutes into the City's Record
 - Standard Technical Codes Board of Appeals – June 15, 2020
 - Cayce Housing Authority – October 17, 2023
 - Events Committee – November 9, 2023
 - Museum Commission – January 4, 2024
 - Planning Commission – January 22, 2024

Mayor Pro Tem James 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
 - Board of Zoning Appeal – One (1) Position

Mayor Pro Tem James made a motion to move Item V. B to Item X. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Mr. Crosland stated that the Broadacres Clean Up was held on March 2 and there were 20 volunteers and over a ton of trash collected. He stated that March 16 from 11:00am until 2:00pm was the Save a Life Day in Graby Gardens Park with free food, drinks. He stated that the City's firefighters and police would be there giving instructions on the use of Narcan and CPR. He stated that there would be nonprofits

there as well and it was also Drug Take Back Day so they would be collecting any unused prescription medications to dispose of properly.

Council Comments

Council Member Thomas stated that the Center for Heirs Property Preservation was sponsoring a free will clinic on May 4, 2024 at Mt. Zion Church. He stated that residents could call 843-745-7055 to schedule an appointment and could find information on the event on the City's social media. He stated that he hoped to fill all the slots and at least 12 slots had been taken so far.

Mayor Pro Tem James stated that the first Council Meeting in April fell during Easter Week when a lot of families were out of town on spring break or had plans. He requested the meetings in April be moved back a week. Mayor Partin stated that the budget workshop calendar had already been created and there was a General Fund Budget workshop scheduled for April 17. She suggested moving the April 2 Council Meeting to April 9. Mayor Pro Tem James asked what time the budget workshop was scheduled for and Mayor Partin stated 2:00 pm. Mayor Pro Tem James suggested having the Council Meeting on April 17 directly after the budget workshop. Council Member Carter made a motion to move the April 2 meeting to April 9. Council Member Sox seconded the motion which was approved by a unanimous roll call vote.

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. Claim for Improvements to Taylor Street at New State Road
 - 3. Claim for Improvements to Spencer Place
 - 4. Discussion of negotiations incident to proposed contractual arrangements concerning 800 Lexington Avenue
 - 5. Discussion of negotiations incident to proposed contractual arrangements for acquisition of property

Mayor Pro Tem James made a motion to move into Executive Session. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

Reconvene

After the Executive Session was concluded, Council Member Carter made a motion to reconvene the Regular meeting. Council Member Thomas 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 postpone the letter of support for the Cayce Housing Authority indefinitely. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Mayor Pro Tem James made a motion to appoint Ms. Mary Teaster to the Board of Zoning Appeals. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

Council Member Sox made a motion to authorize the City Manager and City Attorney to retain outside representation for recommendation of a lawsuit regarding a piece of City equipment. Mayor Pro Tem James seconded the motion which was unanimously approved by roll call vote.

Council Member Sox made a motion to authorize the City Manager and City Attorney to proceed concerning the proposed road maintenance agreement as discussed in Executive Session. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Council Member Sox made a motion to authorize the City Manager to release an RFP regarding paving projects for the City of Cayce. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

Council Member Sox made a motion to authorize the City Manager to enter into negotiations concerning 800 Lexington Avenue. Council Member Thomas seconded the motion 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 7:50pm.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk



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**City of Cayce
Special Council Meeting
Budget Work Session
Wednesday, March 20, 2024**

The March 20, 2024, Special Council Meeting was held this afternoon at 2:00 p.m. in Council Chambers. Those present included Mayor Pro Tem Tim James and Council Members Phil Carter 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, and Utilities Director Betsy Catchings were also in attendance.

Mayor Pro Tem James 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 Pro Tem James called the meeting to order and Council Member Carter gave the invocation. Police Chief Chris Cowan led the assembly in the Pledge of Allegiance.

Discussion Items

A. Discussion of Proposed FY2024/2025 Utility Fund Budget

Ms. Hegler stated that the budget work session was an informal meeting and was one of her favorite meetings because she got to watch her team do what they do best. She stated that Ms. Catchings was going to discuss the FY25 Utilities Budget with Council. She stated that staff was presenting the draft budget to Council a few days earlier than normal therefore a lot of the benefits had not been finalized since staff was still waiting on some final information to come from the State. She stated that the budget was 75% complete but the departments had been working on their needs and things that they would like to see in the coming year were in the budget. Ms. Hegler stated that Ms. Catchings was going to go through some general background on the City's system and was going to be very honest in regard to the state of things. She stated that Ms. Catchings was going to tell Council what was needed to continue to be the best service provider. She stated that the City had a great system, great service, excellent water and staff was treated very well. She stated that staff was just the best. Ms. Hegler stated that after Ms. Catchings spoke, the consultants from Raftelis and Attorney Lawrence Flynn would speak. She invited council to ask any questions they might have but there would be many conversations held before first reading of the budget.

Ms. Catchings thanked Council for their time. She first reviewed the organizational chart for the Utilities Department. She stated that the Utilities Department was the largest branch of the City with almost 80 employees and had seven (7) departments. She stated that the City's Water Treatment Plant was rated for 9.6 million gallons per day, the Wastewater Treatment Plant was rated for 25 million gallons per day and the Septage and Grease Receiving Station was approved for 100,000 gallons per day. She stated that the City's water lines encompassed approximately 225 miles and the sewer lines encompassed approximately 285 miles. She stated that the City had 76 sewer pump stations, five (5) water tanks in the system, six (6) water booster pump stations and approximately 8,150 water customers and 13,140 sewer customers. She showed a map of the City's water systems that showed the City's water service area. She stated that 54% of the City's water lines were outside the City limits. Ms. Catchings stated that water service areas in general were not typically a legally defined area unless it was a Public Service District that had been set up by the Legislature. She stated that with the City's water system, whoever got there first could legally install lines.

Ms. Catchings stated that the water service area had been in place since the early 1990s which was along the lines of when the Joint Municipal Water and Sewer Commission was formed by the County. She stated that the City had a large system and tanks that stretched to Gaston and a water tank near the White Knoll area. She stated that 80% of the City's tanks were outside the City and the only tank that was inside the City was the newest tank on Alex Street. She stated that 50% of the City's booster pump stations were outside the City and while only 32% of the City's customers were outside the City, they made up for about 58% of the City's water revenue. She stated that there was a lot of potential for growth on the water side.

Ms. Catchings next reviewed the City's sewer map. She stated that a lot of the City's pump stations were outside the City and accounted for about 75% of the City's sewer pump stations. She stated that 65% of the City's lines were outside of the City as well. She stated that the City's management area, whether it was inside or outside the City, the City had the responsibility to make sure that it was managing and maintaining those areas. She stated that the Town of Lexington, the Joint Municipal Water and Sewer Commission and the City of West Columbia had their own management areas that border the City's. She stated that those boundaries had been established by DHEC and the Council of Governments went through an approval process years ago which was part of the 208 Water Quality Management Plan. Ms. Catchings stated that the only way that these boundaries could change was to go through an amendment process through the COG. She stated that the City had sewer service and sewer lines that went all over the place and eventually all that flow ended up in the City's Wastewater Treatment Plant. She stated that there was still a good many areas where there was room for growth. She stated that 57% of the City's sewer customers were outside city customers and approximately 84% of the City's revenue came from outside city and

include the two (2) major purchasers, the Town of Lexington and the Joint Municipal Water and Sewer Commission.

Ms. Catchings stated that the City had seen a lot of new developments over the last 18 to 24 months. She stated that there had been a lot of fill-in growth and some of that growth had been residential in nature. She stated that there had also been a lot of commercial developments that had come in the last two (2) years and even a few subdivisions which was not common for the City since it was so built out for the most part. She stated that the Utilities Department was involved in the development process because they had to ensure that water and sewer was available for the new developments and work with the engineers and come up with a plan for connections and also make sure they set up new customer accounts and get meters installed so they could be read for billing purposes. Ms. Catchings stated that the Utilities Department was also involved with the development process when things occur outside the City in its management area and even beyond. She stated that staff reviewed plans, permit things, conduct construction inspections and eventually meter readings and billing. She stated that included industrial parks from Lexington County that fall within the City's management area, as well as some water and sewer areas that the City served that were in West Columbia city limits. She stated that any new growth that comes from the Town of Lexington, the Joint Municipal Water and Sewer Commission, or Calhoun County impacted the City because it received the wastewater flow from those entities.

Ms. Catchings stated that the Utilities Department's biggest strength in her opinion was staff. She stated that the managers did an incredible job as well as the staff who work for them on a day in and day out basis. She stated that prior to coming to the City in 2021 she worked for the consulting world for about 20 years and worked with the City on a regular basis. She stated that she had worked with a lot of City staff and had a lot of respect for them. She stated that since she had been with the City her appreciation had increased tenfold because staff were such hard workers. She stated that even the staff members that she did not necessarily know or work with before, she had grown to really appreciate because they did such a good job.

Ms. Catchings stated that the Utilities Department had a number of employees that had invaluable knowledge and experience in the water and wastewater world. She stated that some of that was operations and technical expertise and knowledge that was irreplaceable and some was maintenance knowledge, where staff had learned to repair, fix and even rig a few things better than anyone. She stated that they worked very hard to make sure the City's system, pumps, tanks and treatment plants were operating well. She stated that they were very fiscally minded in spite of not always having the resources that they really needed to do an adequate job and to make sure the City's assets were appropriately managed. Ms. Catchings stated that was something they now recognized that they were going to be working a lot towards trying to improve upon. She stated that they were also very diligently working on trying to share the knowledge

of the experienced staff with the newer staff so they could train that next generation because a lot of staff were going to be retiring soon. She stated that they had to recruit and hire staff that were willing to learn and to be trained. She stated that the Utilities Department staff really cared and it was not just a job to most of them, but something that they enjoy doing and want to do their best at it. She stated that it was something they were proud of and they wanted to make sure that they were doing what they could to help the City's utilities. Ms. Catchings stated that could be seen in the customer service teams. She stated whether it was someone coming in to pay a bill and how excellent those folks were in the customer service area or when field operations staff are having to work in somebody's yard, because there's an emergency situation and having to communicate things, and they do an excellent job even at the receiving station with the truckers that come in. She stated that they also had great teams that worked very well as departments and they had learned to cross over departments within utilities, and to help each other out when a need arose in one department and there was somebody that could help out in another department, they did their best to try to make that happen and to make sure to fill the critical voids that were out there.

Ms. Catchings stated that next she was going to talk about the Utilities Department's challenges. She stated that the City was a large utility and with that came a lot of responsibility. She stated one of those areas of responsibility was in planning and another was operations and also asset management and managing the City's resources. She stated that it was critical that the City act in the best interest of its customers and of its system on both the water and the wastewater side. She stated that the City of Cayce was a 208 management agency on the sewer side and was legally required to "provide effective wastewater management to include establishment or continued implementation for location, modification, and construction of public wastewater treatment, including the conveyance facilities such as collection systems and trunk lines." Ms. Catchings stated that if the City was not going to do that, then they risked portions of that management area being taken away if there were others that were willing to step in and serve. She stated that the City had over 72 square miles in its sewer service management area that staff was responsible for overseeing and having a plan on how sewer could better serve this area is part of that responsibility. She stated that the City currently had a 25 million gallon per day Wastewater Plant which was the second largest plant in the river basin areas at Broad, Saluda and Congaree. She stated that Columbia was the only plant that was larger. She stated that the City also had the sixth largest Wastewater Treatment Plant in the state. She stated that the only places that had a larger plant were largely populated areas such as Columbia, Charleston, North Charleston, Myrtle Beach, and Greenville.

Mayor Pro Tem James asked if the larger plants were run by the municipality that they were located in. Ms. Catchings stated that two (2) out of the five (5) were service districts and the rest were municipalities. Council Member Carter asked how much of the twenty five million gallons the City was using. Ms. Catchings stated approximately 12 million. Council Member Carter asked if the directive Ms. Catchings read included

expansion as part of the City's work as part of a directive to maintaining and managing. Ms. Catchings stated that yes, it did and it included the conveyance facilities, such as collection systems and trunk lines, which was the system. She stated that it did not mean the City had to be the ones to install or pay for it but just had to have a plan.

Ms. Catchings stated that two (2) more challenges were renewal and replacement of existing systems, and asset management. She stated that she and her staff were working on starting to think proactively instead of reactively but unfortunately, that was not where they currently were. She stated that deferring replacements had started to catch up with them. She stated for example, Pump Station One and Six Mile were two (2) significant, major things that happened. She stated their goal was to get to the point where staff was doing those projects in a proactive way, rather than an emergency situation. She stated that when she became the Director of Utilities, she and staff started working on collecting a lot of data about the City's assets, system, equipment, pumps and features of the system. Ms. Catchings stated that she was shocked at what they learned from that process, and how much more they need to learn about the system. She stated that they currently did not have the tools to manage the City's assets as much as was needed. She stated that knowing where the City stood on the condition of its systems was a big first step so staff would know how to plan for those things. She stated that was where asset management really comes in with having a program where staff has responsible planning, something that helps them to identify what the needs were, how long the assets were going to last, how much it costs to replace those assets, and helps with managing a schedule to make sure those things are being taken care of. She stated that most large systems had an asset management program and it was something the City had to work towards.

Ms. Catchings stated that staff was still experiencing supply chain issues and there were items that they could not get from a supply yard and they had to wait for quite some time in some cases. She stated that this showed the need for having some plans in place to make sure that they were not dealing with as many emergency situations. She stated that if they were not able to get the supplies when they need them because of a supply chain issue, then they ran into more risks for sanitary sewer overflows or violations on the water or wastewater side. She stated that we do need to recognize that we operate a very serious business.

Ms. Catchings stated that the City had to start planning for growth since there were areas where they could potentially grow out on the sewer side which was an expectation of the City being a 208 management area. She stated that they had to know how to handle those things in the future and have a plan in place to know where they want the system to be developed. She stated that there was probably a future Wastewater Treatment Plant expansion coming in the next 10 years. She stated that staff had already been talking with the City's major purchasers on how much they needed. She stated that they anticipated needing to begin the design process and the COG process, which takes time to go in and get approval for an increase in discharge

flow to the river, to start that within the next five (5) years or less and then the construction of an expansion would occur in 10 years or less.

Ms. Catchings stated that rising costs had been a really big challenge for the Utilities Department over the last few years. She stated that the City's last rate increase went into effect July 1, 2019 and from that point to now, the general inflation index, not just utility items, but across the board across the country was about 21%. She stated that a lot of items within utilities increased significantly more than that. She stated that the City's sludge disposal had increased 264% since July 1, 2019. She stated that the chemical and materials cost had increased significantly. She stated that the Water Treatment Plant chemicals had increased by 150% and wastewater chemical costs had 85% or more. She stated that materials on hydrants and pipes had increased more than 100% and increases on meters and ERTs had increased by 40%. She stated that the City's operating expenses had greatly increased, but the City's rates had stayed the same. Ms. Catchings stated that they had less money for capital needs on an annual basis and the longer that continued, the more it would start reaching into operational expenses. She stated that the City had been fortunate to have survived without a rate increase, largely due to the ARPA and grant funds that it was able to get. She stated that they were able to use a lot of that money for some of the capital items that were badly needed, as well as some of the operating expenses. She stated that they had survived because the department had not been 100% staffed, which is something that hurt them on the production side and the operation side but from a money standpoint, it certainly helped.

Ms. Catchings stated that a rate study was approved in the FY24 budget and the City's bond attorney, Lawrence Flynn, had been working with the rate consultant, Raftelis, who would do a presentation on their recommendations at the end of the meeting. She stated that another challenge to overcome was the changing river conditions in the Congaree River. She stated that there was more influence from the Broad River than had ever been before, which from a water treatment perspective changed things significantly. She stated that the Saluda River was much cleaner but had low flows. She stated that this was the new norm and in order to combat that, the City had to change up its chemicals at some points which cost a lot more. Ms. Catchings stated that the river conditions would also impact the City's wastewater treatment plant permit once DHEC decided to issue that. She stated that it had been under review for close to two (2) years.

Ms. Catchings stated that there were new and potential mandates from the Federal side. She stated that there was new regulation on lead and copper that made things different and, in some cases, more stringent. She stated that there was also proposed regulation for limiting PFAS in drinking water and the EPA was also looking at classifying PFAS substances as hazardous waste, all of which could totally change the landscape of what water treatment was like. She stated that staff was watching this closely to make sure the City complied with any new requirements. She stated that next

on EPA's target lists with PFAS was biosolids and sludge disposal, which would impact that wastewater plant. She stated that PFAS is starting at the Water Plant but was going to come possibly sooner than later to the wastewater plant depending on what happens with the hazardous waste classification of PFAS.

Ms. Catchings stated that another challenge the Utilities Department faced was workforce development and staffing. She stated that when she started as Director, the department's vacancy rate was at 20%. She stated that the Water Plant and the Wastewater Plant's vacancy rate was significantly higher than 20%. She stated that the departments have made great strides in improving the vacancy rate but still had a way to go. Mayor Pro Tem James asked what the current vacancy rate was. Ms. Catchings stated that as of two weeks prior, they had five (5) vacant positions but shortly thereafter, notices of retirement were submitted. She stated that the EPA distributed information on what was going on nationally with water utilities facing challenges in recruiting, training and retaining employees. She stated that those challenges were exacerbated with roughly 1/3 of the water sector force eligible to retire in 10 years. She stated that the South Carolina Rural Water Association researched the issue and projected that this year, 2024, the state of South Carolina would have approximately 2,497 Operator vacancies across the state and by 2027, they were estimating that approximately 4,369 Operator vacancies might take place. Mayor Pro Tem James asked what were they basing those projections on. Ms. Catchings stated that they were basing it on retirement and growth. She stated that the City had approximately 27% of its Utilities Department employees that were eligible to retire in 10 years or less, trending with the EPA predictions, and almost 16% of Utilities staff could be eligible in five (5) years or less.

Council Member Thomas asked what percentage of students join the City's workforce directly from high school or did they have to have some college or technical experience. Ms. Catchings stated that she could get those numbers but to her knowledge, they had two (2) employees that came straight out of high school. One at our water plant and one in our field operations. Council Member Thomas asked if DHEC required a college degree. Ms. Catchings stated no, that it was on the job training and passing exams.

Ms. Catchings stated next she wanted to review the accomplishments that had occurred within utilities over the last year. She stated that Chris Mills was awarded the Capital District Water Treatment Plant Operator of the Year for the Water Environment Association of South Carolina and was also awarded the State Water Treatment Operator of the Year for the second year in a row. She stated that Lab Director Denis Bergeron was awarded Lab Analyst of the Year the previous year and won the State award this year. She stated that Legrand June was awarded the State Membership Award for WEASC. She stated that there had also been a good many licensing advancements as well. She stated the department was awarded a grant in the last year for the rehab of the first phase of the Six Mile Creek interceptor and a grant for

purchasing a generator for the Lloydwood Pump Station. She stated that Todd Shafer with the City's GIS Department had digitized all the water lines so now staff could click on the water line and get all kinds of information about that particular portion of the waterline - the size and the pipe material. Ms. Catchings stated that they had updated their digital work order system and record drawings. She stated that they had responded to 505,350 calls in the last year and the Water Billing Department fielded 16,866 calls, read 73,794 different meter reads and issued 153,138 billings. She stated that the septage and grease receiving station in January hit the highest revenue month ever. She stated that Candice Henderson, the City's fats, oils and grease inspector, had done some great things in that program and had gotten a lot of the restaurants to replace interceptors that the City was having issues with and that were basically allowing a lot of infiltration into the system. She stated that they also created a utilities PR and recruitment team because of the workforce issues and they knew they had to go to places and try to recruit people. She thanked Kay Hutchinson and Ben Wright for being the CO leaders really with that and making sure that things were set up and looking at opportunities for the department and Vince Osborne helped as well.

Ms. Catchings stated that next she and her managers would review each individual Utilities Department's budget. Ms. Kay Hutchinson stated that there were a few line items within her department's budget that increased. She stated that she had requested a new position, an additional Meter Technician therefore salaries and wages increased. She stated that the Water Billing Department not only handled billing but also had Meter Technicians who not only read meters but also replaced meters and boxes and did some repairs. She stated that in the past the city had contracted out the maintenance and installation of meters but by keeping it in house staff would have more control and one on one interaction with the customers and it could be more cost effective. She stated that the training and travel line item increased since they tried to ensure that all positions received the training offered through MASC, the South Carolina Utility Billing Association and the American Backflow Prevention Association. Ms. Hutchinson stated that she had requested backflow devices for the City's hydrant meters to protect the system and a new truck to replace a meter tech truck and add a mobile reading unit. Council Member Carter asked what the \$2 fee was for. Ms. Hutchinson stated that fee was for the web portal and for the merchant. Council Member Carter asked what other ways customers could pay their bills. Ms. Hutchinson stated that they could pay through automatic draft but the City would soon have other options for payment to include electronic checks and texts to pay. Council Member Carter asked if that would reduce the current costs. Ms. Hutchinson stated that it would reduce costs in the future. Council Member Thomas asked what percentage of residents use mailing, postage or email. Ms. Hutchinson stated that she could get that information for him. Council Member Thomas asked what ways the City was getting the various payment methods to the customers. Ms. Hutchinson stated that staff was currently working on that messaging and had created an insert to put in with the bills and it would be online as well. She stated that another free way for customers to pay

was bill pay which one sets up through their bank. She stated that it was currently a manual process, but soon it would be an electronic process.

Ms. Catchings stated that next department was Water Administration. She stated that they had requested funds for an outside consultant to assist staff in evaluating a Utilities Computerized Maintenance Management System, which was the CMMS for asset management. She stated that the first step in getting an Asset Management Program was finding the software and the tools to help staff begin that process therefore they wanted input from a consultant that specialized in that. She stated that they would plan to implement whatever program they found in FY26. She stated that the City was required with its bonds to annually evaluate its rates and coverage which was best done by a third party so there was a new line item for that. She stated that they had requested a master plan and system hydraulic model both of which were needed tremendously on the water and the sewer sides, but the sewer side needed it more since the City had obligations with the 208 Management Plan. She stated that the City needed to be able to plan for growth. She stated that staff also needed to know of any improvements and upgrades with the existing system that were needed and typically, the first step with that was a hydraulic model and then the master plan and a list of capital improvements that come from that. She stated that the City currently did not have any of that. She stated that lastly a request for a new vehicle for the City's Electrician was included in the draft budget per the fleet managers recommendation. Council Member Carter asked if she was proposing to get a handle on the age, condition and an estimate of when an item would need to be replaced as opposed to when it fails and try to figure it out at that time. Ms. Catchings stated that staff had done preliminary estimates internally but an asset management program would help track replacements on a regular basis. Council Member Thomas asked if the other larger systems in the state had asset management. Ms. Catchings stated that she was certain they would.

Mr. Vince Osborne, the Water Treatment Plant Superintendent, stated that staffing was his critical need for the last three (3) years and would continue to be for the next five (5) years. He stated that he had three (3) staff members that were eligible to retire within the next 18 months so he had requested another Operator Trainee position so that person could train with experienced staff. He stated that he had requested funds to clean the reservoir since staff tried to keep that on a three (3) year cycle and it had been three (3) years since it was last drained it and had the sediment removed. He stated that he had also requested funds to pay divers to inspect the City's wet wells and the screens that go out into the river. He stated that pump station had been online for 22 years now and they had not had anyone actually physically go in with a camera to see if there were any issues with the facility. He stated that he requested additional funds for testing PFAS and lead and copper. Last year's lead and copper results were all well within parameters. He stated that they were not certain as to what degree of testing would be required by DHEC. He stated that he had requested an additional raw water pump at the pump station for backup, redundancy and sustainability. He stated

that he currently had one (1) pump that was capable of pumping either from the river to the plant or from the river to the reservoir so he would like to add an additional pump that could duplicate that feature. He stated that he only had three (3) pumps that could pump water to the plant from the raw station. Council Member Carter asked if all three of the pumps were the same pump. Mr. Osborne stated that yes, they did not have a spare. He stated that he also requested another pump which was a continuation of their program of every year pulling one of those pumps then replacing it.

Mr. Ben Wright, the Superintendent of Field Operations, stated that most of his department's increases were due to inflation. He stated that they had to increase the asphalt and grading line item significantly because DOT had stricter requirements on how many cuts were allowed in a road. He stated that the large water meters line item increased because of a business like Chick Fil-A went out staff would have to replace that meter and they were quite large and expensive and could take a long time to get. He stated that he requested a new truck for the Assistant Superintendent as well as a 300k generator for the booster station. He stated that it was a critical booster station that pumped water to the White Knoll area tank. Mr. Wright stated that there were three (3) utility trucks that needed to be replaced due to mileage and significant repairs that had been done to each one of them. He stated that he also requested a utility trailer since some of the current trailers were close to their capacity limit of what they could carry. Mayor Pro Tem James asked Mr. Wright to elaborate on the heavy restrictions required by DOT. Mr. Wright stated that if the City had three (3) or four (4) cuts in a row, DOT would require them to pave the whole road and that was very costly. Ms. Hegler stated that it was a brilliant budgeting move on DOT's part. She stated that staff was going to talk with DOT since they recently said the City was going to have to do greater repairs and repaving of the street. She stated that staff knew they were going to have to build more into the budget based on the new requirements but were also going to work on questioning the veracity of the requirements

Mr. Legrand June, the Superintendent of the Wastewater Treatment Plant, stated that he had requested a new operator position to help with the increased sludge coming in due to the City's flows increasing that could help keep the run time up on the centrifuge and other dewatering systems. He stated that he also requested a terminal tractor which was a piece of equipment that moved the trailers around that the tractor trailers used to haul sludge. He stated that it would allow staff to shift the trailers around in different places as far as setting in the dewatering processes, stage them to do it, fill them up, meanwhile, another staff member was hauling to the landfill. He stated that he also requested an additional dump trailer that could be used to fill the trailers with the sludge when the landfill was not open and then haul it off at a later time. He stated that would also increase their capacity to fill while during downtimes. Mr. June stated that he requested a spare Variable Frequency Drive (VFD) and all the critical systems for the aeration since they did not currently have a spare at all for that. He stated that when a VFD went out it could be two months before it was repaired and shipped back. He stated that he requested clarifier gate actuators which would allow for better control

of clarifier blanket levels and would allow adjustments to be made remotely increasing safety by reducing the need to adjust on-call. He stated that he requested entrance gate controls which would allow better control at the back gate and give the IT Department the ability to control access into the plant which would increase security. He stated that he requested a submersible diesel pump that would be capable of pumping the deep basins at the plant to assist with frequent routine maintenance as well as a post aeration dual VFD and cabinet replacement that was needed to maintain the post aeration blower system. He stated that the fleet manager recommended replacing the tractor due to the 383,700 miles on it and its age as well as replacing one vehicle.

Ms. Catchings presented the Wastewater Collection Department's budget. She stated that the budget included a new GIS unit to help with collecting data in the field. She stated that staff was currently using a mobile generator that was not automatically transferred over with power at Pump Station Two and it was very difficult to get to at times so they had requested a permanent generator. She stated that a new mini excavator which staff used every day was on the list for purchase as well as a permanent bypass pump for the Barnwell Pump Station, which was one of the larger, more critical pump stations. She then reviewed the Septage and Grease Receiving Station proposed budget. She stated that the only capital request were a replacement truck that was recommended for replacement by the City's Fleet Manager, and replacement of a control panel for the older belt press.

Ms. Catchings stated that next was the presentation by Raftelis on the Rate Study. Mr. Peiffer Brandt stated that he was the President and CEO of Raftelis and he had been doing that type of work for 26 years. He stated that there were three (3) components of the project - calculate water and sewer development fees, prepare a water and sewer financial plan, including putting together a model that has a dashboard where various scenarios can be looked at, and developing rates and fees. He stated that Mihaela Coopersmith was going to present on the system development fees. Ms. Coopersmith stated that the system development fees, also known as impact fees, or capacity fees, were those one-time charges that were put on new development as a way for them to buy into the capacity of the system and allowed the City to recoup the costs for existing facilities from new growth. She stated that there were three (3) main methodologies for calculating these fees - the buy-in approach, the incremental/marginal cost approach, and a combined approach. The buy-in methodology focuses on existing assets, and it assumes there is enough available capacity to also serve new growth. She stated that the incremental or marginal cost was the exact opposite and was a future looking approach. She stated that it would be used if the City was at capacity currently and would have to expand out a whole lot of new capacity, then they would just focus on that additional capacity. She stated that the third methodology was a combined methodology where they look at both together to see what the fees would calculate under both.

Ms. Coopersmith stated that after discussions with staff and looking at the City's existing available capacity they calculated the water and sewer fees under the buy-in methodology, which meant they focused on the City's existing system assets. She stated that they looked at the City's fixed assets system which meant the fixed assets that come out of the City's financial system and they looked at the replacement cost new, less depreciation. She explained that they meant they took the City's current assets, their fully depreciated value currently and escalated them based on engineering indexes to bring them to the City's current replacement cost new, less depreciation. She stated that out of that total, they had to take things out like assets that were grant funded, they could not be included because the City did not pay for those, anything that might have been developer deeded to the City had to be excluded as well. She stated that they also excluded small infrastructure items that were not part of the big backbone of the City's utility, for example, vehicles. She stated finally, because these were fees that were paid by new growth that would eventually pay water and sewer fees on the City's system and pay for that service through that, they took out the outstanding principal on the City's water and sewer utilities, so they were not double charged for that piece. Ms. Coopersmith stated that left them with the net system value of about \$55 million on the water system, and about \$65 million on the sewer system. She stated that they then divided that into the City's total capacity of each of the systems and for water, they divided that into the 9.6, calculating a cost per gallon per day of \$5.74. She stated that on the sewer system, they removed out of the total assets, the piece of the plan that the Joint Municipal Water and Sewer Commission and the Town of Lexington paid for which was why it was only divided by the 7.92 MGD, which was the capacity that the City has allocated in order to keep that at a fair calculation. She stated that translated into a cost per gallon per day of \$8.18.

Ms. Coopersmith stated that for the sewer system it was to ensure that the City's customers bought into the system and that growth pays for growth which allowed for not charging future customers for the cost that the City needed to expend now and not charging current customers or future customers was equity. She stated that the fees they were going to present to Council were the maximum allowable fees. She stated that Council could certainly choose to implement a lower fee, but they would recommend that Council implement the maximum allowable that they calculated. She stated that they must be tracked in a separate fund and because this was to buy capacity to the City's system, their recommendation was to move to one single water and sewer system development fee. She stated that currently the City had an inside and an outside fee. She stated that currently for one (1) equivalent residential unit, the water fee inside the City was \$465 and the outside water fee was \$930. She stated that they had calculated an updated fee of \$1,720 so they would recommend moving forward with a water system development fee for the City of \$1,720. She stated that the current inside City fee for the sewer system was \$1,570 and the current outside fee was \$2,500. She stated that they calculated an updated system development fee of \$2,450 so their recommendation was to move to the one sewer system development fee of \$2,450. She stated that those would get scaled up by meter sizes in other ways.

Mr. Flynn stated it was hard to justify charging impact fees or development impact fees at a higher level to outside city customers, because there was not an additional cost of service with the City's existing capacity. He stated therefore they needed to be equitized because basically the cost of utilizing the asset needed to be standardized across all sets of customer classes. He stated that one (1) gallon of water was the same cost for an inside person as it is for an outside person. He stated that it was hard to differentiate on an impact basis, inside versus outside based on an asset termination system. He stated that was pretty much in line with what a lot of other utilities and vis-a-vie the cost of what it would be to build new. He stated that the City had sufficient capacity in both plants which was the reason Raftelis went the buy-in approach as opposed to one of the other hybrid methods or the portal method. He stated that at some point, those might get adjusted as growth continues to your capacity.

Ms. Coopersmith stated that they recommended updating the fees every five (5) years or so. She stated that they talked about including the plant expansion on the sewer system right now but it was a little bit out of the five (5) year window and it did not make sense to include it because the cost could significantly change by then. She stated that however they would recommend in five (5) years revisiting that to make sure that the cost of the Wastewater Treatment Plant expansion was included when that hit. Mr. Flynn stated that the reason for that being so important was a per ERU value of \$8 a gallon was so low that the City could not replace that capacity if they had to expand the system today. He stated that the numbers were astronomically expensive and the cost of expanding a system was something that was a material cost for capital into the future. He stated that the City definitely wanted to make sure they could recover because that was probably the most valuable asset that the City had and giving it away at a number below its actual value was asking existing customers to subsidize any of that new credit.

Mr. Brandt stated that next he would review the financial plan. He stated that utilities and enterprise fund must run like a self-supporting business and its revenues need to meet its revenue requirements. He stated that infrastructure investment required thoughtful planning for future needs and had to balance system reliability, sustainability, financial sustainability, along with customer impacts cost. He stated that the goals of the City's rate structure and rates that get passed was to generate sufficient revenues and to accomplish utility and stakeholder objectives. He stated that what was important to the community needed to be reflected in the rates and rate structure and want to be consistent with industry best practices. He stated that it had to be defensible. He stated that the City's stakeholders were first and foremost the City's customers, the citizens of the City, and also the regulators, outside City customers, wholesale customers and contractors. He stated that there were a lot of utility stakeholders and developers and groups that factor in and obviously, the community as well as anyone, had entrusted Council to represent them in making these decisions.

Mr. Brandt stated that the assumptions for the revenue requirements were based on the FY2025 budget and there were several increases. He stated that the hope was that would get the City over the hump of some of the increases and will have gotten to three new positions which are included, and then the City could get closer to inflationary increases of three (3) to five percent (5%). He stated that the City had to have and maintain target levels of reserves and have a certain amount of cash in the bank if an unforeseen event occurs. He stated that 180 days of operating expenses was the target and to maintain that level of reserves. He stated that the City had other revenues such as late fees, connection fees and system development fees which were projected to be flat throughout the forecast period. He stated that the City had not had a rate increase since 2019 and since that time, the City had 35% growth and operating expenses. He stated that there were two (2) components to the City's rates. He stated there was a minimum charge, which was a fixed charge, and there was a variable charge, which was every 1,000 gallons of water used. He stated that the fixed charge included billing costs, meter reading costs, meter repair and replacement costs. He stated that it did vary and was basically a monthly charge and the variable charges varied with the amount of water used. Mr. Brandt stated that they were recommending basically an across the board increase with both the fixed and the variable and increasing them the same percentage. He stated that he and his staff ran through a number of scenarios and thought it was best for the City to bite the bullet and do one (1) big rate increase this year. He stated that 40% was a large number but that was what puts the city in the best position.

Mr. Brandt stated that the City had a lot of different rates - minimum charges for each meter size, volumetric rates, not just residential and commercial, but in some different areas. He stated that it was common within the water industry to go to flat sewer charges. He stated that in certain places it just made sense because the volume of water used was not really as indicative of the cost of sewer treatment inflow and infiltration had a big impact. He stated that the city moving to flat sewer charges would be beneficial from an operational standpoint. He stated that a 40% increase for an average customer their bill would increase from \$56 to \$79. He stated that was an inside City customer using 5,000 gallons at 75 cents a day. Ms. Coopersmith stated that over 50% of utilities in South Carolina had done a rate increase in 2023 and that was not counting what they were planning to do this year. Mr. Brandt stated that the benefits of the 40% increase included getting the City to rate revenue sufficiency in 2025 and moving forward would be adding to the City's fund balance. He stated that by taking the step of doing the big increase now the City could go back to just doing more inflationary increases going forward such as a 5% increase.

Mr. Brandt stated that one of the challenges if the City did less than a 40% increase was having to use more fund balance. He stated that rates were going to have to go up around the country. He stated that utilities liked to brag about having really low rates, which he knew was a selling point, but for a utility it was not good. He stated that it meant they were behind the curve and it was not efficient. He stated that everyone

had aging infrastructure issues and workforce issues. He stated that the increase would help the City get in a good position to handle challenges going forward. Council Member Thomas asked if the increase came out to \$23 more a month. Mr. Brandt stated that it was 75 cents a day. Mayor Pro Tem James asked if they said there was a 35% growth in operating costs on the City's behalf over the past four (4) years. Mr. Brandt stated that was correct. Mayor Pro Tem James stated that it would be helpful to let the City's customers know about those unfunded mandate expenditures that were pushed onto cities. Mr. Brandt stated that other utilities pull unfunded mandates out of their rates to show that that cost was only because either the State or the Federal Government required us to do this and this would be the rates if they did not have to do that. Mayor Pro Tem James stated that it did separate things and it would make it easier for Council to communicate that and help people to understand.

City Manager Hegler stated that staff had already started to talk to Raftelis about what were next steps as the City proceeded with an informational campaign. Mr. Brandt stated that Raftelis had a strategic communications group led by Ms. Melissa Elliot who was the former President of the American Water Works Association. He stated that she was the best in the business. Mayor Pro Tem James stated that most of Council did not want to tout that the City was the least expensive place to live because sometimes that meant you were the least safe and had the least best drinking water and things of that nature. Ms. Coopersmith stated that there were plenty of utilities in South Carolina that had significant rate increases. She stated that Georgetown had to do anywhere from 15 to 25% on each of their utilities and Mt. Pleasant had three (3) years of nine (9) to 11% increases in a row. She stated that the City was not alone within South Carolina in having to increase rates. Mayor Pro Tem James stated that at the end of the day the City had to keep a very credible and reliable water and sewer plant and that was what their citizens expected. He stated that they had to recognize that facts were something that they had to respond to. He thanked Ms. Catchings and her staff for the very important work they did every single day.

Adjourn

Council Member Thomas made a motion to adjourn the meeting. Council Member Carter seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 4:33pm.

Tim James, Mayor Pro Tem

ATTEST:

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, March 20, 2024**

The March 20, 2024, Regular Council Meeting was held this evening at 5:00 p.m. in Council Chambers. Those present included Mayor Pro Tem Tim James and Council Members Phil Carter, Hunter Sox and Byron Thomas. City Manager Tracy Hegler, 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, Utility Director Betsy Catchings and City Attorney Danny Crowe were also in attendance.

Mayor Pro Tem James 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 Pro Tem James called the meeting to order and Council Member Sox gave the invocation. Fire Chief Steven Bullard led the assembly in the Pledge of Allegiance.

Public Comment Regarding Items on the Agenda

There were no public comments.

Committee Matters

- A. Discussion of, and Motions Approving, Service of Council Members on Designated External Boards and Commissions

Ms. Hegler stated that this item was on the agenda at Mayor Pro Tem James' request. She stated that it was something that had been done in the past and it was typically done after there has been a Mayor Pro Tem change. She stated that these were external boards and committees that operate outside of those that Council had set and established for the City. She stated that in the past, it was treated as a best practice to disclose what board and committees Council serves on and what they were doing in the capacity of representing the City. Ms. Hegler stated that she did not manage these boards nor did she manage Council's time on them.

Mayor Pro Tem James stated that after some questions and concerns it did arise that after a new Mayor Pro Tem was voted, usually external boards at that time were

also reviewed. He stated that he met with Mayor Partin and Ms. Hegler the prior week in reference to that and requested for this item to be on the agenda. He stated that Council Members were and could be assigned to those external groups, but a great level of importance and commitment came with that in the fact that the information needed to flow back to the City Manager, the Mayor and Council. He stated that there were several different commissions and committees that one could be assigned to and as he spoke with Mayor Partin about, he would not commit to one until he knew exactly when they met, because it might coincide with something else that he had going on, and therefore he would not have time to be able to invest to it. Mayor Pro Tem James stated that as Council moved forward, he asked that they take into consideration if they had the time to serve when that particular entity was meeting and the importance of bringing that information back to Council, which he thought was equally important.

Council Member Carter thanked Mayor Pro Tem James and Ms. Hegler for putting this item on the agenda. He stated that he thought it was important that it was acknowledged that Council had some very committed and very talented and very worthy Council Members that could add a lot to the external boards and commissions. He stated that part of Council's service to their constituents was to represent them and the City as a whole so he welcomed the new appointments.

Council Member Sox asked for the times that the external board and committees met. Mayor Pro Tem James stated that the River Alliance did not have a standing meeting date but when they did meet it was on Thursdays and normally in the morning hours. He stated that the Central Midlands Council of Governments met on Thursdays as well and it was a mid-day meeting. He stated that the Joint Municipal Water and Sewer Commission met the second Wednesday of the month. Mayor Pro Tem James stated that the previous Mayor Pro Tem served on the League of Cities which was not local, but it was something that was recognized as important for the City to be represented on and receive their trainings.

Council Member Thomas made a motion to appoint Mayor Pro Tem James to the Joint Municipal Water and Sewer Commission. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Council Member Sox made a motion to appoint Council Member Carter to the Central Midlands Council of Government. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

Council Member Carter made a motion to appoint Council Member Sox to the River Alliance. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

Council Member Carter made a motion that the City continue its membership with the National League of Cities and appoint Council Member Thomas to the National

League of Cities. Council Member Sox seconded the motion. Mayor Pro Tem James asked Council Member Thomas if he was able to take on that responsibility. He answered that it would be his honor to follow in the footsteps of the honorable Skip Jenkins. Mayor Pro Tem James called the question which was unanimously approved by roll call vote.

Council Member Sox stated that Council Member Carter had done a great job representing Council so far with the Lexington County road maintenance and CTC discussions and he felt that Council should formally appoint him to continue representing them in these discussions. He made a motion to appoint Council Member Carter to represent Council through the continuation of these discussions to be the point person and report back to Council with intel from these meetings. Council Member Thomas seconded the motion which was unanimously approved by roll call vote.

Mayor Pro Tem James stated that he thought that was the majority of the external committees that Council had to review however, if there were others, they could come back before Council as needed.

City Manager's Report

Ms. Hegler stated that the most important thing the City had going on that week was preparing for the Soiree on State being held that Saturday. She stated kudos to staff for all their hard work on it. She stated she did not think anyone realized how much work goes into planning that day. Mayor Pro Tem James stated that Ms. Rowan did a radio talk show through the Chamber and did an amazing job. He stated that you could feel her enthusiasm through the radio.

Council Comments

Council Member Thomas thanked the Beautification Foundation for beautifying the City's welcome sign on 12th Street Extension. He also thanked Parks staff for being able to help with that project. He stated that he wanted to say a special thank you to Councilman Hunter Sox for pledging \$1,000 to help him give a \$1,000 scholarship to students at BC High School in honor of the Honorable Skip Jenkins. He stated that a male student would receive \$1,000 and a female student would receive \$1,000 as well. He stated that the scholarship was all about community service so students that attended BC High School should get with their guidance counselor about the scholarship. He stated that the scholarship was for graduating seniors and the deadline was April 17. He stated that he and Council Member Sox wanted to do their best to invest in the future of Cayce. Council Member Thomas stated that he ran into the Mayor of Greenville over the weekend and he gave him some good advice about economic development. He asked Ms. Hegler what the process was for citizens, businesses, and nonprofits to rent out the Art Lot in the City's River Arts District. Ms. Hegler stated that there was not a fee to rent the Art Lot and it could be reserved by

calling City Hall and speaking to Ms. Rowan or Ms. Corder. Council Member Thomas stated that he was blessed to share that area with Mayor Pro Tem James with the first district. He stated that he was a big believer that if the City started to have more fun events in the Art Lot that would continue to bring Cayce residents out into the community as well as attract tourists into the community, which hopefully meant more tax flow for the City. He stated that he really encouraged the business community and nonprofits in the City to think about how the City could start putting more fun traffic in that area. He stated that lastly, he wanted to thank everyone that came to the Council Meeting.

Council Member Carter stated that he took a weekly ride around the City and recently he came across an incident on Highway 321 where a man on a moped had an accident. He stated that the City's first responders were there quickly and took care of the young man. He thanked them for what they do so well.

Mayor Pro Tem James thanked Utilities staff for representing the Utility Department in the presentation of the draft budget in the budget work session. He stated that if one sits through one of those presentations, you recognize how fortunate the City is to have great leaders in place to build and make things happen. He stated that he made the comment earlier that when he woke up that morning, he was able to brush his teeth with clean water and that meant that the City had a Utility Department that was working extremely hard. Mayor Pro Tem James stated that Council received information that week from Ms. Hegler regarding two (2) tragic situations in the City. He stated that the City's Police Officers and Fire Officers had to respond to tragic situations every single day, and then go home and hug their children and be a person. He asked everyone to keep them in their prayers because it was a very hard job and to have to balance what they see and do every single day and then to live a life as well. He stated that he appreciated what they did every single day and he hoped that would be relayed to them on behalf of Council to all the men and women in public safety. He stated that was not to delete anything else that everybody else in the City did to work hard every single day. He stated that he thanked them too.

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

Reconvene

After the Executive Session was concluded, Council Member Sox made a motion to reconvene the Regular meeting. Council Member Thomas seconded the motion which was unanimously approved by roll call vote. Mayor Pro Tem James 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

Council Member Sox made a motion to adjourn the meeting. Council Member Carter seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 5:57pm.

Tim James, Mayor Pro Tem

ATTEST:

Mendy Corder, CMC, Municipal Clerk

Memorandum

To: Mayor and Council
From: Tracy Hegler, City Manager
Date: April 9, 2024
Subject: Additional Funding for Police Handheld Radios

Issue

Discussion and Approval for Additional Funding for Police Handheld Radios

Background

For the FY24 budget, City Council approved \$297,000 from the allotted ARPA funds for the purchase of police handheld radios through an approved vendor. Additional funding is requested due to the increase in pricing from the original quote.

Staff received two quotes for the handheld radios and both vendors are on state contract:

Motorola	\$407,990
Kenwood	\$321,022

Radios include warranty, wireless microphones, and earpieces. Staff is continuing to search for grant funding for the in-car radios.

Recommendation

Staff recommends Council approve the additional funding of \$25,000 to purchase the police radios from Kenwood through the state contract pricing. The additional funding would come from the miscellaneous unallotted ARPA tranche that we currently hold.

Memorandum

To: Mayor and Council

From: Tracy Hegler, City Manager

Date: April 9, 2024

Subject: Council Members serving on designated external boards and commissions

Issue

Discussion of, and motions concerning, service of Council Members on designated external boards and commissions.

Background

Council Members are asked to participate in or are appointed to external boards and commissions. In addition to others that were discussed at the March 20, 2024 Council Meeting, a member of City Council is also appointed to the Central Midlands Regional Transit Authority (CMRTA) Lexington Transit Workgroup. This is an advisory group to the CMRTA's Board.

Recommendation

Council discretion.

Memorandum

To: Mayor and Council

From: Tracy Hegler, City Manager

Date: April 9, 2024

Subject: Memorandum of Agreements with South Carolina Department of Transportation (SCDOT) and Funding for Water and Sewer Utility Relocations for the US Highway 21 Bridge Replacement over Congaree Creek Project

Issue

Council approval is needed to enter into Memorandum of Agreements (MOA) with South Carolina Department of Transportation (SCDOT) for Utility Relocations required because of the US Highway 21 bridge replacement over Congaree Creek Project. There is an MOA for each service – sewer and water. Council approval is also needed to approve the funding required to relocate the sewer.

Background

As part of the SCDOT bridge repair program, SCDOT is replacing the bridge on US 21 (Charleston Highway) over Congaree Creek. The City of Cayce has utilities in this area that must be relocated as part of the Project. The relocations have been designed by Hanna Engineering, LLC and will fall under the construction contract for the SCDOT Intersection Improvement Project.

SC Code Section 57-5-880 requires SCDOT to pay for relocation costs for all small utilities. For large utilities, SCDOT is only required to pay for relocation costs if funds are available after paying for the relocations for small utilities. The City of Cayce is considered a small utility for our water system and a large utility for our sewer system. For this project, SCDOT has indicated that funds are not available to pay all costs. The total allocated for utility relocations, per SC Code 57-5-880, is 4.5% of the total estimated SCDOT construction cost for the bridge replacement. SCDOT's estimated cost for the bridge is approximately \$10.1 Million, which allows approximately \$456,511 for all utility relocations. The estimated water relocation cost is \$215,100, but SCDOT (per the SC Code) is required to cover the cost for all the water relocation because the City is a small utility. The SCDOT remaining utility relocation budget, then is \$241,411 and is short of the estimated sewer relocation costs of \$398,700. The remaining proposed sewer relocation cost by law will need to be covered by the City (\$157,289).

In order for the City of Cayce to receive funding for the water relocation, the Memorandum of Agreement for In-Contract Utility Relocation for the US 21 bridge replacement over Congaree Creek Water Line Relocation and the Memorandum of Agreement for In-Contract Utility Relocation for the US 21 bridge replacement over Congaree Creek Sewer Relocation must both be approved. As outlined in

the MOAs, the City's share of the cost for the water relocation is \$0. The City must pay a portion of sewer relocation work, which is currently estimated at \$157,289.

Both agreements are attached and have been reviewed by the City's Attorney.

Recommendation

Staff recommends Council approve both In-Contract Utility Relocation MOAs for the US Highway 21 bridge replacement over Congaree Creek (one for sewer and one for water) and authorize the City Manager to execute. In addition, staff recommends the Council approve payment for the sewer relocation portion of the project, of up to \$157,289, from the Utilities O&M unreserved fund balance.

MEMORANDUM OF AGREEMENT**For In-Contract Utility Relocation****City of Cayce****Sewer Relocation**

US 21 Bridge Replacement over Congaree Creek in Lexington County

SCDOT Project ID P029073

This Agreement is made this ____ day of _____, 20____ by and between the South Carolina Department of Transportation (hereinafter referred to as “**SCDOT**”) and the City of Cayce (hereinafter referred to as “**UTILITY**”) (collectively “the Parties”) to ensure the successful completion of the public water and/or sewer facilities relocation for the below described Project:

This document is to serve as a Memorandum of Agreement as to the specific responsibilities of **UTILITY** and **SCDOT** in completing this Project and associated Utility Work.

Section I – Definitions

1. The term “Project” shall refer to SCDOT’s Project Bridge Replacement along US 21 over Congaree Creek in Lexington County.
2. The term “Utility Work” shall refer to an adjustment necessitated by SCDOT’s Project of a public water system or public sewer system facility by removing and reinstalling the facility; a move, rearrangement, or change of the type of existing facilities; necessary safety and protective measures; or the construction of a replacement facility that is both functionally equivalent to, but not including any betterment of, the existing facility that is necessary for the continuous operation of the system’s service.

Section II - Agreements by the Parties

1. The Utility Work shall be included in **SCDOT**’s contract for the construction of the Project.
2. The Utility Work shall be performed by a contractor approved by **UTILITY** and licensed and qualified to perform the Utility Work. **SCDOT**’s contractor will select the contractor to perform the Utility Work from **UTILITY**’s list of preferred contractors. In the event the preferred contractors are not available, **SCDOT** will obtain written concurrence from **UTILITY** regarding the contractor selected to perform the Utility Work.

Section III - Funding

1. **SCDOT** shall be responsible for the cost of utility relocations where prior rights exist in accordance with **SCDOT**’s “A Policy for Accommodating Utilities on Highway Rights of Way” and 23 CFR 645A. Additionally, pursuant to SC Code § 57-5-880, **SCDOT** shall bear all of the

relocation costs, including design costs, up to four and one-half percent of the original construction bid amount of the Project minus the costs of the small public water and sewer utility's relocation costs. Should more than one large public water utility or large public sewer utility be required to relocate due to the Project, the total cost share of up to four and one-half percent will be divided pro rata among the large public water or large public sewer utilities required to relocate.

2. **UTILITY** is responsible for the cost of any betterments.
3. **SCDOT** estimates the original construction bid amount to be \$10,144,692.35. Four and one-half percent of this estimate is \$456,511.16. **SCDOT** must pay all small public water and sewer relocation costs, without limitation, associated with the Project. This amount will be subtracted from the four and one-half percent of the original construction bid amount. This is the maximum amount **SCDOT** will contribute to non-prior rights Utility Work for **UTILITY**.
4. **UTILITY** estimates the total cost of the Utility Work to be \$398,700.00, with such costs to be allocated as follows:
 - a. **SCDOT's** share is estimated at \$241,411.16. This consists of:
 - i. **Prior Rights** estimated at \$0.00
 - ii. **Non-Prior Rights** estimated at \$241,411.16.
 - b. **UTILITY's** share is estimated at \$157,288.84.
5. In accordance with its procurement practices and procedures, **SCDOT** will solicit bids for the construction of the Project, including the Utility Work, and will award the **SCDOT** contract to the contractor with the lowest qualified bid for the overall work of the Project.
6. **SCDOT** shall notify **UTILITY** in writing as to the cost of the Utility Work included in the awarded **SCDOT** contract.
7. **SCDOT's** share identified in 4.a. above shall be the maximum amount payable by **SCDOT** for the Utility Work. Any amount over this shall be the responsibility of **UTILITY**.
8. If the Utility Work contains any betterments, work that is not an eligible cost under SC Code § 57-5-880, or if the cost exceeds **SCDOT's** maximum contribution, **SCDOT** will invoice **UTILITY** for that amount. **UTILITY** shall remit the invoiced amount to **SCDOT** within 30 days of receipt of the invoice. Any payment due must be received by **SCDOT** prior to execution of the construction contract.
9. Should Utility Work change orders be needed, **SCDOT** reserves the right to approve change orders that are less than 10% of the bid price and to approve change orders that would result in the total cost of Utility Work remaining less than the estimated cost indicated in this Agreement.

Section IV – SCDOT's Responsibilities

1. Include the Utility Work in **SCDOT's** contract for the construction of the Project.
2. **SCDOT** will provide **SCDOT's** contractor with all documents provided to **SCDOT** by **UTILITY**.
3. Allow **UTILITY** or **UTILITY's** Consulting Engineer and/or Inspector full access to the site when the Utility Work is underway.

Section V – UTILITY's Responsibilities

1. Apply for and receive all necessary permits (including Construction Permit Application Water/Wastewater Facilities through DHEC) for the Utility Work. The cost of these permits shall be reimbursable by **SCDOT** according to the terms of this Agreement.
2. Provide all engineering design services, sealed construction plans and specifications, bid tab sheet, itemized estimated cost, and a list of preferred contractors (minimum of 3) to meet **SCDOT's** letting schedule for the Project. These costs shall be reimbursable by **SCDOT** according to the terms of this Agreement.
3. If construction plans and specifications provided by **UTILITY** are found to be inaccurate due to errors or omissions, **UTILITY** shall be responsible for any resulting damages, including delay damages and the costs attributable to such delays.
4. **UTILITY** must meet the bidding and construction schedule established by **SCDOT**. All documents necessary must be provided by **UTILITY** to **SCDOT** at least 180 days prior to receipt of bids for the Project. If the Project is under an accelerated schedule, **SCDOT** shall notify **UTILITY** of the date by which the documents must be provided.
5. Failure to meet the bidding and construction schedule requirements shall result in **UTILITY** having to bear all relocation costs.

Section VI – General Conditions

1. **SCDOT** shall have final approval on the location of all **UTILITY's** facilities within **SCDOT** right-of-way.
2. All work covered under this Agreement and performed by **SCDOT's** contractor shall be performed within **SCDOT** right-of-way.
3. Upon **UTILITY's** acceptance of the Utility Work, or any specific portion thereof, in accordance with the plans and specifications, **UTILITY** will assume sole and complete responsibility for the new facility. For purposes of this Agreement, **UTILITY** will be considered to have accepted the Utility Work, or any specific portion thereof, by assuming control of the Utility Work and commencing to utilize it.
4. Following acceptance, **UTILITY** will have sole responsibility for the operation and maintenance of the Utility Work and sole liability for any claims made by third-parties that arise from the design, construction, operation, or maintenance of the Utility Work in its entirety or the portion that has been accepted.
5. Following acceptance, **UTILITY** assumes any and all liability for accidents or injuries to persons, or damage to property (including the highway) that may be caused by the maintenance, use, moving, or removing of the water and/or sewer line and related appurtenances constituting the Utility Work as described herein.
6. Prior rights will remain in locations where prior rights currently exist. This Agreement shall not grant prior rights in locations where they do not currently exist.
7. Where **UTILITY** is on **SCDOT** right-of-way by encroachment, **UTILITY** agrees that if, in the opinion of **SCDOT's** Deputy Secretary of Engineering, it should ever become necessary to move or remove the Utility Work, including any future modifications thereto, on account of the change in locations of the highway, widening of the highway, or for any other sufficient reason, such moving or removing shall be done on demand of **SCDOT** at **UTILITY's** expense.

8. **UTILITY** shall agree to hold consultations with **SCDOT** as may be necessary with regard to the execution of supplements to this Agreement during the course of the Project for the purpose of resolving any items that may have been unintentionally omitted from this Agreement. Such supplemental agreements shall be subject to the approval and proper execution of the Parties hereto. No amendment to this Agreement shall be effective or binding on any Party hereto unless such amendment has been agreed to in writing by all Parties hereto.

Section VII – Counterparts

This Agreement may be executed in counterparts, and if so executed, shall become effective when a counterpart has been executed and delivered by both Parties hereto. All counterparts taken together shall constitute one and the same Agreement and shall be fully enforceable as such. Delivery of counterparts via facsimile transmission or via email with scanned attachment shall be effective as if originals thereof were delivered.

[Signature blocks on next page]

MEMORANDUM OF AGREEMENT
For In-Contract Utility Relocation
City of Cayce
Water Relocation
 US 21 Bridge Replacement over Congaree Creek in Lexington County
SCDOT Project ID P029073

This Agreement is made this ____ day of _____, 20____ by and between the South Carolina Department of Transportation (hereinafter referred to as “**SCDOT**”) and the City of Cayce (hereinafter referred to as “**UTILITY**”) (collectively “the Parties”) to ensure the successful completion of the public water and/or sewer facilities relocation for the below described Project:

This document is to serve as a Memorandum of Agreement as to the specific responsibilities of **UTILITY** and **SCDOT** in completing this project and associated Utility Work.

Section I – Definitions

1. The term “Project” shall refer to SCDOT’s Project Bridge Replacement along US 21 over Congaree Creek in Lexington County.
2. The term “Utility Work” shall refer to an adjustment necessitated by SCDOT’s Project of a public water system or public sewer system facility by removing and reinstalling the facility; a move, rearrangement, or change of the type of existing facilities; necessary safety and protective measures; or the construction of a replacement facility that is both functionally equivalent to, but not including any betterment of, the existing facility that is necessary for the continuous operation of the system’s service.

Section II - Agreements by the Parties

1. The Utility Work shall be included in **SCDOT**’s contract for the construction of the Project.
2. The Utility Work shall be performed by a contractor approved by **UTILITY** and licensed and qualified to perform the Utility Work. **SCDOT**’s contractor will select the contractor to perform the Utility Work from **UTILITY**’s list of preferred contractors. In the event the preferred contractors are not available, **SCDOT** will obtain written concurrence from **UTILITY** regarding the contractor selected to perform the Utility Work.

Section III - Funding

1. **SCDOT** shall be responsible for the cost of utility relocations pursuant to SC Code § 57-5-880 and 23 CFR 645A.

2. **UTILITY** is responsible for the cost of any betterments. Cost of betterments is estimated to be \$0.00.
3. **UTILITY** estimates the total cost of the Utility Work to be \$215,100.00, with such costs to be allocated as follows:
 - a. **SCDOT's** share is estimated at \$215,100.00.
 - b. **UTILITY's** share is estimated at \$0.00.
4. In accordance with its procurement practices and procedures, **SCDOT** will solicit bids for the construction of the Project, including the Utility Work, and will award the **SCDOT** Contract to the contractor with the lowest qualified bid for the overall work of the Project.
5. If the Utility Work contains any betterments or other work that is not an eligible cost under SC Code § 57-5-880, **SCDOT** will invoice **UTILITY** for that amount. **UTILITY** shall remit the invoiced amount to **SCDOT** within 30 days of receipt of the invoice. Any payment due must be received by **SCDOT** prior to execution of the construction contract.

Section IV – SCDOT's Responsibilities

1. Include the Utility Work in **SCDOT's** contract for the construction of the Project.
2. **SCDOT** will provide **SCDOT's** Contractor with all documents provided to **SCDOT** by **UTILITY**.
3. Allow **UTILITY** or **UTILITY's** Consulting Engineer and/or Inspector full access to the site when the Utility Work is underway.

Section V – UTILITY's Responsibilities

1. Apply for and receive all necessary permits (including Construction Permit Application Water/Wastewater Facilities through DHEC) for the Utility Work. The cost of these permits shall be reimbursable by **SCDOT**.
2. Provide all engineering design services, sealed construction plans and specifications, bid tab sheet, itemized estimated cost, a list of preferred contractors (minimum of 3) to meet **SCDOT's** letting schedule for the Project, and construction observation services for the Utility Work. These costs shall be reimbursable by **SCDOT**.
3. If construction plans and specifications provided by **UTILITY** are found to be inaccurate due to errors or omissions, **UTILITY** shall be responsible for any resulting damages, including delay damages and the costs attributable to such delays.
4. **UTILITY** must meet the bidding and construction schedule established by **SCDOT**. All documents necessary must be provided by **UTILITY** to **SCDOT** at least 180 days prior to receipt of bids for the Project. If the Project is under an accelerated schedule, **SCDOT** shall notify **UTILITY** of the date by which the documents must be provided.
5. Failure to meet the bidding and construction schedule requirements shall result in **UTILITY** having to bear all relocation costs.

Section VI – General Conditions

1. **SCDOT** shall have final approval on the location of all **UTILITY's** facilities within **SCDOT** Right-of-Way.

2. All work covered under this Agreement and performed by **SCDOT's** contractor shall be performed within **SCDOT** Right-of-Way.
3. Upon **UTILITY's** acceptance of the Utility Work, or any specific portion thereof, in accordance with the plans and specifications, **UTILITY** will assume sole and complete responsibility for the new facility. For purposes of this Agreement, **UTILITY** will be considered to have accepted the Utility Work, or any specific portion thereof, by assuming control of the Utility Work and commencing to utilize it.
4. Following acceptance, **UTILITY** will have sole responsibility for the operation and maintenance of the Utility Work and sole liability for any claims made by third-parties that arise from the design, construction, operation, or maintenance of the Utility Work in its entirety or the portion that has been accepted.
5. Following acceptance, **UTILITY** assumes any and all liability for accidents or injuries to persons, or damage to property (including the highway) that may be caused by the maintenance, use, moving, or removing of the water and/or sewer line and related appurtenances constituting the Utility Work as described herein.
6. Prior rights will remain in locations where prior rights currently exist. This Agreement shall not grant prior rights in locations where they do not currently exist.
7. Where **UTILITY** is on **SCDOT** right-of-way by encroachment, **UTILITY** agrees that if, in the opinion of **SCDOT's** Deputy Secretary of Engineering, it should ever become necessary to move or remove the Utility Work, including any future modifications thereto, on account of the change in locations of the highway, widening of the highway, or for any other sufficient reason, such moving or removing shall be done on demand of **SCDOT**.

Section VII – Counterparts

This Agreement may be executed in counterparts, and if so executed, shall become effective when a counterpart has been executed and delivered by both Parties hereto. All counterparts taken together shall constitute one and the same Agreement and shall be fully enforceable as such. Delivery of counterparts via facsimile transmission or via email with scanned attachment shall be effective as if originals thereof were delivered.

[Signature blocks on next page]

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed and sealed by their authorized representatives on the dates set forth below.

SIGNED, SEALED, AND DELIVERED
IN THE PRESENCE OF:

CITY OF CAYCE

BY: _____

WITNESS

TITLE: _____

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION

BY: _____

WITNESS

Deputy Secretary for Finance and Administration
or Designee

REB
JDB

RECOMMENDED BY:

R. Perry

Deputy Secretary of Engineering or Designee

[Signature]

REVIEWED BY:

Michael W. Barber
BY: _____

Director of Right of Way

Memorandum

To: Mayor and Council

From: Tracy Hegler, City Manager

Date: April 9, 2024

Subject: First 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 Districts

Issue

Council 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 Districts.

Background

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 Districts.

Recommendation

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

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

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.

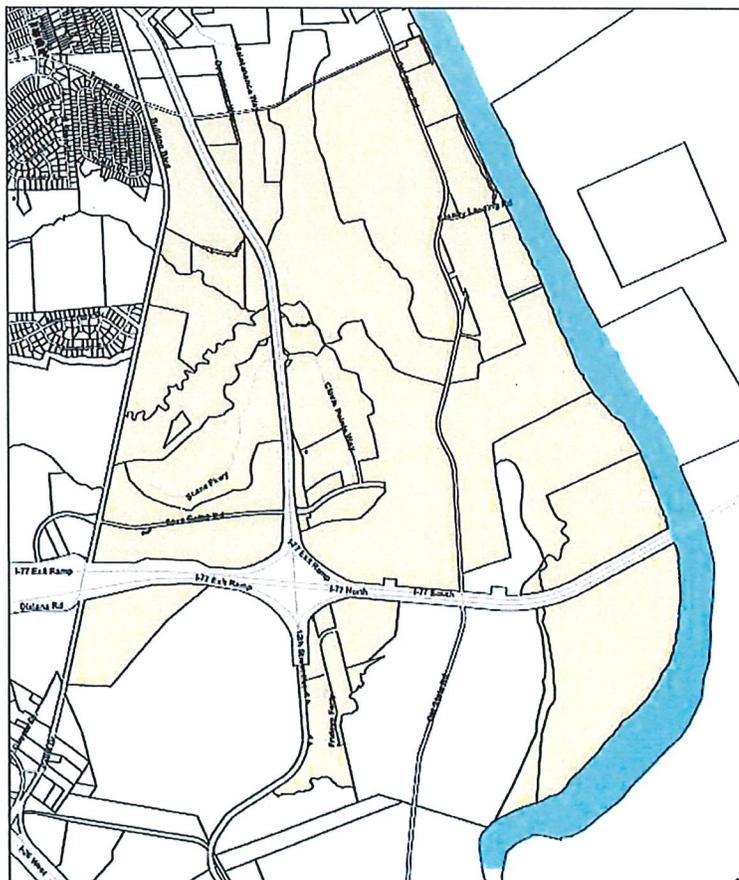


EXHIBIT A: Map of I-77 Gateway Design Overlay District

(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 12th 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) 12th 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 12th 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 12th Street Extension. Except for walks, driveways and permitted signs, the required

Memorandum

To: Mayor and Council

From: Tracy Hegler, City Manager

Date: April 9, 2024

Subject: Resolution Approving Leave Policy and Procedures for Employees of the City of Cayce

ISSUE

Discussion and Approval of a Resolution Approving Leave Policy and Procedures for Employees of the City of Cayce.

BACKGROUND

The City of Cayce has a reputation of taking care of its employees. Such examples include increasing starting salaries, Council approving Parental Leave, and increases in cost of living. City staff would like to recommend the following changes to the City's Leave Policy to remain competitive in the job market.

- Administration has compared the City's annual leave policy to many other local agencies and the State and proposes the following:

Employee Years	Current	Proposed
Hire to 1 Year	1 Week (40 Hrs.)	Hire to 5 Years - 2 Weeks (80 Hrs.)
Year 2 thru 9	2 Weeks (80 Hrs.)	5 Years to 15 Years - 3 Weeks (120 Hrs.)
Year 10 thru 19	3 Weeks (120 Hrs.)	Over 15 Years - 4 Weeks (160 Hrs.)
Year 20 and Above	4 Weeks (160 Hrs.)	

- Accrued annual leave for Assistant Director & Director positions and above will also be adjusted based on years of experience. Assistant Director & Director must be employed by the City of Cayce for a minimum of 5 years to receive a 50% Annual Leave payout and over 10 years to receive a 100% payout of Annual Leave. We have had several obstacles in filling our Director level positions due to not being competitive in our leave benefits. These positions are not entry level and require many years of experience.
- Annual leave accruals may be carried over each calendar year accruable up to 320 hours (current policy allows for 400 total hours to be accrued at paid out at time of departure). Any employee that currently has over 320 accrued hours will be grandfathered and will not lose any unspent hours and are entitled to full pay-out at time of departure from the City.
- Bereavement Leave- Immediate Family member is defined as a spouse or child death and entitles the employee with up to 10 days of paid leave to cope with that loss.

If approved, the following changes will affect all but 18 employees with the largest benefiting the 1-to-4-year employee. The second largest group is 5–15-year employee.

RECOMMENDATION

Staff recommends Council approve a Resolution Approving Leave Policy and Procedures for Employees of the City of Cayce to go into effect on April 11, 2024. Staff feels strongly that this will be a much-needed benefit for our current employees and will help in our recruitment efforts in an increasingly competitive environment.

STATE OF SOUTH CAROLINA	)	RESOLUTION
	)	Approving Leave Policy and
COUNTY OF LEXINGTON	)	Procedures for Employees of
	)	the City of Cayce
CITY OF CAYCE)	

WHEREAS, the City Council, upon the recommendation of the City Manager, wishes to approve and adopt the Leave Policy and Procedures for Employees developed by the City Manager; and

WHEREAS, S.C. Code section 5-7-260 allows the Council to proceed by resolution or ordinance with regard to those actions of Council, such as this one, that are not referred to in that Code section,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Cayce, in Council duly assembled, as follows:

The City Council hereby approves and adopts the attached Leave Policy and Procedures for City of Cayce employees.

ADOPTED this _____ day of April 2024.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk

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



CITY OF CAYCE, SOUTH CAROLINA LEAVE POLICY & PROCEDURES

ANNUAL LEAVE

The City of Cayce encourages employees to take annual leave for which they are eligible. Employees desiring to take annual leave should give their supervisors at least two weeks' advance notice if applicable. Annual leave will be scheduled as much as practical in accordance with employee requests. The City's workload demands, however, are paramount. An employee may be eligible to take annual leave after completing a successful introductory period with the City. Although employees who have not completed the introductory period accrue annual leave, the leave may not be taken until the introductory period has been completed or is approved by their department head.

Regular Full-Time Employees Accrual Rates

Hire date to five (5) years of continuous service: 3.08 hours bi-weekly (approximately 80 hours annually).

Greater than five (5) years of continuous service but less than fifteen (15) years of continuous service: 4.62 hours biweekly (approximately 120 hours annually).

Fifteen (15) years of continuous service or more: 6.15 hours biweekly (approximately 160 hours annually).

Accrued annual leave for Assistant Director & Director positions and above will also be adjusted based on years of experience. Assistant Director & Director must be employed by the City of Cayce for a minimum of 5 years to receive a 50% Annual Leave payout and over 10 years to receive a 100% payout of Annual Leave.

Regular Full-Time Shift Employee Accrual Rates (Fire Department):

Hire date to five (5) years of continuous service: 3.69 hours bi-weekly (approximately 96 hours annually).

Greater than five (5) years of continuous service but less than fifteen (15) years of continuous service: 5.54 hours bi-weekly (approximately 144 hours annually).

Fifteen (15) years of continuous service or more: 7.38 hours biweekly (approximately 192 hours annually).

Annual Leave Cap

Annual leave accruals may be carried over each calendar year accruable up to a maximum of three hundred twenty (320) hours for regular full-time employees. Accumulated annual leave credited to an employee at the time of a voluntary separation with the required notice will be paid to the employee, up to the maximum accrual limitation. Employees who are on a leave of absence for longer than 30 days, will not accrue annual leave. If the employee resigns, retires or separates on non-disciplinary terms, the employee may be paid out for their entire accrued balance up to 320 hours max.

Holiday Cash-In Benefit

Regular full-time employees may be able to "cash-in" annual leave to aid in holiday preparation. This benefit occurs only in the month of November and must adhere to the following guidelines:

- A minimum of 80 hours accrued annual leave must be available before the "cash-in" option is used.
- A maximum up to 40 hours is allowed to be "cached-in" and must be taken in 8-hour increments.
- The "cached-in" annual leave would be handled through a special payroll between the November and December payroll weeks. This benefit is available only at that time of the year.

Procedure:

- Any employee wishing to participate in this program must submit a leave form to Human Resources by November 1 of the year they want to “cash-in” their annual leave.
- The leave slip should detail the number of hours that they want to convert.
- Once the request is made, no changes will be accepted after November 10.
- Finance will generate a separate payroll check that may include required taxes.

SICK LEAVE

Regular full-time employees accrue sick leave at the rate of 3.70 hours per pay period (approximately 96 hours per year).

Sick leave pay may be granted to regular employees when they are unable to perform their duties because of sickness, injury (i.e. the first seven (7) days before Workers’ Compensation begins), or when absent for the purpose of being professionally treated (i.e. doctor, eye and dental appointments, etc.).

Sick leave cannot be granted automatically if a person is out of work: it must be requested. Sick leave must be approved by the employee’s immediate supervisor and department head and is subject to review by Human Resources and the City Manager. Sick leave is not to be taken in advance.

When sickness occurs within a period of annual leave, the period of illness, upon presentation of certification of a medical physician, may be charged as sick leave and the charge against annual leave shall be reduced accordingly.

Employees are permitted to use up to 40 hours of sick leave to care for a member of their immediate family who is ill or hospitalized- child, mother, father, spouse ONLY. The immediate family is considered to include stepfamily relationships. This benefit runs on a calendar year (January- December). After two days of absence, you MUST submit a written statement from a qualified physician stating that the treatment was for the employee’s immediate family member(s). If you cannot provide a statement, then annual leave will be used.

Discipline And Excessive Use of Leave

An attendance record is kept for every employee and is updated by the Human Resources Department every payroll. Several times a year, the records are checked for excessive absences and notification will be sent to all supervisors. If an employee is out for excessive absences, it is the Supervisors responsibility to address the situation and handle with proper documentation. Further infractions may lead to suspension or termination. Leave used for Workers Compensation will not be included in this rule.

The department head may require an employee to furnish certification of sickness or professional treatment at such time and for such period as he deems necessary for monitoring the use of sick leave.

Sick Leave Cap

Sick leave accruals may be carried over each calendar year accruable up to a maximum of seven hundred twenty (720) hours for regular full-time employees. Sick leave accruals are not paid out upon separation or retirement. Employees who are on a leave of absence for longer than 30 days, will not accrue sick leave.

PAID PARENTAL LEAVE POLICY

As of April 19, 2023, City of Cayce employees who give birth to a biological newborn child are entitled to receive 6 weeks of paid parental leave. City of Cayce employees whose co-parent gives birth to a biological newborn child are entitled to receive 2 weeks of paid parental leave following the birth of the employee's child. The City will also provide the same paid parental leave to employees following the initial placement of a child for legal adoption where the employee is primarily responsible for the care and nurturing of the child. The child must be 17 years of age or younger on or after April 19, 2023

The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted child. This policy will run concurrently with the Family and Medical Leave Act (FMLA) leave, as applicable. This policy will be in effect for births or adoptions occurring on or after April 19, 2023.

Eligibility

Eligible employees must meet the following criteria:

- Have been employed with the City of Cayce for at least 12 consecutive months.
- Have worked at least 1,250 hours during the 12 consecutive months immediately preceding the date the leave would begin.
- Be a full-time, regular employee (temporary employees and part-time employees are not eligible for this benefit).

In addition, employees must meet one of the following criteria:

- Have given birth to a child.
- Be a spouse or committed partner of a woman who has given birth to a child.
- Have adopted a child aged 17 or younger. The adoption of a new spouse's child is excluded from this policy.

Amount, Time Frame and Duration of Paid Parental Leave

- Eligible employees will receive a maximum of 240 hours (birth parent) or 80 hours (coparent) of paid parental leave per birth or adoption. The fact that a multiple birth or adoption occurs (e.g., the birth of twins or adoption of siblings) does not increase the 240-hours or 80 hours total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than 240 hours or 80 hours of paid parental leave in a rolling 12-month period, regardless of whether more than one birth or adoption placement event occurs within that 12-month time frame.
- Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay. Firefighting personnel have a special work schedule and a separate leave policy which will be communicated to them. Paid parental leave will be paid on a biweekly basis on regularly scheduled pay dates.
- Approved paid parental leave may be taken at any time during the twelve-month period immediately following the birth or adoption of a child with the employee. Paid parental leave may not be used or extended beyond this twelve-month time frame.
- Employees must take paid parental leave in one continuous period of leave up to the maximum paid parental leave allowed during the twelve-month time frame indicated above.
- If both parents are eligible City of Cayce employees, paid parental leave may be taken concurrently, consecutively, or at a different time as the other eligible employee.
- Upon termination of the individual's employment at the City of Cayce, he or she will not be paid for any unused paid parental leave for which he or she was eligible.

Coordination with Other Policies

- Paid parental leave taken under this policy will run concurrently with approved leave under FMLA; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth

or placement of a child due to adoption, the leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed 12 weeks during the 12-month rolling FMLA period. Please refer to the Family and Medical Leave Policy for further guidance.

- After the paid parental leave is exhausted, the balance of FMLA leave (if applicable) will be compensated through employee’s accrued sick and/or vacation time. Upon exhaustion of accrued sick and vacation time, any remaining leave will be unpaid leave. Please refer to the Family and Medical Leave Policy for further guidance.
- The City of Cayce will maintain all benefits for employees during the paid parental leave period just as if they were taking any other City paid leave such as paid vacation leave or paid sick leave.
- If a City of Cayce holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; such holiday pay will not be counted against the total paid parental leave entitlement.
- If the employee is on paid parental leave when the City of Cayce offices close for inclement weather or other non-traditional closing that time will be recorded as paid parental leave. City of Cayce office closure days will not extend the paid parental leave entitlement.
- An employee who takes paid parental leave that does not qualify for FMLA leave will be afforded the same level of job protection for the period of time that the employee is on paid parental leave as if the employee were on FMLA-qualifying leave.

Requests for Paid Parental Leave

- The employee will provide his or her supervisor and the human resource department with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary HR forms and provide all documentation as required by the HR department to substantiate the request.
- As is the case with all City of Cayce policies, the City has the exclusive right to interpret this policy.

Required Documentation

- Employees must submit the requested documentation to receive the Paid Parental Leave within thirty (30) days of the birth or initial legal placement for adoption, or as soon as is practicable after the documentation becomes available. Employees may be permitted to begin Paid Parental Leave following the qualifying event and pending receipt of this documentation. However, if the required documentation is not provided within thirty (30) days of the event, the employee will be required to substitute all other paid leave available and, if sufficient leave is not available, will be placed on Leave Without Pay for the period they were absent from work. *Please note that the documentation required related to FMLA leave is governed by the Family Medical Leave Act. While the request for Paid Parental Leave and the paperwork related to FMLA leave require some of the same information, the Paid Parental Leave request and FMLA paperwork are separate documents.*
- The employee is required to supply only one form of documentation from the applicable qualifying event list below:

Qualifying Event	Required Documentation (Employee Selects One)
Adoption	- Adoption order and/or agreement confirming the initial date of placement
Birth	- Birth Certificate - Custody Order

All documents must include the date of the qualifying event and reflect that the employee is the legal parent of the child.

RECOGNIZED HOLIDAYS

The following days are currently considered official holidays for regular full-time employees whose work does not require their being on duty:

- New Year's Day
- Martin Luther King, Jr.'s Birthday
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Juneteenth Day
- Veteran's Day
- Thanksgiving Day/Day after Thanksgiving
- Christmas Eve/Christmas Day/Day after Christmas

Additionally, the City typically provides employees with three (3) hours of leave on the day before Thanksgiving.

When the holiday falls on Saturday, the preceding Friday is usually observed. When the holiday falls on Sunday, the following Monday is usually observed as the holiday. If a holiday falls in a week during which a regular employee is required to work his full scheduled hours, he will be paid his regular rate of pay in addition to eight hours of holiday pay at straight rate.

To receive holiday pay, the employee must work his last scheduled working day before, and first scheduled working day after a holiday or have approved annual leave, pre-approved sick leave or provide a doctor's excuse.

COUPONS

The City may annually reward the employees with a free day off coupon for Safe Driver. Any coupon program must be prior approved by the City Manager and Council due to possible budgetary impact.

PERSONAL LEAVE TIME FOR SICK FAMILY MEMBERS

The City of Cayce currently provides paid annual and sick leave for all regular full-time personnel. Effective 1/1/2021, employees are permitted to use up to 40 hours of sick leave when they need to be off in cases where a member of their immediate family is ill or hospitalized - child, mother, father, spouse ONLY. The immediate family is considered to include stepfamily relationships. This benefit runs on a CALENDAR YEAR (January – December).

It should be stressed that this policy and the use of these sick days by City employees is not a substitute for annual leave or non-family illness or business reasons, or purposes other than noted above. After two days absent, you MUST provide a written statement from a qualified physician stating that the treatment was for the employee's immediate family member(s) (as stated above). If you cannot provide a statement, then annual leave will be used.

MEDICAL/PERSONAL

PHYSICAL DISABILITY AND PERSONAL LEAVE (APPLIES ONLY TO EMPLOYEES EMPLOYED LESS THAN 12 MONTHS AND TO EMPLOYEES WHO HAVE WORKED FEWER THAN 1250 HOURS OR LESS IN THE PRECEDING 12 MONTHS).

An employee who has completed his introductory period (and any extension thereof) may request a leave of absence for up to 12 weeks when unable to work because of sickness, pregnancy or injury on or off the job. Such an employee may also apply for leave of absence for personal reasons. Personal leave or any extensions of medical leave must be supported by proper documentation and granted only at the discretion of the City Manager.

Employees are requested to apply for leaves of absence as far in advance of need as is possible, but an employee may be placed on leave status without application when the circumstances warrant such action.

Physical disability leave begins on the first day of absence.

After the employee has exhausted his annual and/or sick leave, as a general rule, an employee on leave of absence is not entitled to wages or fringe benefits and does not accrue fringe benefits. Employees on leave of absence may not engage in other employment.

Employees desiring to return to work from an unpaid leave of absence should notify the Human Resources Department in writing at least ten days prior to their desired return date. If the City finds that the employee is fit to resume his duties, the employee may be returned to his previous position if it is vacant and is to be filled, or to some other position of equal or lesser compensation for which he is qualified and where there is a vacancy to be filled. If the employee is not returned to active employment, he may be continued on leave of absence status until he is returned to active duty status or his leave of absence expires, whichever occurs sooner. Any employee who has not been reinstated within six months following the commencement of a leave of absence is subject to termination if no reasonable accommodation can be made. Termination does not affect the employee's eligibility to be considered for hire as a new employee at some future time. Further, employees with circumstances that warrant special consideration should bring those circumstances to the attention of management.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

Applies only to employees employed 12 months or longer and who have worked 1250 hours or more in the preceding 12 months, both prior to commencement of leave.

General Information

Employees who meet the length of service and hours worked requirement described above have rights under the Family and Medical Leave Act. Generally, employees must request leaves of absence under this law and policy but, in appropriate situations, employees may be placed on leave status without application.

Reason for Leave of Absence

1. Medical and Family Leave.

An eligible employee may be entitled to a leave of absence under this law and policy if a serious health condition, including disability resulting from an on-the-job injury, prevents the employee from being able to perform his job, if the employee's spouse, child or parent has a serious health condition and the employee must be absent from work in order to care for that relative, or to care for a natural child, adopted child, or formally placed foster child, provided that entitlement to leave to care for a child who is newly born or newly received in the employee's household shall end 12 months after a natural child is born or 12 months after an adopted or foster child is received in the employee's household.

2. Military Caregiver Leave.

An eligible employee whose spouse, parent, child or next-of-kin is a covered service member of the Armed Forces of the United States may be entitled to leave of absence to care for the service member if he is injured while on covered active duty.

3. Qualifying Military Exigency Leave.

An eligible employee whose spouse, parent or child is a member of the Armed Forces of the United States and is on active duty or called to active duty in federal service may be entitled to a leave of absence due to one or more qualifying exigencies arising out of the active duty or call to active duty. Qualifying exigencies are: (1) Short-notice deployment (*i.e.*, notice of 7 days or less); (2) Military events and related activities; (3) Childcare and school activities (regular or routine childcare by the employee

does not count); (4) Financial and legal arrangements; (5) Counseling; (6) Rest and recuperation; (7) Post-deployment activities; and (8) Additional activities not encompassed in the other categories, but agreed to by the employer and employee.

Proof of need for leave of absence may be required regardless of the type of leave taken.

An eligible employee will be granted a leave of absence under this law and policy if a serious health condition, including disability resulting from an on-the-job injury, prevents the employee from being able to perform his job; if the employee's spouse, child or parent has a serious health condition and the employee must be absent from work to care for that relative; or if the employee must care for a natural child, adopted child, or formally placed foster child, provided that entitlement to leave to care for a child who is newly born or newly received in the employee's household shall end 12 months after a natural child is born or 12 months after an adopted or foster child is received in the employee's household.

Length of Leave

1. Medical and Family Leave.

An eligible employee may take the equivalent of a total of 12 work weeks of leave during any 12 consecutive months for his own serious health condition, that of a parent, spouse or child, or to care for a newly born or newly received child. Leave to care for a newly born or newly received child must be taken consecutively. Leave required because of the employee's own serious health condition or that of a spouse, child, or parent, may be taken intermittently or by means of a modified work schedule when necessary.

2. Military Caregiver Leave.

Leave to care for an injured service member may be taken for up to 26 work weeks in a single 12 month period. Any leave taken by the employee for any other FMLA-qualifying reason will count against the 26 weeks of leave permitted to care for an injured service member.

3. Qualifying Military Exigency Leave.

Leave taken because of a qualifying exigency is available for up to 12 work weeks in any 12 consecutive months. Leave taken because of a short notice deployment is limited 7 days from the date of notice, and leave taken to be with the service member during periods of rest and recuperation are limited to 5 days per period of rest and recuperation. Leave taken to attend post-deployment activities must be taken within 90 days of the end of active-duty service.

Coordination of Leave and Paid Time Off

An employee who must be absent due to his own serious health condition will be paid for time lost from work first from any accrued sick leave balances then from any accrued annual leave balances and similar balances. An employee who takes leave for any other reason will be paid for time lost from work from any accrued annual leave balance and similar balances. Leave taken under this policy counts toward the employee's 12-weeks (or 26-weeks, where appropriate) of leave regardless of whether all or part of the employee's leave is paid.

Effect of Leave on Accrual of Fringe Benefits

1. Health benefit plan.

Employees taking leave under this policy must continue to pay their portion of health benefit plan premiums on the same date that such portion of premiums would be deducted from the employee's wages. Failure to make timely premium payments may result in a lapse or termination of benefits.

2. Accrual of paid leave.

Unpaid time lost from work due to leave granted under this policy is not considered time worked for the purpose of accrual of paid time off.

Employee Responsibility

Employees who request leave under this policy must give 30 days advance notice or such lesser amount of notice as is possible in the particular circumstances. When the need for leave is unforeseeable, the employee must follow the normal procedure for reporting an absence. Employees may not engage in other employment while on leave of absence without the express written permission of the [administrator/manager/mayor].

Termination of Leave of Absence

A leave of absence under this policy generally ends when the need for the leave of absence ends or when the maximum leave described above has been taken, whichever occurs sooner.

Reinstatement

At or before the conclusion of the FMLA leave of absence the employee is entitled to reinstatement to his former position or to a position equivalent to his former position. The employee must demonstrate that he is fit for duty and must give reasonable notice of intent to return to work.

Extension of Leave Without Benefits

An employee who is unable to perform the duties of his position due to his own disability and who has exhausted his entitlement to leave under the Family and Medical Leave Act by taking 12 consecutive weeks of leave may, in the discretion of the [administrator/manager/mayor], upon written application, be granted up to an additional 12 weeks of leave. This additional leave of absence does not entitle the employee to reinstatement or to payment of any portion of his health benefit plan premiums. If the employee is able to return to work prior to the exhaustion of his extended leave, he may be returned to his previous position if it is vacant and is to be filled, or to some other position of equal or lesser compensation for which he is qualified and where there is a vacancy to be filled. If the employee is not returned to active employment, he may be continued on extended leave of absence status until he is returned to active-duty status or his extended leave of absence expires, whichever occurs sooner. Employees who have exhausted their FMLA leave under other circumstances, but who continue to require leave that would qualify for FMLA leave if such leave had not been exhausted, may apply for an extended leave of absence for personal reasons. Such extended leaves are granted only at the discretion of the City Manager.

Special Situations

1. Spouses

When both a husband and a wife are employed by the City, their combined right to a leave of absence because of the birth or placement of a child, or to care for a newly born or placed child or to care for a parent with a serious health condition is 12 weeks in a 12-month period, or 26 weeks in a single 12-month period to care for an injured service member.

2. Key employees (salaried employee in highest paid 10 percent of all employees).

Such employees may be denied reinstatement rights if reinstatement would cause substantial and grievous economic injury to operations.

Notice of Rights

Federal law requires that we provide you with the notice of your rights that appears as Appendix A. (At the End of this Document)

MEDICAL COMMUNICATIONS

Employees may be required to have a medical examination before they return to work from leave involving the employees own serious health condition whenever a genuine issue exists as to whether the employee can perform the essential functions of the job. Medical examinations required by City of Cayce will be paid for by City of Cayce. The results of the examination become the property of City of Cayce.

Employees who become ill on the job or suffer any work-related injury, no matter how minor, and any other employee who observes such illness or injury are required to report the incident immediately to their supervisor or other management official.

Giving false information about an alleged injury or illness on oneself or another person may result in disciplinary action, up to and including termination without notice.

MILITARY/UNIFORMED SERVICE LEAVE

Employees are entitled to leave of absence and reinstatement upon return from leave of absence for military service (including Reserve and National Guard duty) as may be provided by applicable state and federal law. The provisions of these laws change from time to time and for that reason no effort is made to set forth the law in this policy.

Employees on military leave receive paid leave for up to 15 days per military fiscal year for training or call-up. In addition, if an employee is called upon to serve during an emergency the employee receives paid leave for not exceeding thirty additional days.

Military Leave is any time off that is provided to staff who are members of the National Guard or other reserve component of the United States Armed Services and who are called to active duty, attend scheduled reserve service, and/or temporary training duty. Paid leave will only be granted for Military branches recognized as part of the US Armed Forces. The SC State Guard is not considered part of the US Armed Forces. SC State Guard leave will be approved but will not be paid.

JURY DUTY

The city recognizes Jury Duty as a civic responsibility and an opportunity for meaningful service. Accordingly, an employee who is summoned to report to jury duty shall be excused from employment for the days required to serve as a juror. Employees who serve will be compensated in addition to court payments so that the daily amount will equal their normal daily earnings up to a *maximum of ten working days per calendar year*. However, an employee will not be compensated for more than 8 hours in any one day, or for more than 40 hours per week. Employees are expected to report to work when released by the court on any day of jury service.

BEREAVEMENT

The city recognizes the problems involved when a member of one's immediate family passes away. To lend assistance, the city grants paid time off to regular employees up to a maximum of ten scheduled workdays (Two Weeks) in order to arrange for and/or attend the funeral service. Verification of the reason for the absence may be required upon request of the employee's supervisor, department head or Human Resources. Pay for each day of funeral leave will be made at the employee's current straight-time rate of pay for a scheduled workday. For the purpose of this policy, "immediate family" is defined as being the employee's spouse, son, or daughter. Three days may be granted for family. For the purpose of this policy "family" is defined as father, mother, brother, sister, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law or any other dependent living in the employee's household. The family is considered to include stepfamily relationships.

In the case of other close relatives, the allowance is limited to not more than two full days of absence to be reimbursed at one scheduled day's straight rate employee's brother-in-law, sister-in-law, aunt, uncle, niece, nephew. The allowance is limited to not more than one full day of absence to be reimbursed at one scheduled day's straight rate for the employees' cousin. If the employee wishes to attend the funeral of a person who is not named above, the employee should request a personal leave of absence through their Department Head and the Human Resources Department, explaining the nature of his relationship with the deceased. The employee will receive no pay for the period he is on leave, or it can be charged to annual leave.

Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #209V(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

Am I eligible to take FMLA leave?

You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **any** of the following apply:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

How do I request FMLA leave?

Generally, to request FMLA leave you **must**:

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

What does my employer need to do?

If you are eligible for FMLA leave, your **employer must**:

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your **employer must notify you in writing**:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

SCAN ME





**APPROVED MINUTES
BOARD OF ZONING APPEALS
CAYCE CITY HALL
1800 12th Street Extension
Monday, December 18, 2023
6:00 PM**

I. CALL TO ORDER

The meeting was called to order by Chair Jason Simpson. Board of Zoning Appeals members Matt Stroud and Cindy Pedersen were present. Monique Ocean and Michael Conley were present as staff.

II. APPROVAL OF MINUTES

- a. Matt Stroud made a motion to approve the minutes of January 23, 2023, meeting and the minutes of June 26, 2023, meeting. All were in favor.

III. STATEMENT OF NOTIFICATION

Ms. Ocean confirmed that the public and media were informed of the meeting and public hearing.

IV. OPEN PUBLIC HEARING - VA002-23

The applicant requests a variance from Article 8 Sign Regulations Table 8-B (Number, Dimension, and Location of Signs Requiring a Permit by Zoning District) to allow a modification in the number of free-standing signs permitted per lot (increase the number of allowable signs from one to two). The property is located at 1111 Knox Abbott Drive (Tax Map Number 004650-01-026). The property is zoned C-3 and located in the Knox Abbott Drive Overlay Design District.

a. Opening Statement

Mr. Hall Gladden of Colite Signs came before the Board as the applicant for the variance request. Mr. Hall stated that the new structure is an urgent care and imaging center. Mr. Gladden stated that the building has two separate lobbies. He stated that it is a regulatory component of the urgent care for sick patients to be separate from the imaging center. Mr. Gladden stated that having a sign at each entrance would improve visibility for a patient who is experiencing an emergency and needed to find the urgent care portion of the building. Mr. Gladden stated that having an additional sign would also be beneficial to direct ambulances coming to the building. Dale Thompson of Lexington Medical Center came before the Board to speak on the variance request. Mr. Thompson stated that the facility is a dual modality facility and needs a sign at each entrance.

b. Public Comment

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

V. CLOSE PUBLIC HEARING - VA002-23

With no further discussion, the public hearing was closed.

VI. DISCUSSION – VA002-23

The staff evaluation report was presented to the audience and read by Monique Ocean. Ms. Ocean stated that staff does not recommend approval of the variance request and that it is staff's opinion that the applicant has failed to provide evidence a hardship to justify the variance request. Ms. Ocean ended by stating that staff's comments are intended for clarification and the final decision will be made by the Board.

VII. MOTION – VA002-23

Cindy Pedersen made a motion to deny the variance request because the Board could not find extraordinary and exceptional conditions that pertain to the property. The Board agreed that the commercial use as a dual modality healthcare facility does not apply to the physical condition of the property and that application of the sign ordinance would not restrict use of the property. Jason Simpson seconded the motion. The vote to deny the variance request was unanimous.

VIII. OTHER BUSINESS

Ms. Ocean mentioned to the Board that the next meeting would be to adopt the annual calendar and to elect officers. She stated By-Laws would be reviewed also.

IX. ADJOURNMENT

With no further discussion, all were in favor of adjourning the meeting.

Cayce Historical Museum Commission

February 7, 2024

Meeting Minutes

The January 1, 2024 meeting of the Cayce Historical Museum Commission (CHMC) was held in the Cayce Visitors Center. The meeting was convened at 4:05pm by Chair James Stewart. The following individuals attended the meeting:

Name	Status
James Stewart	Chair
Pamela Sulton	Vice Chair
Marcy Hayden	Secretary
Archie Moore	Commissioner
A.G. Dantzler	Commissioner
Charlita Earle	Commissioner
Garrett Creasman	Commissioner (absent)
Mary Sharp	Commissioner
David Brinkman	Commissioner
Andy Thomas	Cayce Museum Curator
Elizabeth Lumsden	Cayce Museum Assistant
Jeff Wilkinson	Volunteer
Mike Conely	Asst. City Manager

Upcoming Events:

2/8-African American Exhibit Opening Reception 6pm-8pm
 March-TBA Native American Lecture/Class-Marcy Hayden
 March 23rd-Soiree on State Street
 April 6th-Tartan Day South

Invocation: Commissioner Dantzler

Action Items:

Debriefing of Christmas Traditions Event
 Historic Preservation Planning and Goals

September Meeting Minutes:

The Commission reviewed the previous meeting minutes. Commissioner Moore asked for a typo to be changed. Commissioner Sulton motioned that the meeting minutes be accepted with change. Commissioner Earle seconded the motion, and the minutes were approved by unanimous vote.

Museum Staff Report

African American Exhibit opening reception will be held on February 8th from 6pm-8pm. Commissioners that are volunteering to assist with the event should be at the Museum at 5:30pm to assist the African American Committee.

Staff reported that all of the Christmas decorations have been stored including the stalls and lumber. Mr. Thomas will debrief further during that portion of the agenda.

The appraisal for Catawba Pottery Collection has been completed and Mr. Thomas has received the final report. The City is working with underwriters to increase insurance coverage to include the pottery. The next steps after insurance will be to plan the exhibit and seek sponsorships for the exhibit.

A bid to repair the Museum windows has been approved and five windows are set to be replaced with wooden windows by June 30th. There are a total of 15 windows that need to be replaced. Additionally, bids have been received to do repairs on the floor and walls of the Public Safety building and is scheduled to be approved in March. Bill Clark from the City garage is getting an estimate for the vintage fire truck brake repairs.

The Confederate money floating wall is up and has a case and pedestal ready for the exhibit update. Additionally, the Columbia Airport Exhibit will be the changing exhibit area and will replace the speedway exhibit. Ms. Lumdsen is working with Columbia Airport to secure items for display and market the event. Ms. Sulton suggested they include interviews of the employees that worked there over the years to tie the exhibit to the residents.

The staff is scheduling a homeschool event on March 9th. Details (TBA). Commissioner Hayden has been asked to give a lecture or class regarding Native American culture. "Sweet Night" fundraiser and introduction to the Cayce Historical Foundation has been canceled until further notice.

Christmas in Cayce-Lessons Learned

Commissioners and Staff debriefed regarding the planning and execution of the Christmas in Cayce-Cayce Traditions events.

- **Vendors:** The vendors that were originally scheduled to participate reported that they received great advertising. Thank-you notes should be sent to those that came on the alternative date. Number of vendors could be increased with some vendors in stalls and others outside of stalls or inside.
- **Weather:** Future events need to be planned with a back-up weather location and dry space for vendors if rain is in forecast. Events need to be rain or shine, unless, like last year, the City shuts down due to inclement weather. The date of the event should not be changed and this affected numbers.

- **Volunteers:** Volunteers were very helpful in decorating, putting up trees and stalls, and during the event. Additional “volunteer days” should be scheduled as there is normally one day for decorating. Additional days can be planned to help pack up decorations as well. There was a great volunteer turn out and school groups or other organizations will be an asset in future.
- **Marketing:** The advertising from the City was good, but better coordination between the Events Committee and others would be helpful in the future. The Chair offered to coordinate with other Committee Chairs.
- **Other Items:** During strategic planning sessions, task lists, assignments, and volunteer lists were discussed.

Strategic Planning

The Commissioners completed the first part of the strategic planning process on October 11 with StopGap Solutions. The second session occurred on 30th, 2024 from 12-4pm at the Museum. The finalized report will be sent in the following weeks.

Historic Preservation

Potential Historic Preservation Initiatives:

- Demolition Permit Process change to allow for a two week delay/review period to determine if something is “historically significant” to Cayce. Commissioners discussed the pros and cons of this initiative and roles of the Commission in this process. Additional information will be needed and research into other communities that have adopted such processes.
- Creation of a list of “Significant Resources” for the City of Cayce which would include a survey process, review and development of a process to make the determination. This list would include “historically significant” sites that would include structures/locations that are 50 years or older, have historic, pre-historic, architectural or other value to the community based on historic preservation best practices. Additional information is needed regarding development of this list and it was suggested to seek out city preservationists (City of Columbia and Historic Columbia) to get more information regarding ordinances and initiatives.
- Erecting Historical Markers-As part of preservation efforts, City of Cayce or Cayce Historic Foundation markers could be erected around sites or locations to bring awareness of these sites and the history of the community. An ad hoc committee could be created to review applications for these markers and members could be from local neighborhoods. Additionally, meeting with neighborhoods will be a great way to let communities know about this initiative and how they can preserve their communities history.

Additional discussion by Commissioners included specific places, place names and other items that could be included on the list. Discussion around these initiatives ideas will continue.

Donations

No updates at this time.

Old State Road NRHP Nomination

No updates at this time.

Additional Business:

No additional business.

With no other business on the meeting agenda, Commissioner Earle motioned to adjourn the meeting. Commissioner Brinkman seconded the motion and the Commission voted unanimously to adjourn the meeting at **5:15 PM.**



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

**APPROVED MINUTES
PLANNING COMMISSION
MONDAY, FEBRUARY 26, 2024
CAYCE CITY HALL - 1800 12th Street
6:30 PM**

I. CALL TO ORDER

The meeting was called to order by Chair Richard Boiteau. Members present were Robert Power, Michael Wuest, Patty Foy, Nancy Stone-Collum, and Danny Creamer. Planning Commissioner Michael Mahoney was absent. Staff present were Michael Conley and Monique Ocean.

II. APPROVAL OF MINUTES

Nancy Stone-Collum made a motion to approve the minutes to the January 22, 2024, meeting with corrections. Danny Creamer seconded the motion. All were in favor.

III. STATEMENT OF NOTIFICATION

Ms. Ocean confirmed that the media and public were made aware of the meeting.

IV. COMMISSION MATTERS

a. Review and Adoption of Amended Bylaws for the Planning Commission

Staff discussed the Planning Commission requested changes that had been made to the Commission's Bylaws. Nancy Stone - Collum made a motion to replace the language regarding appointment of the Secretary with the language from the South Carolina MASC Model document. Danny Creamer seconded the motion. By a vote of 2 in favor and 4 against, the motion to use the language from the MASC did not pass. The Planning Commission requested that language regarding plats presented to the Planning Commission also be revised. Grammatical errors were also pointed out and the addition of page numbers was requested. Danny Creamer made a motion to adopt the Bylaws with the revisions. Michael Wuest seconded the motion all were in favor.

V. NEW BUSINESS

A Staff report was given of new development throughout the City.

VI. ADJOURNMENT

Michael Wuest made a motion to adjourn. Patty Foy seconded the motion. All were in favor.

COUNCIL ACTION REQUIRED

BOARD OF ZONING APPEAL – TWO (2) POSITIONS

The Board of Zoning Appeal currently has two (2) open positions. The City has received potential member applications from Ms. Shirley McClerkin-Motley, Mr. Phillip Corley, Ms. Karen Fitch and Mr. Chip Salek Jr. in that order. Their applications are attached for Council's review.

PLANNING COMMISSION – ONE (1) POSITION

Ms. Patty Foy's term on the Planning Commission expired in March and she would like to serve again. She has served on the Commission since 2022 and consistently attends meetings. Her 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 or by calling City Hall at 803-796-9020.

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



CITY OF CAYCE
COMMITTEE MEMBER REAPPOINTMENT APPLICATION

Name: Patty Foy
 Home Address: Blake Dr. City, State, Zip Cayce SC 29033
 Telephone: 803- E-Mail Address _____
 Resident of Cayce: Yes No Number of Years 3

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: Columbia Skin Clinic Position Director of Operations
 Address: 3600 Forest Drive Suite 400
 City, State, Zip Columbia SC 29204 Telephone: 803 719-1316
 Fax: _____ E-Mail pfoyl@columbiaskinclinic.com
 Work Experience: 20+ years in management & operations

Educational Background: BA Univ of South Carolina - Psychology
Masters (M.Ed.) Univ of South Carolina - Personnel Services/HR

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

SHRM, Columbia Running Club,

Volunteer Work: Animal rescue

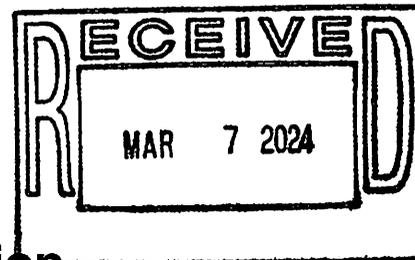
Hobbies: Tennis, running, Pickleball

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



City of Cayce Potential Member Application

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

Date

3/7/2024

Name

Shirley McClerklin-Motley

Home Address

Arden Lane, Cayce, South Carolina 29033

Phone

(803)

Email

Are you a resident of Cayce?

Yes

Number of Years

30

Do you have a business in Cayce?

No

Number of Years

Committee(s) for which you are applying

Municipal Election Commission

Board of Zoning Appeals

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

No

If yes, specify below:

Work Address

207, Arden Lane, Cayce, South Carolina 29033

Phone

(803) 796-7001

Email

shirleymcclerklin@att.net

Work Experience

Department Chair, Coker University

Adjunct Faculty, Johnson C. Smith University

Foster Parents Trainer for South Carolina Foster Parents Association

Program Director II for SCDSS

Educational Background

Ph.D. from Capella University

MSW from University of South Carolina

BSW from Benedict College

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

Member Marquis Who's Who Among Professionals
Member of NASW

Volunteer Work:

Refuge House of Prayer
Cayce African American Musuem

Hobbies

Writing
Reading
Research

**For additional information please contact Mendy Corder at 803-550-9557 or email
mcorder@caycesc.gov**



City of Cayce Potential Member Application

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

Date

4/2/2024

Name

Phillip Corley

Home Address

Tamwood Cir, CAYCE, South Carolina 29033

Phone

(803)

Email

Are you a resident of Cayce?

Yes

Number of Years

23

Do you have a business in Cayce?

No

Number of Years

Committee(s) for which you are applying

Board of Zoning Appeals

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

4500 12th Street Extension, West Columbia, South Carolina 29033

Phone

(803) 600-5775

Email

corleyp68@gmail.com

Work Experience

Nephron Pharmaceutical Corp 2013-present (Maintenance Manager), Eastman Chemical Company

July 1995-Nov. 2013 (Electrical and Instrumentation Technician)

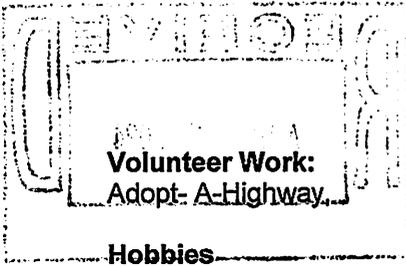
Educational Background

Pelion High School- Diploma, Midlands Technical College- Associates Degree in Business Management,

USAF Basic Military Training and Technical School for F-16 Aircraft Electrician

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

Moss Creek Neighborhood Association, Desert Storm Veteran,



Hobbies
Spending time with family, golf, yard work

For additional information please contact Mendy Corder at 803-550-9557 or email mcorder@caycesc.gov



City of Cayce Potential Member Application

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

Date

4/3/2024

Name

Karen Fitch

Home Address

Holland Ave, Cayce, South Carolina 29033

Phone

(513)

Email

Are you a resident of Cayce?

Yes

Number of Years

14

Do you have a business in Cayce?

Yes

Number of Years

12

Committee(s) for which you are applying

- Planning Commission
- Board of Zoning Appeals
- Events Committee
- 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

532 Holland Ave, Cayce, South Carolina 29033

Phone

(513) 633-8911

Email

karenfitch85@gmail.com

Work Experience

- City of Columbia Parks and Recreation
- Former HS teacher (13 years)
- Paralegal (2.5 years)
- Sports Media (4 years)

Educational Background

B.A. Purdue University

M. Ed. Xavier University

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

Volunteer Work:

Writer for Southern Paws and Tails

Former Board Member of ARPKD/CHF (rare disease org)

Various work with animal rescues and lost pets

Hobbies

Triathlon

**For additional information please contact Mendy Corder at 803-550-9557 or email
mcorder@caycesc.gov**



City of Cayce Potential Member Application

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

Date

4/4/2024

Name

Thomas "Chip" Salak, Jr.

Home Address

Tamwood Circle, Cayce, South Carolina 29033

Phone

(803)

Email

Are you a resident of Cayce?

Yes

Number of Years

since 1994

Do you have a business in Cayce?

No

Number of Years

Committee(s) for which you are applying

Planning Commission
Board of Zoning Appeals

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

No

If yes, specify below:

Work Address

Young Office, 1104 Shop Road, Columbia, South Carolina 29201

Phone

(803) 603-8554

Email

csalak@youngoffice.com

Work Experience

Commercial Sales (Flooring) since 1997
Telecommunication Sales (10 Years prior)

Educational Background

2 Year Associates Degree in Business 1974 Chowan College

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

Current Member/Past Chairman C-100 Board/Central SC Alliance (Economic Development) State Chapter of NDA/QDMA Legislative Advocacy Coordinator

Volunteer Work:

NDA/QDMA President Hunting Organization, Overseas Mission work with Northside Baptist church

Hobbies

Outdoor activities (Hunting , Fishing, some golf) yard work, attend Cayce Council meetings regularly

**For additional information please contact Mendy Corder at 803-550-9557 or email
mcorder@caycesc.gov**