

# CITY OF CAYCE

*MAYOR*  
ELISE PARTIN

*MAYOR PRO-TEM*  
JAMES E. JENKINS

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

*CITY MANAGER*  
REBECCA VANCE

*ASSISTANT CITY MANAGER*  
SHAUN M. GREENWOOD

**City of Cayce  
Regular Council Meeting  
Tuesday, August 4, 2015  
6:00 p.m. – Council Chambers - 1800 12<sup>th</sup> Street  
[www.cityofcayce-sc.gov](http://www.cityofcayce-sc.gov)**

**I. Call to Order**

- A. Invocation and Pledge of Allegiance
- B. Approval of Minutes  
July 7, 2015 Regular Meeting  
July 15, 2015 Council Strategic Planning Session

**II. Presentations**

- A. Presentation by Ms. Stephanie Schroeder re Flood Insurance Rates

**III. Public Comment regarding Items on the Agenda**

**IV. Resolutions**

- A. Consideration and Approval of Resolution Approving Intergovernmental Mutual Aid Agreement for the Three Rivers Greenway

**V. Other**

- A. Discussion and Approval of the City of Cayce's Unsafe Structure Program Guidelines

**VI. City Manager's Report**

**VII. Committee Matters**

- A. Approval to enter the following approved Committee Minutes into the City's Official Record  
Beautification Board – June 9, 2015
- B. Appointments and Reappointments  
Beautification Foundation – One (1) Position

**VIII. Council Comments**

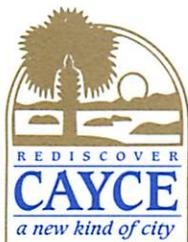
**IX. Executive Session**

- A. Receipt of legal advice relating to claims and potential claims by the City and other matters covered by the attorney-client privilege
- B. Discussion of negotiations incident to proposed contractual arrangements with SCDOT for mast arms on Knox Abbott Drive
- C. Discussion of negotiations incident to proposed contractual arrangements for the use of TIF Funds related to Phase I of Knox Abbott Drive Pedestrian Safety and Traffic Calming Project
- D. Discussion of negotiations incident to proposed contractual arrangements for City Hall repairs
- E. Discussion of negotiations incident to a contractual arrangements for repairs in Riverwalk Phase II
- F. Discussion of negotiations incident to proposed contractual arrangements for funding for Utility projects

**X. Possible Actions by Council in follow up to Executive Session**

**XI. 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 July 7, 2015

The July Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Council Members Tara Almond, Eva Corley, Tim James and James Jenkins, City Manager Rebecca Vance, Assistant City Manager Shaun Greenwood and Municipal Clerk Mendy Corder. Municipal Treasurer Garry Huddle, City Attorney Danny Crowe, Director of Utilities Blake Bridwell, and Chief Charles McNair were also in attendance.

Mayor Partin asked if members of the press and the public were duly notified of the Council Meeting in accordance with the FOIA. Ms. Corder confirmed they were notified.

#### Call to Order

Mayor Partin called the meeting to order. Council Member James gave the invocation. Mayor Partin introduced Ms. Darlene Walton to lead the assembly in the Pledge of Allegiance. Ms. Walton served in the United States Army Women's Army Corp as a Field Medic/Neuro Psych Technician at Brooks Army Medical Center. She also took care of returning injured soldiers at Ft. Sam Houston, Texas. She was the Adjutant/Finance Officer for Post 130 Cayce Memorial and has been the Commander for the past two years. Ms. Walton served on the Hospital and Vet Benefit Committee for six years and was the State American Legion Representative at Dorn Medical.

#### Approval of Minutes

Council Member Jenkins made a motion to approve the June 2, 2015 Regular Council Meeting minutes, the June 8, 2015 Special Council Meeting minutes and the June 17, 2015 Public Hearing and Special Council Meeting minutes as written. Council Member James seconded the motion which was unanimously approved by roll call vote.

#### Presentations

##### A. Presentation of Whole Sole Awards

Mayor Partin asked Mr. Ben Wright, the Utility Department's Field Manager, and Mr. Jorge Dominguez, a Field Crew Member, to come forward. She explained that Mr. Wright recommended Mr. Dominguez for the City's Whole Sole Award. Recently Jorge Dominguez responded to a call after hours from a resident who needed her water turned off. Not only did Jorge provide prompt and courteous customer service, he went

above and beyond his job duties to help the resident understand how to repair a water leak on her side of the line. Jorge was so friendly and helpful, the resident felt compelled to write an email thanking him and the City for the service that was provided.

Next Mayor Partin asked Ms. Danielle McCord, the City's Victim Services Advocate and Lt. Mike Gearon to come forward. Ms. McCord recommended Lt. Gearon for the Whole Sole Award for going above and beyond for a recent domestic abuse victim. Mayor Partin explained that recently there was a young man who was beaten by his step father while his mother was in the home and did nothing to help her child. To make matters even worse the Department of Social Services placed his mom and his sister at his grandmother's house which is where he planned to stay so that he could heal and await his stepfather's trial.

Lt. Gearon made the decision to welcome this young man into his home with open arms. He literally only had the clothes on his back and Lt. Gearon spent his own money buying him shoes, clothes, toiletries, etc. not expecting a dime in return. Lt. Gearon went to this young man's school and ensured that he got extra help so that he could still graduate on schedule. Lt. Gearon arranged for him to take the SAT and drove him there so he wouldn't miss out on the test. He devoted his personal time, his home, and his money to turning this young man's negative into a positive.

Lt. Gearon spent countless hours mentoring this young man, crying with him, and ensuring that he had everything he needed to be successful. He is a Hero in this young man's mind and because of him this young man has a fresh start with endless possibilities for an exceptionally bright future.

Mayor Partin asked Mr. Ben Wright and Mr. Michael Paulchel, the City's Assistant Field Manager to come forward. She explained that Mr. Wright nominated Mr. Paulchel for the City's Whole Sole Award.

She stated that in his nomination Mr. Wright stated that Mr. Paulchel is a very important asset to the City and always goes above and beyond to save the City money. Recently the sewer department was receiving odor complaints at the Six-Mile Creek pump station. Chemical addition upstream of the pump station at a cost of \$62,000 per year did not prevent the odors. Initially Mr. Paulchel purchased some rubber mats to cover the wet well and valve pit, hoping that would remedy the odors. The odors were not as strong, but still lingered.

Next Mr. Paulchel checked three surrounding manholes and found that there were strong odors escaping from around the lids. He got quotes from the City's suppliers for manhole carbon filters and tried to find a carbon filter for the vent on the wet well. The price for the manhole carbon filters were \$395.00 each and they did not make a filter for the wet well vent. Instead of purchasing the manhole carbon filters for

each manhole Michael spent \$200.00 on sheet metal and some other materials and handmade three carbon filters. He hammered the sheet metal into form and also invented a carbon filter to fit the wet well vent. The City has not received an odor complaint since. Mr. Pauchel ingenuity saved the City \$985.00 on the manhole carbon filters alone.

Mayor Partin thanked the three Whole Sole Award recipients for going above and beyond in their positions with the City.

**B. Presentation of Cayce Calendar Winners**

Mayor Partin explained that every year the City has a photo contest for the Cayce Calendar that is given to all residents. Ms. Renea Eshelman's photo, "Cayce Reds", was chosen as the winner and is featured on the cover of the calendar and for the month of June. She presented Ms. Eshelman with a \$100 check and thanked her for her beautiful photograph. Mayor Partin thanked all the winners for their participation. She advised that calendars were now ready to be picked up at City Hall.

**C. Presentation of Lowe's Grant by Ms. Jacqueline Buck with Keep the Midlands Beautiful**

Ms. Buck, the Executive Director of Keep the Midlands Beautiful, stated that Mayor Partin had seen on social media that Irmo had received a grant from Lowe's for a park and she contacted Keep the Midlands Beautiful to see if Cayce was eligible for a similar grant. City staff worked with Keep the Midlands Beautiful staff and submitted an application for a grant. The City was chosen as one of the fifty grants that Lowe's did nationwide. Ms. Buck presented Council with a check for \$10,000.

Mayor Partin thanked Ms. Buck for all her assistance and explained that the grant monies will be used for a park currently being built in Riverland Park. Ms. Vance stated the money will be used to purchase playground equipment, benches for the park and equipment for the Parks Department.

**D. Presentation by Cayce Public Safety Foundation to Cayce Public Safety Department**

Ms. Pamme Eades, the Secretary of the Public Safety Foundation, explained the mission of the Foundation. She stated that the Cayce Public Safety Foundation was designated as a 501(c) (3) organization in August 2010 for the purpose of providing a vehicle for the citizens and businesses to help strengthen Cayce's Public Safety team's capacity to protect, serve and support the quality of life in our community. The Foundation raises funds to provide the members of Cayce Public Safety with equipment and resources to

make their jobs and the community safer. Ms. Eades presented the Public Safety Department with equipment purchased with monies raised through the Cayce Serves Tennis Tournament.

E. Presentation by Ms. Kara Carmine re 2015 Congaree Bluegrass Festival

Ms. Carmine stated she was excited to announce some new developments for the 2015 Congaree Bluegrass Festival. She explained that City staff and the Cayce Events Committee had been working very hard to take the festival to a new level since Council awarded the Festival \$30,000 in Hospitality Tax Funds. She stated the Committee is committed to effectively turning the concert in the park into a true music festival.

Ms. Carmine explained that the Events Committee voted to change venues and will hold the CBF at the Historic Columbia Speedway this year. This location solves many issues the event is facing in regards to crowding, parking, and logistics for transporting attendees from distant parking areas to the park entrance. The speedway has plenty of room for parking on-site, as well as room to add more food, craft, art, and marketing vendors, exhibitor tents, and an extended children's play area. Large tents will be utilized to provide shade and make certain everyone is comfortable.

Ms. Carmine stated that in addition to a change in venue, the Committee voted in a 4 to 2 vote to allow beer/wine sales in a restricted area this year. It will be sold in a large tent to be called the Congaree Bluegrass Pub. It was felt that this is the best compromise to add alcohol sales as an option for the first time at this event. Alcohol will not be permitted in any areas of the festival except in the Pub tent. However, it was decided it would be unwise to continue to prohibit alcohol sales altogether.

Ms. Carmine stated that after much discussion, the Committee voted to enact a minimal admittance charge this year. Prices are \$5 for adult tickets (children 12 and under will remain free). It was agreed that this is another necessary measure that needs to be put in place to continue to grow the festival and extend its reach into surrounding communities. Charging for tickets, even a nominal amount, adds value to the festival. By adding value, it affords a greater ability to attract people from farther distances, provides a means to use free tickets as "giveaways" with radio, television, and social media marketing campaigns, and will entice sponsors to support the festival by giving them something they can then share with their family, friends, and co-workers. She emphasized that charging for tickets is not about making money but about marketing and growing this wonderful family and community event.

Ms. Carmine stated that the Committee also voted to add a second day to the festival this year. It will be called the Congaree Gospel Bluegrass Gathering and will take place at the same location from 1pm - 4pm on Sunday. This portion of the event will be free to all, will not offer beer/wine sales, and will feature gospel bluegrass music.

Ms. Carmine explained that the Events Committee and City staff involved with this festival are extremely excited about the progress being made in taking the Congaree Bluegrass Festival to a new level and solidifying the longevity of this annual festival for many years to come. All of the decisions that have been made this year have been done so with the future in mind. Committee and Staff are hopeful that, as this event continues to grow, it will also be able to draw in bigger talent, attract more festival goers from around the region and continue to make this an amazing annual event for our City.

Mayor Partin stated she was excited about the new Sunday Gospel Day and thrilled with the work the Events Committee had done to grow the CBF. She asked if the Committee had discussed giving the City residents a discounted ticket price. She expressed concern about residents who have attended and supported the CBF in the past now having to pay a \$5 admittance fee. Council Member James stated that he would like for the City's residents to either have a discounted ticket price or possibly not be charged an admittance fee at all. Ms. Carmine stated she felt confident that the Committee would agree with Mayor and Council and adjust the pricing for the City's citizens.

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

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

#### **Resolutions**

- A. Consideration and Approval of Resolution Approving Law Enforcement Assistance and Support Contract with City of Myrtle Beach

Council Member James made a motion to approve the Resolution approving a law enforcement assistance and support contract with the City of Myrtle Beach and authorizing the City Manager and the Director of Public Safety to sign the agreement. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

- B. Consideration and Approval of Resolution Approving Multijurisdictional Drug Enforcement Unit Agreement

Council Member James made a motion to approve the Resolution approving a multijurisdictional drug enforcement unit agreement. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

#### **Other**

A. Approval of FY15-16 Memorandum of Agreement between the City of Cayce and the Department of Juvenile Justice's Detention Center

Ms. Vance stated that again this year the Department of Juvenile Justice had submitted a Memorandum of Agreement. This agreement maintains the per diem rate of \$50.00 as last year. She explained that in the past, the City Attorney recommended making modifications to the agreement, deleting the disclaimer of financial responsibility by DJJ for medical costs and inserting the transport clause that has been included in past agreements. The proposed paragraphs again states that *"DJJ shall not be financially responsible for the cost of medical care provided to a juvenile detained in its juvenile detention center for any injury, illness, condition, or medical need that pre-existed the juvenile's admission to its Detention Center"*.

Ms. Vance explained that in previous years the City Attorney also recommended that the paragraph on page two stating *"local law enforcement agency having jurisdiction where the offense was committed shall be responsible for transporting all juveniles to and from DJJ's Juvenile Detention Center"* be replaced by an alternate paragraph stating "DJJ shall be responsible for transporting juveniles to and from its Juvenile Detention Center in Columbia and any staff secure or community residence placement to which is assigns a juvenile detainee." This is the same language included initially in the FY2003-2004 agreement and carried forward each year.

Ms. Vance stated that this year the Department of Juvenile Justice stated in their cover letter that the "agreement will not be accepted by the department if altered or amended in any way." After discussion, Council Member James stated he would not support signing the agreement without amending it as it has been done in the past. He explained that the City should not be held responsible for the medical costs of any juvenile that is detained. Council Member Jenkins stated that he felt that staff should contact DJJ for clarification on the agreement. Mayor Partin expressed concern with not proceeding with the amended agreement since there would not be any agreement in place.

Ms. Vance stated that her professional advice is that even with the City altering the agreement the Department of Juvenile Justice has laid out how they are going to perform and it will not change just because the City changes the agreement.

Council Member James made a motion to approve the revised Memorandum of Agreement with the Department of Juvenile Justice that contains a strikethrough which deletes the paragraph in question on medical expense and that the paragraph on transportation issues also be changed as it has been done in previous years. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

Council Member Jenkins stated that staff needs to get to the bottom of the issue so the City will not be working under an unsigned agreement.

**B. Discussion and Approval of Hospitality Tax Fund Request – Christmas in Cayce and Carols Along the Riverwalk**

Ms. Corder stated Cayce staff is requesting to be allowed to utilize up to \$13,000 of Hospitality Tax Funds for Christmas in Cayce and Carols Along the Riverwalk. These events have continued to grow year after year in our City and attract more visitors to this area each year. Cayce staff is requesting \$10,000 for Christmas in Cayce to begin phasing in new, long lasting LED lights to replace the older lights in the light displays at City Hall.

Ms. Corder stated that the Events Committee and Cayce Staff are also requesting \$3,000 for the Carols Along the Riverwalk event. These funds will be used to add more lights and decorations to the venue, along with a Christmas tree, refreshments, trolley service for the attendees and advertising of the event.

Council Member James made a motion to approve the request for \$13,000 in Hospitality Tax Funds for Christmas in Cayce and Carols Along the Riverwalk. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

Mayor Partin stated she appreciates all that the Events Committee is juggling. She stated they provide wonderful opportunities for the City's residents to go to events and be with each other.

**City Manager's Report**

Ms. Vance stated that there are several City Park's renovations currently under way. Burnette Park's renovations were just completed and the park in Riverland Park is in the process of being built. She explained that in the next ninety days a name for this park will need to be chosen. She stated that construction has started and the contractors have ninety days to do the base bid. The City received a \$10,000 grant by Lowe's which will help with purchasing playground equipment and benches for the park. She stated that staff has also applied for a CSX grant to help cover the cost of the picnic shelter. If the City receives this grant money, it will add to the base bid and extend the time the contractor will need to build the picnic shelters.

Ms. Vance stated that the City has approximately \$500,000 to make improvements in Guignard Park. She explained that City staff is doing in-kind work in the park as part of the City's match to the grant and will start this work in August. Once this work starts at least part of Guignard Park will be closed.

Ms. Vance explained that Phase II of the Riverwalk was damaged during the recent heavy rains. Part of the sidewalk was washed away and the pilings under a bridge were seriously undermined. She explained that either the bridge will need to be replaced or improvements will need to be made to the pilings and the riverbanks on either side of the bridge to secure it. She stated that staff has discussed this with the City's insurance company and a portion of the damage will be covered. Once staff receives the estimates for the repairs it will be brought before Council to discuss options for funding the repairs.

Ms. Vance explained that part of the damage on the Riverwalk was caused by runoff from Martin Marietta. She stated that Martin Marietta has graciously agreed to help the City with rip-rap and rock. They have also agreed to work with staff to implement a long term solution for the runoff.

Ms. Vance stated that the City received a DOT enhancement grant for State Street years ago and DOT is going to bid it out in September and hopefully it will be completed in the spring of 2016. She explained that the project had to be re-bid because the initial bids came in over the amount that DOT had budgeted for the project. She stated that the name of the DOT enhancement grants had been changed to TAP grants. These grants now only fund lighting and sidewalks. The City has received funding for Phase I and II of Julius Felder and Phase I and Phase II of Riverland Drive. Staff learned that there were monies left over in the Midlands TAP Grant budget and have applied for additional funding to finish the sidewalks on Julius Felder. She stated that the current sidewalks are in disrepair especially the section near Hemlock Street. Staff has contacted DOT and asked them to repair these sidewalks since they are a safety hazard.

Ms. Vance stated that the Fire Department experienced significant flooding in June. She explained that Ms. Corder is working with various contractors to have the building repaired. She commended the Fire Department staff for patiently dealing with the current conditions in their building. She explained that insurance will cover some of the costs but the City will have to incur costs as well.

### **Committee Matters**

- A. Approval to Enter the Following Approved Committee Minutes into the City's Official Record

Council Member Almond made a motion to approve entering the following Committee minutes into the City's official record:

Events Committee – May 14, 2015

Council Member Corley seconded the motion which was unanimously approved by roll call vote.

#### **B. Appointments and Reappointments**

Mayor Partin stated that currently there is one open position on the Zoning Board. Ms. Robin DiPietro has submitted a potential member application for this Board. Council Member Almond asked if the Zoning Board makes recommendations for potential members for the Board. Mr. Greenwood explained that the Zoning Board does not make recommendations since it is quasi-judicial and it would not be appropriate.

Council Member Almond made a motion to appoint Ms. DiPietro to the Cayce Zoning Board. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

Mayor Partin explained that there are four open positions on the Consolidated Board of Appeals. She stated that members of this Board are appointed by Council. They reviews citizen appeals to ensure building codes, property maintenance codes and fire codes are properly interpreted and implemented fairly. Members who serve on this Board must be either an Engineer, Contractor, Architect or Design Professional. Ms. Vance explained that this Board needs to have all the open positions filled and be active before the new demolition program can start.

Mayor Partin explained that the demolition program is a program that residents have asked Council for years to put in place. She stated that Council was able to commit some funds to the program for the first time this year. She explained that properties that are dilapidated, considered a nuisance and could possibly be a safety hazard will be paid to be torn down by the City and a lien will be placed on the property. Ms. Vance stated any appeals would go before the Consolidated Board of Appeals so the Board needs to be functional.

#### **Council Comments**

Council Member Almond stated that the three Whole Sole Award recipients speak to the many dedicated and qualified employees the City has. She thanked all the employees for their great work.

Mayor Partin stated that the City's employees do an amazing job every day and she and Council are very thankful for them.

Council Member Jenkins thanked staff for all their hard work. He stated that there was a large pile of clothes and household furniture by the road on Lexington Avenue. He asked if the City's sanitation staff have to pick up those kind of items by hand and asked if it was legal to put those items out by the road. Ms. Vance explained that staff picks up those items by hand or either with a pitchfork or the grabber. She stated that if the garbage is items that the City does not pick up then staff leaves a door hanger at the property informing the resident. If it continues to be a problem than the Code Enforcement Officers get involved. Council Member Jenkins stated that he would like piles of this type of garbage to be investigated before staff picks it up. He stated that he feels like some residents are taking advantage of a good system. Council Member Almond stated that she would like to see information put on the City's social media regarding what items the City will and will not pick up on white goods day. She stated that people still put out televisions even though the City no longer picks them up.

#### **Executive Session**

- A. Receipt of legal advice relating to claims and potential claims by the City and other matters covered by the attorney-client privilege
- B. Discussion of negotiations incident to proposed contractual arrangements For a drainage study
- C. Discussion of negotiations incident to a contractual arrangement with SCANA for lighting services for State Street Phase 4
- D. Discussion of negotiations incident to a contractual arrangement for Financial services

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

#### **Possible Actions by Council in follow up to Executive Session**

##### **Item IX. B.**

Council Member James made a motion to accept the RFQ the City received by American Engineering Consultants Inc. and to authorize the City Manager to execute a contract for a Stormwater Drainage Study on the Avenues and the surrounding areas. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

##### **Item IX. C.**

Council Member Almond made a motion to approve the agreement with SCANA for lighting services for State Street Phase 4 and to authorize the City Manager to sign the agreement. Council Member James seconded the motion which was unanimously approved by roll call vote.

Item IX. D.

Council Member James made a motion to authorize the City Manager to negotiate and sign an agreement with Segal as discussed in Executive Session. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

**Adjourn**

There being no further business, Council Member Corley made a motion to adjourn the meeting. Council Member James seconded the motion which was unanimously approved by roll call vote. The meeting adjourned at 7:42 p.m.

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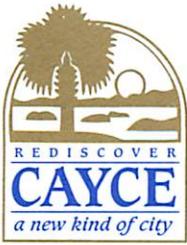
Elise Partin, Mayor

ATTEST:

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Mendy C. Corder, Municipal Clerk





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**CITY OF CAYCE**  
**Council Strategic Planning Session**  
**Marriott Hotel, Hilton Head Island**  
**Wednesday, July 15, 2015**  
**1:00 p.m. - 5:00 p.m.**

A Council Strategic Planning Session was held today at 1:00 p.m. at the Marriott Hotel in Hilton Head. Council and staff were in Hilton Head for the Municipal Association of South Carolina's annual meeting and held the Strategic Planning Session there for convenience. Those present included Mayor Elise Partin, Council Members Tara Almond, Eva Corley, Tim James, and James Jenkins, City Manager Rebecca Vance, Shaun Greenwood, Assistant City Manager and Mendy Corder, Municipal Clerk. 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.

Mayor Partin gave the invocation and led the assembly in the Pledge of Allegiance.

### **Discussion Regarding the Items Below**

#### **A. Discussion of Status of Current Projects**

Ms. Vance updated Council on the status of the City's current projects. She stated that all capital equipment has been purchased and delivered except for the new fire truck. She explained that it takes six to nine months to build a new fire truck to the City's specifications. She stated that the majority of the in car cameras have been installed.

Ms. Vance stated that the Façade Program is in place and Love Mitsubishi was the first recipient of the money for façade improvements. She explained that Sub Station II has applied for the program but the Committee had some issues that needed to be clarified so it's not finalized yet. She stated that some churches have applied as well but her interpretation of the program was that it was for commercial buildings only, not non-profits, therefore she denied their request. She explained that if a church appeals her decision it will come before Council and they can decide if they want to extend the program to non-profits.

Ms. Vance stated that Mr. Greenwood is working on the demolition program and will present it to Council at the August Council Meeting. She explained that he has worked with the Building Official, the Code Enforcement Department and the Fire Marshal to choose the buildings and rank and rate them. Mr. Greenwood has created a flow chart that will clearly show the exact steps in the program. Ms. Vance stated that

there have been complaints about buildings in the City that need to be torn down but she explained that staff should not initiate the process of demolishing the building if there was not money allocated for the demolition. She stated a City should not declare a property a nuisance property without the funds and the willingness to tear it down.

Ms. Vance stated that the bids for the renovations to City Hall were opened on Monday and the cost is between \$225,000 and \$250,000. The renovations include new carpet for each building, all the old wallpaper being removed, each office being painted and the exterior being painted. It also includes replacing the small door that leads into the water department with a full size door and increasing the height of the counter where customers pay their bills. The bids are currently being reviewed and scored and will be on the August Council Meeting agenda.

Ms. Vance stated that staff has been working with the various utility companies and SCANA and DOT to ensure that the Knox Abbott Pedestrian Safety and Traffic Calming Project is moving forward. She stated that the encroachment permit has gone in for the side of the road where One Eleven, the new apartments on Knox Abbott Drive, are being built. She explained that the City is working in conjunction with the developer of One Eleven so that the sidewalks and lighting are installed the same time as his landscaping is installed. This will save the City money since the same contractor will be used for both projects. She explained that staff will be requesting to use TIF Funds to put in the sidewalk and landscaping between the sidewalk and the road which will save money since it will already be torn up from the apartment construction. Staff has also been working with the developer to make sure that their landscape and lighting and the City's matches so it will look planned and attractive.

Ms. Vance stated that Council had approved the drainage study for the Avenues and the engineering has started. She explained that the study will inform staff what the various issues are on the Avenues and how to fix them. It will address the way to fix the issues including what size pipes are needed and the routing that is required. She stated that once the City has the finished study staff can show the study to the City's legislators and to DOT and ask them how they would like to participate in fixing the problem.

Council Member James suggested placing a flyer on each Avenue's residents roll cart to let them know that the City is in the process of having a drainage study done so they will know that staff and Council are working on finding a solution to the problem.

Ms. Vance stated that currently the City does not have a Master Fee Schedule. She explained that there are fees that the City is not charging for because staff cannot find an Ordinance where those fees were adopted. Mr. Greenwood is working on creating a Master Fee Schedule and staff is reviewing each fee to see if they need to be increased or not and if there are there fees that the City should be charging but currently isn't. She explained that once the City has a Master Fee Schedule it will be adopted yearly when the budget is adopted.

Ms. Vance stated that Council needs to consider the City enacting an Incentive Ordinance. This would enable staff to be able to encourage redevelopment in low to

moderate income areas or give reduced prices for water taps. For example, if Habitat for Humanity wanted to build homes in a low to moderate income area, City staff could reduce or not require them to pay their tap fees or capacity fees.

Ms. Vance stated that she is currently working on an Emergency Preparedness Plan for the City. She explained that there was not a plan in place two years ago during the huge water main break. American Engineering Consultants is in the process of designing a plan for the City. Once it is complete the plan will be in a booklet format and placed on the Utility Department staff's ruggedized Surface Pros so they can easily access maps, etc. from the field.

Ms. Vance stated that staff has designed an Events Policy for the City and MASC is currently reviewing it. She stated that staff is constantly contacted by groups who want to have runs on Timmerman Trail so the City needs a policy where the rules and guidelines are clearly stated and the same for each group. This protects the City and the groups hosting the special event. She explained that the policy requires any group having an event in the City to have their own liability insurance and list the City as an additional insured.

Ms. Vance stated that staff has followed up with the three economic development consultants that Council interviewed. Each were asked about a reduction in their costs but the cost for their services will not decrease unless the services they offer decreases. She stated that staff has approached the City's two major property landowners to see if they are interested in helping to pay for an economic development consultant for the City. One is interested and hopefully the other one will agree to provide funding as well.

Mr. Greenwood explained that it is also possible to restructure how much is paid to the economic development consultant in the first year but the overall cost will remain the same. Ms. Vance asked Council if they wanted staff to move forward with the consultants and bring that information back to Council for discussion. She explained that staff needs to know what Council's thoughts are on economic development for the City and what staff should or should not be doing and where they see the City moving in the future. If they decide to hire a consultant what are their goals and expectations and if they don't hire someone than what is Council's goals for the City Manager and Assistant City Manager.

Council Member Almond stated she would like to see the City move forward with hiring an economic development consultant. She stated it not only helps the City but helps the City's businesses. Ms. Vance stated that SCANA's real estate developer was impressed with the idea and the in depth data a consultant could provide.

Mayor Partin explained that during the interviews with the consultants their focus on national chains and big box stores caused her concern. She stated that the City is poised for growth and she feels that staff has done a tremendous job of getting grants for the City so she is unsure if a consultant is needed. She stated that she does feel that the data can be useful to spur development though. Council Member Almond stated she does not think the City will get big box stores but will have businesses locate in the City that the City's demographic can support. She stated that SCANA is even

more restrictive than the City and she feels they would not allow a business to build on their property that the City would not want.

Ms. Vance explained that if the City hires a consultant they will ask Council what they would like to see locate in the City and that is who they will actively recruit. Council Member Almond stated that the consultant could possibly locate businesses that no one has ever heard of from other parts of the country to locate in the City that would be a great fit. Ms. Vance explained that the consultants will have a national database so their reach will be much larger.

Mayor Partin asked if the consultants would have a list of all the City's available property and buildings. Mr. Greenwood explained that one of the first items they would do is a property inventory. They also look at each sites zoning so they will know what type of business is the best fit for each site.

Council Member Jenkins stated he did not feel that there was enough money in the City to justify an economic development consultant at this time. Council Member Corley stated that she thinks a better feel for Cayce are more homegrown businesses rather than national chains. She explained that she was afraid of investing the money in a consultant and nothing happens but unfortunately there is no way to know without giving it a chance. She stated that currently the City is trying to remedy its drainage issues so she is not sure if it is a good time to tackle this as well.

Council Member Almond stated that new businesses in the City would bring more business license revenues and more money with additional water and sewer usage. The new revenue could help fund the ongoing projects in the City and new projects as well.

Council Member James stated that he is concerned that if Council and staff are not sure what businesses they can attract then possibly the City is not ready for a consultant to come in and decide that for them. He stated he would rather fill the empty buildings throughout the City than have new businesses construct new buildings on vacant lots. He stated he would rather see the City hire an employee to free up the City Manager and Assistant City Manager's time so they can focus their expertise on this issue.

Ms. Vance explained that any consultant the City hires will meet with Council and staff to find out their vision for the City and that is what they will focus on. She stated that if staff tells the consultant they want to fill existing empty buildings than that is what they will work on. She stated that if Council prefers that she and Mr. Greenwood do it rather than a consultant than they will need more tools to work with. She explained that census data and traffic counts are not enough information to recruit businesses to the City.

Council agreed that something needs to be done to fill the current underutilized commercial areas in the City. Council Member James asked Ms. Vance what her suggestion was to spur economic development in the City. She stated that she believes the best option to jumpstart economic development in the City is to hire an economic

development consultant. Council Member Almond stated that Council hired Ms. Vance for her expertise in these areas. Council Member James stated that he agreed and he would support the decision to hire a consultant. Ms. Vance asked Council to review the three economic development consultant company's information again and a decision can be made at the August Council Meeting.

#### B. Five Year Capital Plan Review

Ms. Vance explained that each department has a five year plan that lists in detail what vehicles and equipment will be replaced and when. They also list what capital items will need to be purchased each year of the five years. She stated that every year a capital item is not funded in the budget it moves to the following year on the plan. She explained that the department heads plan for years in advance with their plans. For example, Public Safety knows they have to plan for a taller ladder fire truck for when a high rise hotel is built in the City.

#### C. Discussion of Broadacres, N. Frink and Avenue's Water Line Replacement Project

Ms. Vance explained that she was going to review the timeline for the water line replacement project and then will need direction from Council on whether to move forward or not. She explained that the project will cost \$18 million and American Engineering is currently doing the survey work. She explained that staff could apply for funding for the project in October 2015. She explained that a 9.3% increase in water and sewer fees over the next three years would need to be adopted to fund the project. She stated this would equal approximately a \$6 increase in a bi-monthly bill. She explained that the 9.3% increase in rates would only cover the loan payment and not any capital items that were needed in the Utility Department.

Ms. Vance stated that SRF would require that the City adopt a rate plan in spring 2016 so they would be assured that the City would have the rates in place to pay the first payment in May 2018. The increase would not have to go into effect all at once, it could be phased in over a three year time period.

Ms. Vance stated that in 2014 City staff did 205 work orders in the areas affected by the water line replacement project. 248 work orders were done in 2013 and 164 in 2012. She stated that the City would save a large amount of money just in staff time since staff works in these areas constantly right now. Also all the meters in the area affected would be changed to AMR meters which would significantly cut down on staff time.

Ms. Vance explained that four different construction companies would be used for the project. There would be a tank contractor and then a different contractor for every 50,000 feet. This would enable the entire project to be done at one time and it would open the bids to smaller companies that could not get a bond for \$18 million.

Ms. Vance explained that even though this project does not include the entire city everyone is affected by it. She stated that the Utility Department staff's time is taken up

working on issues in the area and also the fire flow is not adequate in that area which affects commercial development since the flow numbers are too low.

Council Member James asked if the City could ask for more SRF money. He explained that if the City could receive more money then issues could also be addressed in other parts of the City. Council Member Almond agreed that the City would never be offered these terms and such a low rate again so now would be the time to address other issues. Mayor Partin stated that American Engineering has rated and ranked all the City's water and sewer issues so there is a list that staff could review.

Ms. Vance stated that if Council voted to proceed with the waterline replacement project then staff would start meeting with all the neighborhoods affected at the end of this year or early next year. Staff would show the residents the maps and let them know that the City is doing something to address the issue and to let them know a rate increase will be needed.

#### D. Discussion of Codes Enforcement

Ms. Vance explained that the discussion on code enforcement is to address complaints the City has received. Many citizens feel that the City needs to strengthen their codes therefore she and Mr. Greenwood wanted to show Council what level of enforcement staff currently does and to see if Council would like to increase that level of enforcement or maintain the current level of enforcement.

Mr. Greenwood explained that the current Ordinance that addresses drainage ditches states that each resident has to maintain the ditch on their property. This includes cutting the grass around the ditch and digging out the silt in the ditch. Currently the City is not enforcing this Ordinance to the fullest extent possible. He explained that staff does not have the expertise to tell the resident how far they should dig their ditches. Mayor Partin stated that the City could possibly hire a contractor to maintain the drainage ditches and the residents would each pay a certain amount to have their ditch maintained by the contractor. After discussion, it was decided to wait until the drainage study is complete to discuss the level of enforcement of this Ordinance.

Ms. Vance stated that the Property Maintenance Code is part of the Building Codes that the City adopted. Currently the Property Maintenance Code is not enforced to the full extent that it could be. She explained that the Code states that a resident's property should be maintained to a certain level and if it is not then the resident will receive a ticket. After discussion, Council decided to fully enforce the Property Maintenance Code but first educate the residents on the Code and get staff certified to enforce it.

Ms. Vance explained that the City has received complaints regarding overgrown grass and bushes in resident's yards. Staff has also received complaints regarding people parking cars in the front yard of their residence. After discussion, Council decided the current level of enforcement with these issues is acceptable.

Ms. Vance stated that Mr. Greenwood is currently working on a Rental Registration Program for the City. This program should help with the number of unrelated people living in one home and people parking in yards. She stated that Mr. Greenwood will present this to Council at one of the August Council meetings.

### **Adjourn**

Council Member James made a motion to adjourn. Council Member Almond seconded the motion which was unanimously approved. There being no further business, the Planning Session adjourned at 5:00 p.m.

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Elise Partin, Mayor

ATTEST:

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Mendy C. Corder, Municipal Clerk

**Mendy Corder**

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**From:** Stephanie Schroeder ~~stschroeder@gmail.com~~  
**Sent:** Saturday, July 25, 2015 11:01 PM  
**To:** Rebecca Vance; Shaun Greenwood; Mendy Corder  
**Subject:** Request for Time to Speak at Upcoming Council Meeting

Hi!

I am a City of Cayce resident, and I would like to have an opportunity to speak at the next council meeting on August 4th to discuss community issues related to soaring flood insurance rates, specifically:

1. Differences in the minimum flood insurance coverage requirements for Special Flood Hazard Areas (SFHAs) between the Federal Emergency Management Agency (FEMA)/ National Flood Insurance Program (NFIP) regulations and the government-sponsored Federal National Mortgage Association (Fannie Mae)/Federal Home Loan Mortgage Corporation (Freddie Mac) regulations.
2. How mortgage lenders and insurance companies manage mandatory NFIP flood insurance coverage: policy renewal process, force-placed coverage, class action lawsuits.
3. Florida's 2015 flood insurance reforms
4. The 2012 Biggert-Waters Act (removed subsidies for structures in flood plains)
5. The 2014 Homeowner Flood Insurance Affordability Act (replaced the 2012 Biggert-Waters Act)
6. The NFIP Community Rating System (CRS) for the City of Cayce
7. The status of South Carolina's flood map modernization project

Please let me know if this request is approved, and how much time I will be allowed.

Thank you!

Stephanie Schroeder

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# Memorandum

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**To:** Mayor and Council

**From:** Rebecca V. Rhodes  
Chief Charles McNair

**Date:** July 31, 2015

**Subject:** Resolution approving an Intergovernmental Mutual Aid Agreement for the Three Rivers Greenway.

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## **ISSUE**

Consideration of a Resolution approving an Intergovernmental Mutual Aid Agreement for the Three Rivers Greenway.

## **BACKGROUND/DISCUSSION**

S.C. Code section 23-20-50 was amended and requires that an agreement entered into pursuant to Title 23 on behalf of a law enforcement authority must be approved by the appropriate state, county or local law enforcement authority's chief executive officer, and by the governing body of each jurisdiction.

Council has already approved similar Resolutions ratifying Mutual Aid and Task Force Agreements with several entities. Council's approval of the resolution ratifies and meets the new requirement for these types of agreements.

## **RECOMMENDATION**

Staff recommends Council approve a resolution approving an Intergovernmental Mutual Aid Agreement for the Three Rivers Greenway and authorize the Mayor to sign the agreement on behalf of the City.





WHEREAS, Article VIII, Section 13 of the South Carolina Constitution authorizes counties and municipalities to provide by agreement for the joint administration of any function, the exercise of powers, and the sharing of the costs thereof;

WHEREAS, Section 6-1-20, Code of Law of South Carolina (1976 Ann.) authorizes counties and municipalities to enter into contractual agreements with each other to provide for joint facilities and services;

WHEREAS, Section 5-7-120, Code of Law of South Carolina (1976 Ann.) authorizes municipalities to send law enforcement officers to other political subdivisions;

WHEREAS, Section 17-13-45, Code of Law of South Carolina (1976 Ann.) provides that when a law enforcement officer responds to a distress call or a request for assistance in an adjacent jurisdiction, the authority, rights, privileges, and immunities, including coverage under the workers' compensation laws, and tort liability coverage obtained pursuant to the provisions of Chapter 78, Title 15, that are applicable to an officer within the jurisdiction in which he is employed are extended to and include the adjacent jurisdiction;

WHEREAS, Section 23-1-215, Code of Law of South Carolina (1976 Ann.) authorizes agreements between multiple law enforcement jurisdictions for purpose of criminal investigation;

WHEREAS, South Carolina Code Ann. § 23-1-212 confers state law enforcement authority upon federal agents when acting pursuant to request of a state or local law enforcement official;

WHEREAS, South Carolina Code Ann. § 23-20-10 et seq. provides for contractual agreements between and among state, county, municipal and other local law enforcement agencies for law enforcement services;

WHEREAS, South Carolina Code § 50-21-80 designates the South Carolina Department of Natural Resources as the agency primarily responsible for enforcing boating laws and members of Sheriff's Departments and other qualified persons may be also empowered to enforce boating laws, South Carolina Code § 23-13-70 requires Sheriffs and deputies to patrol their entire county;

WHEREAS, it is the desire of the parties to evidence their joint undertaking and the approval of their respective governing bodies for the provision of mutual assistance as set forth herein; and

WHEREAS, in contemplating the means by which to provide public safety services in emergency and routine situations to the Three Rivers Greenway (3RG) and surrounding environs, the parties have weighed competing alternatives for the provision of such services and have resolved on this mutual aid agreement as the preferred option for providing for same.

NOW THEREFORE, it is agreed as follows:

1. SCOPE OF SERVICES:

It is agreed that these governmental entities, by and through their respective public safety functions, shall patrol, investigate criminal activity, perform fire and EMS services, perform rescue and recovery missions, and render assistance cooperatively and collectively on all areas of the Three Rivers Greenway and its contiguous properties as they may have personnel and equipment available for such assignment. Further, this agreement is intended to operate as a standing and ongoing request for assistance from and to each jurisdiction that is a party hereto. It was the intent at the inception of the original agreement in 1999/2000, has been since, and is the intent now to continue sharing law enforcement, public safety functions, and public safety jurisdiction to the greatest extent available under South Carolina law.

For the purposes of this agreement, the rivers and riverfront areas and the Three Rivers Greenway are defined as the Saluda River from the Lake Murray Dam downstream to its natural confluence with the Broad River, the Broad River downstream from the I-20 Bridge to its natural confluence with the Saluda River, the Congaree River from the Broad – Saluda confluence at the Gervais Street Bridge downstream to the I-77 Bridge, the Columbia Canal, all riparian areas

adjacent to those rivers described herein, all areas improved or proposed for the construction of the Three Rivers Greenway park system, and those properties adjacent to and/or contiguous to the rivers and/or the greenways.

## 2. CONSENT AND REQUEST TO SEND OFFICERS TO JURISDICTION

Approval by the governing bodies and/or duly elected Sheriffs of the respective jurisdictions and the execution of this agreement by the authorized officials of each party constitutes an agreement by the parties to provide public safety assistance and cooperation as further described herein, as they are able. Each party must determine whether its resources at any given time permit it to render the requested assistance and there shall be no right of action by one party against another for the failure to provide assistance as requested.

## 3. VESTING OF AUTHORITY AND JURISDICTION

To the full extent permitted by the Constitution and statutes of this State, all authority, duties, rights, privileges, immunities and jurisdiction, including the authority to execute criminal process and the power of arrest, are hereby conferred upon the parties' duly qualified law enforcement officers acting within any portion of the Three Rivers Greenway and surrounding environs area not situated in the officers' employing jurisdiction. Local ordinances adopted by a sending jurisdiction shall not be deemed extended into areas in the Three Rivers Greenway areas, which are located outside of the territorial limits of the sending jurisdiction. Similarly, all Fire, EMS, and other public safety officials shall share the rights, privileges, immunities, and authority consummate with their offices.

## 4. PERSONNEL, COSTS AND RECORDS

Except as otherwise agreed among the parties, each party shall maintain control over its personnel. Except as otherwise provided herein, each party shall bear its own costs incurred in the performance of its obligations hereunder, and shall keep its own personnel and other usual records as to its assigned officers.

5. INSURANCE COVERAGES

Each jurisdiction shall maintain its own insurance coverage for general liability, workers' compensation, and such other coverage as may be required by law or deemed advisable by individual parties.

6. TERM, RENEWAL, RIGHT TO RESCIND

This agreement is effective as to each party at the date and time of signing and will automatically renew each anniversary date, year to year, and term to term unless a party exercises its right to terminate as further described herein. The election of any party or parties to exercise this right to rescind/terminate does not in any way affect the rights, duties, privileges, immunities, or obligations of the other parties. Any party electing to terminate its involvement under this agreement must give written notice to the other parties thirty (30) days prior to the effective date of termination of participation.

7. NO INDEMNIFICATION OR THIRD PARTY RIGHTS

The parties shall be solely responsible for the acts and omissions of their respective employees, officers, and officials, and for any claims, lawsuits and payment of damages that arise from activities of its assigned officers. No right of indemnification is created by this agreement and the parties expressly disclaim such. The provisions of this agreement shall not be deemed to give rise to or vest any rights or obligations in favor of any rights or obligations in favor of any party or entity not a party to this agreement.

8. COMPENSATION, BOND, AND RELATED MATTERS

This agreement shall in no manner effect or reduce the compensation, pension or retirement rights of any officers acting under its authority and such officers shall continue to be paid by the county or other governmental entity where they are permanently employed. Each party shall be compensated by the provision of like or reciprocal services. The bond for any officers operating under this agreement shall include coverage for their activity in the county or municipality covered by this agreement in the same manner and to the same extent provide by bonds of regularly employed officers of that county.

9. OFFICERS ASSIGNED

Each party may assign Law Enforcement officers, EMT/Paramedics, Firefighters, and other similarly situated individuals to perform public safety services under this agreement at the discretion of the duly elected Sheriff, Fire Chief, EMS Director or similar competent authority of the sending jurisdiction or his designee.

10. REIMBURSEMENT AND ANCILLARY BENEFITS

The parties to this agreement hereby expressly agree that compensation and/or reimbursement for services provided hereunder shall be limited to the reciprocal provision of services of like kind between the agencies involved to include the benefits of law enforcement and public safety services to the Three Rivers Greenway area and its contiguous properties in each respective jurisdiction. Any other agreement for reimbursement between the parties must be written and executed in the same manner as this agreement.

11. RESPONSIBILITY TO RESPECTIVE GOVERNING BODIES

Each party is responsible for any notice, reporting, or approval requirements to their respective governing body as may be required under South Carolina law.

12. SEVERABILITY

Should any part of this agreement be found to be unenforceable by any court or other competent authority, the rest shall remain in full force and effect.

13. EVALUATION OF SERVICES

Each Party shall appoint a designee to act as a coordinator/liaison. The parties agree to establish a system to evaluate the performance of services contemplated under this Agreement. This is to be accomplished by an annual review of services by the parties. The results of the review shall be reduced to writing and each party shall retain a copy. Any concerns or deficiencies noted shall be addressed in follow up memoranda and made a part of the original review. This process is in no way intended to limit the parties from discussing service delivery anytime during the contractual period.

14. AMENDMENTS AND BINDING SUCCESSORS IN OFFICE

This agreement may be amended by the written agreement of all parties. Each party agrees that any and all successors in interest to their office will be similarly bound by the terms of this agreement without necessitating execution of any amendment.

I, with competent authority, hereby consent to the terms of and agree to be bound by this Agreement.

Witnesses:

Melissa Taylor  
Paul Bass

LEXINGTON COUNTY SHERIFF'S

DEPARTMENT

BY: [Signature]

ITS: Sheriff

Witnesses:

Deana W. Burnett  
Judy R. Buslee

COUNTY OF LEXINGTON

BY: [Signature]

ITS: Chairman

5-12-15

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

RICHLAND COUNTY SHERIFF'S

DEPARTMENT

BY: \_\_\_\_\_

ITS: \_\_\_\_\_

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

COUNTY OF RICHLAND

BY: \_\_\_\_\_

ITS: \_\_\_\_\_

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

CITY OF COLUMBIA CHIEF OF POLICE

BY: \_\_\_\_\_

ITS: \_\_\_\_\_

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

CITY OF COLUMBIA

BY: \_\_\_\_\_

ITS: \_\_\_\_\_

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

CITY OF CAYCE, DIRECTOR OF  
PUBLIC SAFETY

BY: \_\_\_\_\_

ITS: \_\_\_\_\_

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

CITY OF CAYCE

BY: \_\_\_\_\_

ITS: \_\_\_\_\_

Witnesses:

Tracy B Sheppard  
Marci Cirmella

CITY OF WEST COLUMBIA, CHIEF OF  
POLICE

BY: [Signature]  
ITS: Police Chief

Witnesses:

Kelli Ricard  
[Signature]

CITY WEST COLUMBIA

BY: [Signature]  
ITS: CHAIRPERSON

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

IRMO-CHAPIN RECREATION  
COMMISSION

BY: \_\_\_\_\_  
ITS: \_\_\_\_\_

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

SOUTH CAROLINA DEPARTMENT OF  
NATURAL RESOURCES

BY: \_\_\_\_\_  
ITS: \_\_\_\_\_

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

UNIVERSITY OF SOUTH CAROLINA  
DIVISION OF PUBLIC SAFETY

BY: \_\_\_\_\_  
ITS: \_\_\_\_\_

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

IRMO FIRE DISTRICT

BY: \_\_\_\_\_

ITS: \_\_\_\_\_

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

CONGAREE SWAMP NATIONAL PARK

BY: \_\_\_\_\_

ITS: \_\_\_\_\_

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

RIVER ALLIANCE

BY: \_\_\_\_\_

ITS: \_\_\_\_\_

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# Memorandum

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**To:** Mayor and Council

**From:** Rebecca Vance, City Manager  
Shaun Greenwood, Assistant City Manager

**Date:** July 31, 2015

**Subject:** Discussion and Approval of the City of Cayce Unsafe Structure Program Guidelines

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## **Issue**

Council discussion and approval is needed for the City of Cayce Unsafe Structure Program Guidelines.

## **Discussion**

At the request of City Council, staff has compiled guidelines on how the International Property Maintenance Code (IPMC) will be used to address unsafe structures within the City limits. A committee consisting of the Building Official, Fire Marshal and Lieutenant over Code Enforcement created a list of properties that are ranked according to their current state of disrepair. Enforcement efforts will target the worst structures first and will continue down the list until all budgeted funds are expended.

The guidelines summarize the required notices to home owners and time frames specified in the IPMC. Additionally, the guidelines specify the process and authority for the City to place a lien on the property when demolition becomes necessary.

## **Recommendation**

Staff recommends Council approve the City of Cayce Unsafe Structure Program Guidelines.

# The City of Cayce Unsafe Structure Program Guidelines

## Program Overview

The City of Cayce has initiated a Task Force to survey the City and identify any unsafe structure that is unfit for human occupancy or is so damaged, decayed, dilapidated that the structure needs to be condemned pursuant to the provisions of the International Property Maintenance Code. This program will identify properties that are in violation and a set process will be followed to ensure that the property owner has abated or corrected the unsafe conditions either by repair, rehabilitation, demolition, or other approved corrective action. If the owner fails to comply with this program in the time prescribed, the City shall cause the structure to be demolished and removed, either by contract or arrangement with a private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

The Task Force will consist of the City Building Code Official, Fire Marshal, and members of Public Safety's Code Enforcement Division. The Task Force will generate a prioritized list of unsafe structures and provide said list to City Council for their approval.

This program shall conform to all the provisions and processes described in the International Property Maintenance Code ("IPMC"), as adopted by the City of Cayce. Some of these provisions and processes are summarized below. The language of the IPMC controls in the event of any conflict or inconsistency with the language of these Guidelines.

## Definitions:

### Unsafe Structure

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of a fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

### **Structure unfit for human occupancy**

A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

### **Violations**

The code official shall serve a notice of violation or order in accordance with section 107 of the IPMC. Any person failing to comply with a notice of violation or order served in accordance with Section 107 of the IPMC shall be deemed guilty of a misdemeanor. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of the IPMC or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate (Section 106.3 IPMC). Any person who shall violate a provision of the IPMC, or fail to comply therewith, or with any requirements thereof, shall be prosecuted within the limits provided by state and local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense (Section 106.4 IPMC).

### **Notices and Orders Section 107**

Whenever the code official determines that there has been a violation of the IPMC or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in the IPMC. Notices for condemnation procedures shall also comply with Section 108.3.

#### **107.2 Form**

Such notice prescribed in Section 107.1 shall be in accordance with the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.
5. Inform the property owner of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

### **107.3 Method of service**

Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

### **107.4 Unauthorized tampering**

Signs, tags or seals posted or affixed by the code official shall not be mutilated, destroyed or tampered with, or removed without authorization from the code official. Penalties for noncompliance with orders and notices shall be set forth in Section 106.4 IPMC.

### **Transfer of ownership**

It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibilities without condition for making the corrections or repairs required by such compliance order or notice of violation.

### **Demolition**

The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgement after review is so deteriorated or dilapidated or had become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the code official shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not exceed one year, unless approved by the building official. All notices and order shall comply with Section 107 IPMC.

If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

### **Means of Appeal**

#### **Application of appeal**

Any person directly affected by a decision of the code official or a notice or order issued under the IPMC shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within **30** days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of the IPMC or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the IPMC do not fully apply, or the requirements of the IPMC are adequately satisfied by other means.

#### **Notice of meeting**

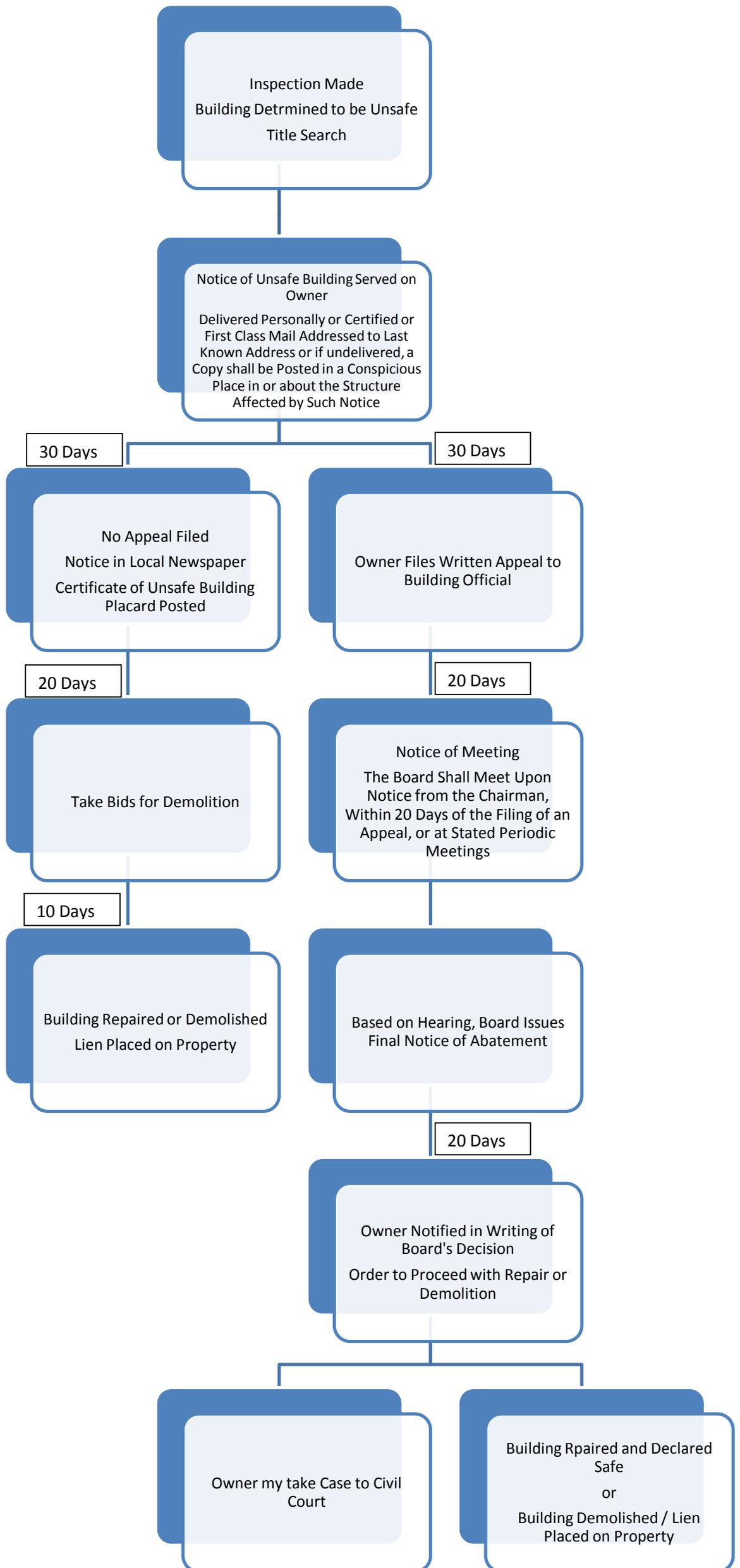
The board shall meet upon notice from the chairperson, within 20 days of the filing of an appeal, or at stated periodic meetings.

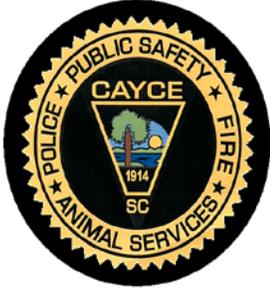
#### **Court review**

Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

#### **Stays of enforcement**

Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.





# CAYCE DEPARTMENT OF PUBLIC SAFETY

*Committed to Professionalism*

Two Lavern Jumper Road • Cayce, SC 29033  
Post Office Box 2004 • Cayce, SC 29171  
Phone (803) 794-0456 • Fax (803) 794-2393

Charles E. McNair  
Director

To: Shaun Greenwood

From: Lt. Brian Lorick

Reference: Dilapidated Structure List

Date: July 6, 2015

The following is a prioritized list of structures that need to be addressed by the Unsafe Structure Program. We developed a rating system from one to three, one being the worst, two being moderate and three being the least severe. Once the program is in place we will start with the number one's and work our way through the list until the funds are expended.

1. 1107 Allen Street **(1)**
2. 2811 Tree Street (old military barracks building) **(1)**
3. 1414 Lafayette Avenue **(1)**
4. 1325 Poplar Street **(1)**
5. 1517 Poplar Street **(1)**
6. 1511 Hart Street **(1)**
7. 1610 & 1612 Jones Street **(1)**
8. 1537 & 1539 Benedict Street **(1)**
9. 1531 Benedict Street **(1)**
  
10. 2214 Lee Street **(2)**
11. 2324 & 2326 Lee Street **(2)**
12. 1203-1207 Lucas Street (old block apartments) **(2)**
13. 2807 Tree Street **(2)**
14. 2832 Tree Street **(2)**
15. 2817 Peach Street (old military barracks building) **(2)**
16. 2001 & 2003 Congaree Drive (old Reedy residence) **(2)**
17. 1520 Hopkins Street **(2)**
18. 1328 Poplar Street **(2)**
19. 1520 Poplar Street **(2)**
20. 1303 Frink Street **(2)**
21. 610 Frink Street **(2)**
22. 2825 Tree Street (old mobile home in fenced lot) **(2)**

23. 2855 Tree Street (O'neal Reeds' old mobile home and white block building) (3)
24. 1416 Pond Street (3)
25. 1804 Sulton Street (3)
26. 1405 Michaelmus Avenue (3)
27. 2303 Julius Felder Street (old Star Club building) (3)
28. 2240 Julius Felder Street (3)
29. 731 McDuffie Street (old boarded up home across from 734 McDuffie) (3)
30. 1810 8<sup>th</sup> Street (3)
31. 1705 Wadsworth (house has burnt down-waiting on insurance claim) (3)
32. 734 McDuffie (3)
33. 1345 Michaelmus (3)
34. 1817 Middle Street ( **Commercial**)

# ITEM VII. A.

**APPROVED MINUTES  
BEAUTIFICATION BOARD  
Tuesday June 9, 2015 at 5:30 p.m.  
City Hall**

## **I. CALL TO ORDER**

John Winn called the meeting to order at 5:38pm on Tuesday June 9th. Members present were Sue Miles, Sue Perry, John Winn, Jocelyn Locke, Morgan Hanes, potential new member Vernetta Blakely, and City liaison Michelle Paulchel.

## **II. APPROVAL OF MINUTES**

A motion to approve the meeting minutes from March 2015 was made by Morgan Hanes. Sue Perry seconded the motion. The decision was unanimous.

## **III. OLD BUSINESS**

- a. The Fall Plant Exchange has been tentatively set for Saturday October 10th beginning at 10am.
- b. Potential Seminars: Bee Seminar in November? Tentatively set for Saturday November 7th.
  1. Need to contact MidState Beekeepers Association
- c. We ordered and received (3)M, (3)L, (3)XL red t-shirts and (5)M navy shirts from School Cuts in West Columbia.
- a. Update on potential new members:
  1. Jane Jones at 2532 Stonehinge Dr. Cayce – 803-422-8380 – Retiring in a year
  2. Kim Masters at 321 Tamwood Cir. Cayce – 803-739-1419 – Would like to help out but can't make meetings due to prior obligations
  3. Maryann Dowd – submitted application and was invited to last meeting, but was not present.

## **IV. NEW BUSINESS**

- a. Members voted unanimously to have Vernetta Blakely join the Board.
- b. Morgan (& husband), Sue Miles, and Jocelyn Locke met at Museum to fill planters.
- c. "All About Urban Trees" Seminar with James Denny, Horticultural Expert and Manager of the City's Parks Department set for Saturday, August 15, 2015 at 10am. in the Cayce Museum basement meeting room.
- d. John Winn has resigned.

## **V. ADJOURNMENT**

A motion to adjourn was made by John Winn. Jocelyn Locke seconded the motion. The decision was unanimous.

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All open positions will be advertised on the City's website and Facebook page.

**COUNCIL ACTION REQUIRED**

**BEAUTIFICATION FOUNDATION - ONE (1) POSITION**

Ms. Kim Wells' term expired in July and she would like to serve again. Ms. Wells has served on the Foundation since 2010 and consistently attends the meetings. Her reappointment application is attached for Council's review.

**NO COUNCIL ACTION REQUIRED**

The following positions have been postponed by Council until receipt of potential member applications.

**ACCOMMODATIONS TAX COMMITTEE – THREE (3) POSITIONS**

Ms. Cherelle Davis is no longer employed with the Country Inn & Suites. Ms. Sue Wofford is no longer with Knights Inn. These positions must be filled by someone from the motel industry in Cayce. The staff liaison is currently speaking with motel managers regarding this position. Mr. Peter Fikas is no longer employed with Red Lobster. This position must be filled by someone from the restaurant industry in Cayce.

**BEAUTIFICATION BOARD – TWO (2) POSITIONS**

Ms. Joanne Wilson resigned from the Board in January. Her resignation letter is attached. The Board has no recommendation at this time. Mr. Joshua Call was removed from the Board in March due to three or more consecutive unexcused absences.

**CONSOLIDATED BOARD OF APPEALS – FOUR (4) POSITIONS**

Members of the Board are appointed by Council. They reviews citizen appeals to ensure building codes, property maintenance codes and fire codes are properly interpreted and implemented fairly. Members who serve on this Board must be either an Engineer, Contractor, Architect or Design Professional.

**EVENTS COMMITTEE – TWO (2) POSITIONS**

Mr. Jay Thompson resigned from the Events Committee in September due to an increased workload. There is also another open position on the Committee since the membership increased from nine members to eleven. There are no recommendations at this time.

**PUBLIC SAFETY FOUNDATION – FOUR (4) POSITIONS**

At the February 3, 2015 Council Meeting Council approved amendments to the Cayce Public Safety Foundation's Bylaws. In order to ensure that Council is able to recruit more directors to the Foundation, the Foundation Bylaws now read that Council may appoint directors from within the City at large and directors need not be from particular Council districts.

Also, the amended Bylaws state a quorum consists of the number of directors attending a meeting; provided, that in no event shall a quorum consist of fewer than two (2) directors. Therefore any action needed can be taken at each meeting.



# CITY OF CAYCE BEAUTIFICATION FOUNDATION RE-APPOINTMENT APPLICATION

Name: Kim Wells

Home Address: Jackson Ave City, State, Zip Columbia, SC 29203

Telephone: 803-633-3333 E-Mail Address [REDACTED]

Cell Phone: \_\_\_\_\_

Resident of Cayce:  Yes  No Number of Years \_\_\_\_\_

Business Located in Cayce:  Yes  No Number of Years 62 years

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: CMC Steel SC Position Director of Business Analysis, CMCA East Region

Address: 310 New State Road

City, State, Zip Cayce, SC 29033 Telephone [REDACTED]

Fax: \_\_\_\_\_ E-Mail \_\_\_\_\_

Work Experience: CMC for 19 years, Controller of CMCA East Region 2010-2012, Controller CMC Steel SC 2009-2010, Controller CMC Joist & Deck 2005-2009, CMC Texas 1996-2004

Educational Background: MBA - University of SC 2010, Bachelor of Accounting - Texas State University 1989

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

USC Alumni, CMC Investment Committee, Cayce Beautification Foundation 2010-2015, AWMI (Association of Women in the Metals Industry) – Programs Chairperson

Volunteer Work: \_\_\_\_\_

Hobbies: Kayaking, exercising, reading and traveling

Return to:

Mendy Corder, Municipal Clerk

[mcorder@cityofcayce-sc.gov](mailto:mcorder@cityofcayce-sc.gov)

City of Cayce, P.O. Box 2004, Cayce, SC 29171-2004

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