

Mayor  
Elise Partin

Mayor Pro-Tem  
Tara S. Almond

Council Members  
Phil Carter  
Eva Corley  
James E. Jenkins

City Manager  
Tracy Hegler

Assistant City Manager  
James E. Crosland



**City of Cayce  
Regular Council Meeting  
Tuesday, July 7, 2020 at 6:00 p.m.**

**Cayce City Hall is currently closed to the public.  
Please use the following method to attend the Council Meeting:  
Telephone: 1 929-205-6099  
Meeting ID: 883 0474 5734  
Password: 879061  
caycesc.gov**

**I. Call to Order**

- A. Invocation and Pledge of Allegiance
- B. Approval of Minutes  
May 31, 2020 Emergency Council Meeting  
June 2, 2020 Public Hearing and Regular Council Meeting  
June 11, 2020 Special Council Meeting

**II. Public Comment Regarding Items on the Agenda**

**Special Note: Anyone wishing to speak on an item on the Agenda will need to call the City Clerk at 803-550-9557 by 11:00 a.m. Tuesday, July 7, 2020. Please leave a voicemail and your call will be returned before the Council Meeting.**

**III. Resolutions**

- A. Approval of Resolution Recognizing Council Member James "Skip" Jenkins Retirement from CMC Steel South Carolina
- B. Approval of Resolution Declaring a Vacancy on Council and a Special Election to Fill the Vacancy and Advising of Filing Dates for Candidates

**IV. Ordinances**

- A. Discussion and Approval of Ordinance 2020-17 to Extend or Re-enact the Temporary Moratorium Enacted by Ordinance 2019-24 Concerning Large Scale Single-Family Residential Subdivisions and Multi-Family Residential Complexes – Second Reading
- B. Discussion and Approval of Emergency Ordinance 2020-18 Amending Emergency Ordinance 2020-13 Extending the Expiration Date of a Section of Emergency Ordinance 2020-05 Concerning Certain Temporary Signs
- C. Discussion and Approval of Emergency Ordinance 2020-19 Requiring Individuals to Wear Face Coverings in Certain Circumstances, and Matters Related Thereto

- D. Discussion and Approval of Ordinance 2020-20 Amending Zoning Ordinance Article 6 District Regulations to Add Language Concerning New Regulations on Uses in the I-77 Gateway Design Overlay District – First Reading
- E. Discussion and Approval of Ordinance 2020-21 Amending Zoning Ordinance Article 6 District Regulations to Add Language Concerning New Regulations on Infill Development – First Reading
- V. City Manager’s Report**
- VI. Committee Matters**
  - A. Appointments and Reappointments  
Standard Technical Codes Board of Appeals – One (1) Position
  - B. Discussion and Approval of By-Laws for the Standard Technical Codes Board of Appeals
- 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
  - B. Discussion of possible contractual arrangements concerning Lexington County water rates
- IX. Reconvene**
- 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  
Emergency Council Meeting  
May 31, 2020**

An Emergency Council Meeting was held this morning at 11:00 a.m. via Zoom video and conferencing software. Those present included Mayor Elise Partin, Council Members Tara Almond, Phil Carter, Eva Corley and James Jenkins. City Manager Tracy Hegler, Assistant City Manager Jim Crosland, Municipal Clerk Mendy Corder, 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. Mayor Partin stated that the meeting was being recorded through Zoom.

**Call to Order**

Mayor Partin called the meeting to order and Council Member Almond gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

**Ordinances**

**A. Discussion and Approval of Emergency Ordinance 2020-14 Declaring and Imposing a Curfew**

Mayor Partin recited the majority of proposed Emergency Ordinance 2020-14. She stated that on May 25, 2020, Mr. George Floyd died while in custody of the Minneapolis Police Department. Since Mr. Floyd's death, many have expressed their frustration in a peaceful and constructive manner and demonstrators have gathered to protest Mr. Floyd's death. While peaceful demonstrations are essential to the country's democratic system, some individuals have engaged in unlawful and dangerous activity which threaten the safety of lawful demonstrators, the surrounding communities, and first responders. Events of Saturday, May 30, 2020 in the City of Columbia, near its boundaries with the City of Cayce, resulted in property and personal damage and unlawful conduct. More demonstrations were anticipated on May 31, 2020 and the City of Cayce wishes to support the City of Columbia and its law enforcement officers and the current demonstrations have created an emergency for our City, such that the Council, in the exercise of its statutory authority, believes it to be in the interests of public safety and public health and public welfare, the maintenance of good public order, the protection of public and private property, and the effective operation of the City government and its public safety resources, to provide, for a temporary period, for a daily curfew with restricted travel, with certain conditions and exceptions. Mayor Partin stated that anyone could access the proposed Emergency Ordinance on the City's website to see what the restrictions and the exceptions were. She stated that the exceptions include any individuals traveling to and from work, for work purposes, or for healthcare.

Mayor Partin stated that she and staff had reached out to a number of Cayce businesses that morning to let them know about the potential curfew. She stated that 8:30 p.m. was chosen in the curfew because most of the businesses either closed at that time or a little before and it would allow their staff time to run errands and get home. Mayor Partin stated that if the Emergency Ordinance imposing a curfew passed it would start that night at 8:30 a.m. and would be in effect until 6:00 a.m. Monday morning.

Ms. Hegler stated that the proposed Emergency Ordinance was shared with Deputy Chief Jones and he thought it would be very helpful for the Cayce Officers working and also would be supportive of what the City of Columbia was doing.

Council Member Almond made a motion to approve Emergency Ordinance 2020-14. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

### **City Manager's Report**

Ms. Hegler stated that the City was offering their assistance to the City of Columbia in any way that they could. She stated that the prior night the City of Columbia asked staff to close the Blossom Street Bridge in-bound to provide the Columbia Police Officers some relief from more people entering the City particularly in the area where there was a curfew imposed. She stated that staff was prepared to close the bridge again that night if asked to. Ms. Hegler stated that staff did share that information with the local businesses as well. She stated that there were a lot of Public Safety Officers on Knox Abbott Drive and throughout the City of Cayce.

### **Council Comments**

There were no Council comments.

### **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

There were no items to discuss in Executive Session.

### **Adjourn**

Council Member Almond made a motion to adjourn the meeting. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 11:09 a.m.

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Elise Partin, Mayor

ATTEST:

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Mendy Corder, CMC, Municipal Clerk





Mayor  
Elise Partin

Mayor Pro-Tem  
Tara S. Almond

Council Members  
Phil Carter  
Eva Corley  
James E. Jenkins

City Manager  
Tracy Hegler

Assistant City Manager  
James E. Crosland

**City of Cayce  
Public Hearing and Regular Council Meeting  
June 2, 2020**

A Public Hearing was held this evening at 6:00 p.m. via Zoom video and conferencing software to obtain public comment on the City's proposed budget for FY20/21. Those present included Mayor Elise Partin and Council Members Tara Almond, Phil Carter, Eva Corley and James Jenkins. City Manager Tracy Hegler, Assistant City Manager Jim Crosland, Municipal Clerk Mendy Corder, IT Director Jamie Beckham, Deputy Director of Public Safety JJ Jones 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. Mayor Partin stated that the meeting was being recorded through Zoom. She stated that the public was provided a call in number to be able to follow all of the City business as normal. She asked any caller to mute their audio so there would not be any feedback. She stated that the meeting organizer was also able to mute calls. Mayor Partin stated that the public could speak on any item on the agenda if they prearranged speaking with the City's Municipal Clerk.

### Opening Statement

Mayor Partin stated that pursuant to Section 6-1-80 and Section 6-1-330 of the South Carolina Code of Laws, public notice is hereby given that the City of Cayce City Council will hold a Public Hearing on the proposed budget for the City of Cayce. She stated that the City's current fiscal year revenues and expenses were \$14,339,723 and the proposed projected revenues and expenses were \$13,742,155. She stated that no new fees were proposed and no increases in water rates or sewer rates. Also, no increases in millage were proposed.

### Public Testimony

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

### Close Hearing

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

The Council Meeting immediately followed the Public Hearing at 6:05 p.m. via Zoom. Those present included Mayor Elise Partin, Mayor Pro Tem Tara Almond, Council Members Phil Carter, Eva Corley and James Jenkins, City Manager Tracy Hegler, Assistant City Manager Jim Crosland, Municipal Clerk Mendy Corder, Public

Safety Deputy Director JJ Jones, Director of Planning and Development Carroll Williamson and City Attorney Danny Crowe.

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

### **Approval of Minutes**

Council Member Almond made a motion to approve the May 5, 2020 Regular Council Meeting minutes, the May 8, 2020 Special Council Meeting minutes and the May 20, 2020 Regular Council Meeting minutes as written. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

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

No one signed up for Public Comment.

### **Presentations**

#### **A. Presentation by Ms. Jessica Johnston re Enforcement of City Codes**

Ms. Johnston stated that over the past four to six weeks she had spoken to the tenant of a home on her street regarding unreasonably loud playing of his drums and cymbals. She stated that she had spoken to the landlord multiple times as well. She stated that from what she understood the responsibility lies on the landlord. She stated that she had called Cayce Public Safety regarding the playing of the drums and met with an Officer on site and she gave the Officer the Ordinances that she felt were relevant. Ms. Johnston stated that the Officer stated that he could not hear the drums but they were audible to her and another neighbor who joined them. She stated that the Officer found that no Ordinance had been violated and he told the tenant that as well. She stated that she requested the Officer's report and it was missing the fact that a third witness was present who stated that she did hear the drums being played. Ms. Johnston stated that she and her neighbors had filed three official police reports regarding the drums being played. She stated that she and her neighbors had proven various requirements for the drum playing to be considered excessive but no citation had been given to the tenant. She stated police reports were important and she and her neighbor's quality of life are linked to their findings. She stated that she feels that there is more than enough evidence that a violation of one or more Ordinances took place and occurred on multiple occasions.

**B. Presentation by Ms. Nancy Drew re Enforcement of City Codes**

Ms. Drew stated that Council had before them a picture of a full set of drums that she took from her neighbor's You Tube channel. She stated that her concerns with the drums being played started in early April and were ongoing. She stated that her neighbor plays the drums at different times of the day for an hour to three hours. She stated that she had to leave her home multiple times and ride around to get away from the stress of hearing the drums being played. She stated that the noise had caused her to have to increase her medication. Ms. Drew stated that she had asthma and had not had an asthma attack in two years and was down to only taking one medication but was now having full blown asthma attacks, taking three medications including an additional one her doctor prescribed for her nerves. She stated that her neighbor's house was twenty feet from her house and the drums could be heard throughout her house.

**C. Presentation by Ms. Laura Drew re Enforcement of City Codes**

Ms. Drew stated that she was Ms. Nancy Drew's daughter. She stated that she had concerns with several of the City's Ordinances. She stated that she thought it was unreasonable to be able to hear in one's home someone else playing an instrument in their home. She stated that her Mother's neighbor stated that he played the drums on his You Tube account in the hopes of generating income but he only had three followers and You Tube requires at least 1,000 followers before one can apply for their Partners Program. She stated that multiple Officers who responded to their calls did confirm that they could hear the drums being played while they were standing in the street. She stated that relevant evidence was left out of the Officer's reports.

**Resolutions and Ordinances**

**A. Approval of Resolution Recognizing the 103<sup>rd</sup> Birthday of Ms. Inez Holmes Smith**

Mayor Partin stated that it was the pleasure of the City of Cayce to commemorate the 103<sup>rd</sup> birthday of Ms. Inez Holmes Smith, which she celebrated on May 27, 2020. She stated that Ms. Smith was born in Lexington County and had lived in the City of Cayce since she was 11 years old. She attended Cayce Elementary School, both the day school and night school and was a loyal member of Mt. Zion Church. Ms. Smith was married to the late Deacon Willie Smith, had 4 living daughters and one deceased daughter and many grandchildren and great grandchildren.

Council Member Jenkins made a motion to approve the Resolution recognizing Ms. Inez Holmes Smith's 103<sup>rd</sup> birthday. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

**B. Approval of Resolution Authorizing the City of Cayce to Apply to the South Carolina Water Quality Revolving Fund Authority for Loans from the State**

## Water Pollution Control Revolving Loan Fund; and Other Matters Relating Thereto

Ms. Hegler stated that Council's approval was needed for a Resolution to authorize the City to apply for a loan from the state water pollution control revolving loan fund for improvements to the Septage and Grease Facility at the Waste Water Treatment Plant. She stated that in August 2019, City Council approved staff pursuing a \$3.5 million SRF loan for major improvements and upgrades to the Septage and Grease Facility, including an additional truck unloading bay to unload faster and more efficiently, an additional storage tank for operational flexibility, better mixing pumps to help keep solids from settling in the storage tanks, an additional belt press to have a backup system (less facility downtime due to belt press issues) and a grease interceptor that reduces grease from filtrate returned to the WWTP. Ms. Hegler stated that staff had worked with American Engineering to prepare the loan documents and a Resolution was required to accompany the loan submittal.

Council Member Almond made a motion to approve the Resolution. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

### C. Discussion and Approval of Ordinance 2020-12 to Adopt an Annual Budget, Levy a Property Tax, and Provide Revenue for the City of Cayce for the Fiscal Year Ending June 30, 2021 – Second Reading

Council Member Carter made a motion to approve Ordinance 2020-12 on Second Reading. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

### City Manager's Report

Ms. Hegler stated that Ms. Johnston who spoke earlier in the meeting voiced concern about the City's renter's Ordinance and staff was meeting with her and the Drew's the following day to discuss her concerns. She stated that Mr. Crosland was not in attendance because his eldest son graduated from high school earlier that day. She thanked Public Safety staff for their amazing work that weekend. She stated that the City was in good shape and good stewards to the City of Columbia.

### Council Comments

There were no Council comments.

### 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

**B. Discussion of possible contractual arrangements concerning Lexington County water rates**

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

**Reconvene**

After the Executive Session was concluded, Council Member Almond made a motion to reconvene the Regular meeting. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote. Mayor Partin announced that no vote was taken in Executive Session other than to adjourn and resume the Regular meeting.

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

No action were taken in follow up to Executive Session.

Mayor Partin thanked staff for doing such a good job with the budget and for prioritizing staff and the City's services to its citizens. She stated that it was especially remarkable considering the ever changing economic environment and more importantly it was done without any tax or rate increases. She thanked Council for supporting that and stated that Council and staff would be constantly monitoring the budget because of the changing economic landscape.

**Adjourn**

Council Member Almond made a motion to adjourn the meeting. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 7:00 p.m.

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Elise Partin, Mayor

ATTEST:

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Mendy Corder, CMC, Municipal Clerk





Mayor  
Elise Partin

Mayor Pro-Tem  
Tara S. Almond

Council Members  
Phil Carter  
Eva Corley  
James E. Jenkins

City Manager  
Tracy Hegler

Assistant City Manager  
James E. Crosland

**City of Cayce  
Special Council Meeting  
June 11, 2020**

A Special Council Meeting was held this evening at 5:00 p.m. via Zoom video and conferencing software. Those present included Mayor Elise Partin and Council Members Tara Almond, Phil Carter, Eva Corley and James Jenkins. City Manager Tracy Hegler, Assistant City Manager Jim Crosland, Municipal Clerk Mendy Corder, IT Director Jamie Beckham, Planning and Development Director Carroll Williamson 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. Mayor Partin stated that the meeting was being recorded through Zoom. She stated that the public was provided a call in number to be able to follow all of the City business as normal. She asked any caller to mute their audio so there would not be any feedback. She stated that the meeting organizer was also able to mute calls. Mayor Partin stated that the public could speak on any item on the agenda if they prearranged speaking with the City's Municipal Clerk.

### **Call to Order**

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

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

No one signed up for Public Comment.

### **Ordinances**

- A. Discussion and Approval of Emergency Ordinance 2020-15 Amending Emergency Ordinance 2020-08 Concerning Electronic Meetings and Related Measures for City Boards and Commissions to Extend the Ordinance Expiration Date

Ms. Hegler stated that the Ordinances that allow Council and the City's Boards and Commissions to meet electronically expire in early July therefore Emergency Ordinances 2020-15 and 2020-16 would extend the original Ordinances another 60 days upon approval by Council.

Council Member Jenkins made a motion to approve Ordinance 2020-15. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

**B. Discussion and Approval of Emergency Ordinance 2020-16 Amending  
Emergency Ordinance 2020-09 Concerning Electronic Meetings and Related  
Measures for Council Meetings to Extend the Ordinance Expiration Date**

Council Member Almond made a motion to approve Ordinance 2020-16. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

**C. Discussion and Approval of Ordinance 2020-17 to Extend or Re-enact the  
Temporary Moratorium Enacted by Ordinance 2019-24 Concerning Large  
Scale Single-Family Residential Subdivisions and Multi-Family Residential  
Complexes – First Reading**

Ms. Hegler stated that Council approval was requested to determine next steps on the temporary moratorium enacted by Ordinance 2019-24 concerning large scale single-family residential subdivisions and multi-family residential complexes. She stated that on December 18, 2019 Council approved a 180-day moratorium which was set to expire on June 15, 2020. This was done so staff would have adequate time and opportunity to study, analyze, and make recommendations to Council concerning the consequences and impact of planned and unplanned large scale residential growth in and around the City.

Ms. Hegler stated that on February 25, 2020, the City signed an agreement with RKG Associates Inc. to conduct a housing study to determine the current state of Cayce's housing stock and to determine the City's housing needs. RKG Associates Inc. delivered its report with key findings and recommendations. Some of the key findings include that Cayce's population growth was increasing, but the greatest population increase over 5 years was the 25-34 age cohort. While houses in the \$100K-\$150K range had the greatest share of home sales in 2019, houses over \$200K made up 13% of home sales in 2019 but houses having this value only made up 7% of Cayce's housing stock. The purchasing power of the top 30% of households was \$100,000 greater than the bottom 60% of households. These households can afford purchase prices starting at \$294,000, which is much higher than what most homes in Cayce sell for. As a result, they are purchasing homes far below what they can afford. Rents in Cayce are rising, but renters are twice as likely to be cost burdened compared to owners.

Ms. Hegler stated that RKG's recommendations include use of zoning to guide housing design, investments and diversity and implement a strong annexation policy that ensures quality development that complements the City. Also recommended was creating a Housing Task Force to provide recommendations to City leadership on housing affordability, diversity of housing options and design, facilitate neighborhood clean-ups and create a short-term rental policy. It was recommended that the City comprehensively enforce the 2018 International Property Maintenance Code to address property issues that are driving down home value of surrounding residential properties.

Ms. Hegler stated that staff would be working on the recommendations for months and years to come.

Ms. Hegler stated that if Council decided to proceed with the zoning recommendations then they may choose to consider keeping the moratorium in place for a short additional period, possibly 45 days, to allow staff to implement design standards for certain residential uses and to ensure zoning is consistent with the recommendations of the study. If so, Council would need to give First Reading to Ordinance 2020-17 to Extend or Re-enact the Temporary Moratorium Enacted by Ordinance 2019-24 Concerning Large Scale Single-Family Residential Subdivisions and Multi-Family Residential Complexes for 45 days.

Council Member Jenkins made a motion to approve Ordinance 2020-17. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

### **Discussion Items**

#### **A. Discussion and Approval of Projects Submittal to the Lexington County Capital Project Sales Tax Commission**

Ms. Hegler stated that Council approval was needed to submit transportation-related projects to the Lexington County Capital Project Sales Tax (CPST) Commission for the upcoming transportation sales tax referendum. She stated that the Lexington County Capital Project Sales Tax (CPST) Commission was requesting eligible entities to provide a prioritized list of projects for consideration of funding within the County. The City submitted projects previously in 2014, when the sales tax was last being considered. Those projects have been reviewed by staff and updated for this purpose. Ms. Hegler stated that some of the projects from 2014 have been completed by other means. She stated that staff was advised that projects being submitted must be related to roadway and traffic improvements, but it was staff's opinion the following should be considered:

- Stormwater Drainage Improvements
- Wastewater Collection System Inflow and Infiltration Analysis and Rehabilitation Project
- Highway 302 and I-26 Intersection Utility Relocation
- Portion of the Riverwalk Capital Improvement Plan (two Railroad Shelters and a bathroom)

Council Member Jenkins made a motion to submit staff's recommended projects. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

#### **B. Discussion and Approval of Bid Award for General Contracting Services for the City of Cayce Sewer Line Rehab Project, and Spending Approval**

Ms. Hegler stated that Council's approval was needed to accept the bid from BLD Services, LLC, authorize the City Manager to execute the contract for general contracting services for the City of Cayce Sewer Line Rehab Project, and to spend up to \$185,000 from the Utility Fund for the repairs. She stated that the City received a Community Development Block Grant (CDBG) award in 2018 of \$216,234 to perform sewer line rehab of approximately 1,157 LF of substandard concrete sewer lines. She stated that this was a reimbursable grant, where the City outlays all funds initially and is reimbursed by CDBG for approved expenses. Ms. Hegler stated that grant funds would be used for construction costs, permit fees, environmental review fees and Davis Bacon monitoring fees. The City has a required 10% grant match, which would be covered through the City's Utility Fund (this will include in-kind expenses of City Engineer salary for project design and monitoring).

Ms. Hegler stated that the project area included a portion of Holland Avenue and Railroad Street. Rehabilitation will consist of installation of new cured-in-place liners for sewer lines, service lines and rehabilitating manholes. She stated that professional general contractor services to perform the lining were needed to complete this project; a request for proposals was placed in SCBO on April 24, 2020 and six (6) firms responded. BLD Services, LLC was the lowest responsive responsible bidder with a bid of \$158,951. Ms. Hegler stated that BLD Services, LLC had been vetted by the City Engineer and City Attorney and were recommended for award.

Council Member Almond made a motion to accept the bid from BLD Services, LLC, authorize the City Manager to execute the contract for general contracting services for the City's Sewer Line Rehab Project, and to spend up to \$185,000 from the Utility Fund for the repairs. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

### **City Manager's Report**

Ms. Hegler stated that staff was working on refinancing the City's utility bonds. She stated that staff had a great phone call with Standard and Poors answering some of their questions and it appears they are going to give the City a new rating that may go to sell at the end of the month. She stated that hopefully this would save the City \$500,000 annually.

### **Committee Matters**

- A. Appointments and Reappointments
  - Technical Codes Board of Appeals – One (1) Position

Mayor Partin stated that the Technical Codes Board of Appeals currently had three (3) open positions. The City received a potential member application from Mr. Frank Dedmon.

Council Member Almond made a motion to approve Mr. Dedmon's appointment. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote. Mayor Partin stated that Mr. Dedmon was a very talented artist and suggested that staff inform him about the Cayce Arts Guild in case he was interested in being a member. She stated the CAG would love to have him as a member.

### **Council Comments**

Mayor Partin stated that staff was placing the Housing Study on the City's website by the next morning. She stated that Council was excited to do this for the City and its residents and businesses and to develop the community. She stated that so many people were really excited about the study that would help them get a really good return on investment. She thanked staff for getting the study online so everyone would have access to it.

### **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
- B. Discussion of possible contractual arrangements concerning Lexington County water rates
- C. Discussion of request related to proposed location of government agency facility in the City

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

### **Reconvene**

After the Executive Session was concluded, Council Member Corley made a motion to reconvene the Regular meeting. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote. Mayor Partin announced that no vote was taken in Executive Session other than to adjourn and resume the Regular meeting.

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

- A. Discussion and Approval of Lexington County Intergovernmental Agreement

Council Member Almond made a motion to approve the intergovernmental agreement with Lexington County as discussed in Executive Session. Council Member Corley seconded the motion. Mayor Partin and Council Members Jenkins, Corley and

Almond voted yes. Council Member Carter voted no. The motion passed with a majority vote.

**B. Possible action on request related to proposed location of government agency facility in the City**

Council Member Almond made a motion to authorize the City Manager to advise that the City had no objection to the proposed location of the government agency facility in the City. Council Member Jenkins seconded the motion which was unanimously approved by roll call vote.

**Adjourn**

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

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Elise Partin, Mayor

ATTEST:

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Mendy Corder, CMC, Municipal Clerk





Mayor  
Elise Partin

Mayor Pro-Tem  
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## Resolution Congratulating Council Member James “Skip” Jenkins on His Retirement from CMC Steel

**Whereas**, James “Skip” Jenkins was born in Cayce and is a lifelong resident of the City that he loves so much and lives just a block from where he grew up; and

**Whereas**, he has dedicated 46 years of service to CMC Steel and is currently the most tenured employee in the East Region; and

**Whereas**, he began his career in 1974 for Owens Steel as a Bearing and Gear Box Lubricator; and

**Whereas**, after two years he was promoted to Shift Mechanic then worked as the Cooling Bed Mechanic in the Rolling Mill before being promoted to Melt Shop Leadman; and

**Whereas**, when CMC purchased Owens Steel in 1994, Skip was again promoted to the Caster and LMS Mechanical Supervisor; and

**Whereas**, Skip worked in the Store Room, where he implemented the Parts Kitting Area and Store Room Attendant Office; and

**Whereas**, he has served the past ten years at CMC Steel as the Plant Services Manager where he started the HVAC and landscaping groups and was responsible for ensuring that the facilities run smoothly for CMC’s 425 employees on site; and

**Whereas**, in addition to the incredible impact Skip has made at CMC, he is also the longest serving Council Member on Cayce City Council and is the former Mayor Pro Tem; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Cayce City Council, in Council Session duly assembled, joins in recognizing James “Skip” Jenkins on his retirement from CMC Steel and for his 46 years of service and commitment to CMC.

**ADOPTED** this 7<sup>th</sup> day of July, 2020.

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Elise Partin, Mayor

**ATTEST:**

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Mendy Corder, CMC, Municipal Clerk

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )  
CITY OF CAYCE )  
 )

**RESOLUTION**  
**Declaring a Vacancy on Council and**  
**a Special Election to Fill the Vacancy**  
**and Advising of Filing Dates for**  
**Candidates**

**WHEREAS**, the Council, on this date, has accepted the resignation of Council Member Tara Almond from Council effective as of the date she moved from her Council District on June 25, 2020; and

**WHEREAS**, Council Member Almond's move from her Council District creates a vacancy on Council from Council District 1 of the City and, pursuant to S.C. Code section 5-7-200(b), triggers the necessity for a special election since the vacancy occurs more than 180 days prior to the next general municipal election for the City in November 2021; and

**WHEREAS**, the Council, in accord with S.C. Code section 5-15-50, previously has adopted an ordinance (now codified in the Cayce City Code as Section 16-3) specifying the application of S.C. Code section 7-13-190 for special elections; and

**WHEREAS**, S.C. Code section 7-13-190(C) sets the manner of calculation of the election date and the filing dates for candidates for a nonpartisan special election; and

**WHEREAS**, the City wishes to advise the public of the date of the special election and of the opening and closing dates for the filing by any candidate for such office of a statement of candidacy,

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

- (A) A vacancy is declared for the Council seat for Council District 1 as of the date of June 25, 2020, by reason of the Council Member for the District moving out of the District on the date of June 25, 2020.
- (B) This vacancy necessitates a special election that, pursuant to S.C. Code section 7-13-90(C), will be held on Tuesday, September 22, 2020.
- (C) Filing for candidates for election as the Council Member from Council District 1 is declared to open as of 8:00 a.m. on July 27, 2020, according to calculations based on statutory interpretations provided by the Lexington County Commission of Registration and Elections.

(D) Filing for candidates for such election will be closed at 5:00 p.m. on August 7, 2020, according to calculations based on statutory interpretations provided by the Lexington County Commission of Registration and Elections.

**ADOPTED** this \_\_\_\_\_ day of July 2020.

\_\_\_\_\_  
Elise Partin, Mayor

Attest:

\_\_\_\_\_  
Mendy Corder, CMC, Municipal Clerk

First Reading and Adoption: \_\_\_\_\_

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

<b>STATE OF SOUTH CAROLINA</b>	)	<b>ORDINANCE 2020-17</b>
	)	
<b>COUNTY OF LEXINGTON</b>	)	Extending or Re-enacting the Temporary
	)	Moratorium Established by Ordinance
<b>CITY OF CAYCE</b>	)	2019-24 on Applications and
	)	Administrative Processing for Approval of
	)	Certain Large Scale Single-Family
	)	Residential Subdivisions and Multi-Family
	)	Residential Complexes

**WHEREAS**, the City Council, by its Ordinance 2019-24, enacted on December 18, 2019, previously found and determined that it would be beneficial for the operations of the City, and beneficial for the promotion of the public interest in orderly and prudent development of the City, for the City to undertake a study of the consequences and impact of planned and unplanned large scale residential growth in and around the City; and

**WHEREAS**, the Council, by that Ordinance, further found and determined that the benefits and effectiveness of such a study will be aided and facilitated by a temporary moratorium on applications, and the administrative processing of such applications, for new large scale single-family residential subdivisions of fifteen or more residences, and new large scale multi-family residential (including rental or owner-occupied apartments or condominiums) complexes of more than four living units in the City; and

**WHEREAS**, the Council, by that Ordinance, further found and determined that a period of one hundred eighty (180) days in duration was the minimum reasonable time needed to undertake and complete the study contemplated by the Council; and

**WHEREAS**, the Council, by that Ordinance, expressed its belief and found that it was appropriate to establish a temporary moratorium period of one hundred eighty (180) days on the acceptance, processing, and grant of any approvals, permits or permissions; and

**WHEREAS**, Ordinance 2019-24 contemplated, by its express provisions that "[t]he Council, by subsequent ordinance, may extend the temporary suspension and temporary moratorium for a further time period upon appropriate findings"; and

**WHEREAS**, the City, following its request for proposals for such a study, selected and retained RKG Associates Inc. to undertake a housing study of the City, and RKG Associates Inc. now has provided its draft study with findings and recommendations, among which recommendations are an extension of the moratorium to consider, among other things, implementation of design and performance standards for housing development and zoning changes within the City; and

**WHEREAS**, the Council finds and determines that forty-five days (45) days from the date of adoption of this Ordinance is the minimum reasonable time needed to consider and implement such changes; and

**WHEREAS**, the Council further finds and determines that extension of the moratorium established by Ordinance 2019-24, or reenactment of the moratorium, for the additional period described in this Ordinance would be beneficial for the operations of the City, and beneficial for the promotion of the public interest in orderly and prudent development of the City; and

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

1. The temporary suspension and temporary moratorium established by Ordinance 2019-24 is hereby extended or reenacted for a period of forty-five (45) from the date of adoption of this Ordinance.

2. All activities by the City, including City staff and any of the City's agents or boards or commissions, in connection with the acceptance, review, processing and granting of applications for approvals, permits or permissions related to the development or construction of (a) single-family residential subdivisions of fifteen (15) residences or more, and (b) multi-family residential housing, including rented or owner-occupied apartments or condominium units, of four or more living units (except in a planned development district), are temporarily suspended in order for the City, through its officials and staff and any other agents or contractors, to have adequate time and opportunity to analyze and consider the implementation of recommendations to the Council from the commissioned outside housing study concerning the consequences and impact of planned and unplanned large scale residential growth in and around the City.

3. The temporary suspension or temporary moratorium shall remain in effect until forty-five (45) days from the effective date of this Ordinance.

4. The Council, by subsequent ordinance, may extend the temporary suspension and temporary moratorium for a further time period upon appropriate findings.

This Ordinance is intended to extend the effective dates of previous Ordinance 2019-24 from its adoption until forty-five (45) days after adoption of this Ordinance.

**DONE IN MEETING DULY ASSEMBLED**, this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Elise Partin, Mayor

Attest:

\_\_\_\_\_  
Mendy Corder, CMC, Municipal Clerk

First Reading: \_\_\_\_\_

Second Reading and Adoption: \_\_\_\_\_

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

STATE OF SOUTH CAROLINA	)	EMERGENCY ORDINANCE 2020-18
	)	Amending Emergency Ordinance
COUNTY OF LEXINGTON	)	2020-13 Extending the Expiration
	)	Date of a Section of Emergency
CITY OF CAYCE	)	Ordinance 2020-05 Concerning
	)	Certain Temporary Signs

**WHEREAS**, S.C. Code section 5-7-250(d) authorizes Council to adopt emergency ordinances (with certain limitations not applicable to this Ordinance) for a limited period of sixty days; and

**WHEREAS**, the current coronavirus pandemic has created an emergency for our City and our Nation, such that the Council, in the exercise of its statutory authority and in the public interest, enacted Emergency Ordinance 2020-05, on March 27, 2020, as an emergency ordinance to, among other things, suspend the prohibition on certain temporary signs advertising hours and conditions of operation of businesses; and

**WHEREAS**, the Council amended that Ordinance, on May 20, 2020, by enactment of Emergency Ordinance 2020-13 to extend the expiration date; and

**WHEREAS**, the Council believes that, due to the continuation of the public health emergency presented by the pandemic, it is in the public interest to extend further the expiration date of Emergency Ordinance 2020-05 previously adopted so that it remains in force and effect for an additional emergency time period,

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

The expiration date of Emergency Ordinance 2020-05 for Section 7 thereof (that provides "Prohibition of temporary signs as referenced in Section 8.6 of the Zoning Ordinance is suspended for businesses advertising drive-thru, pick up, to go orders, and hours of operation only.") is hereby extended so that it shall expire automatically on the sixty-first day following the date of this Ordinance, which is the date of September 6, 2020, unless further amended or repealed.

This Ordinance, as an emergency ordinance, shall become effective immediately upon Council approval on one reading.

**DONE IN MEETING DULY ASSEMBLED**, this \_\_\_\_\_ day of July 2020.

\_\_\_\_\_  
Elise Partin, Mayor

Attest:

\_\_\_\_\_  
Mendy Corder, CMC, Municipal Clerk

Reading and Adoption: \_\_\_\_\_

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

<b>STATE OF SOUTH CAROLINA</b>	)	<b>EMERGENCY ORDINANCE 2020-19</b>
	)	
<b>COUNTY OF LEXINGTON</b>	)	<b>REQUIRING INDIVIDUALS TO</b>
	)	<b>WEAR FACE COVERINGS IN</b>
<b>CITY OF CAYCE</b>	)	<b>CERTAIN CIRCUMSTANCES, AND</b>
	)	<b>MATTERS RELATED THERETO</b>

**WHEREAS**, it is well recognized that SARS-CoV-2, the virus that causes the disease COVID-19, presents a public health concern that requires extraordinary protective measures and vigilance; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared a world-wide pandemic; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a National Emergency for the United States and its territories in an effort to reduce the spread of the virus; and

**WHEREAS**, on March 13, 2020, the Governor of the State of South Carolina Henry McMaster declared a state of emergency for the State of South Carolina; and

**WHEREAS**, on March 16, 2020, City Council declared a state of emergency for the City of Cayce, which has been subsequently renewed and remains in place; and

**WHEREAS**, S.C. Code Ann. §5-7-250 empowers Council to enact emergency ordinances affecting life, health, safety, or property; and

**WHEREAS**, COVID-19 has spread across the state with the South Carolina Department of Health and Environmental Control (“SCDHEC”) confirming the localized person-to-person spread of COVID-19 in South Carolina, which indicates a significantly risk of exposure and infection and creating an extreme public health risk; and

**WHEREAS**, as of July 1, 2020, the total number of confirmed cases in South Carolina is approximately 36,297 and the number of confirmed deaths is 735, with the number of reported cases in Lexington County is 2,059, the number of estimated cases is 12,648, and the number of possible cases is 14,707; and

**WHEREAS**, the number of cases is growing rapidly and if COVID-19 continues to spread in the City, the number of persons relying on medical, pharmaceutical, and general cleaning supplies will increase, the private and public sector work force will be negatively impacted by absenteeism, and the demand for medical facilities may exceed locally available resources; and

**WHEREAS**, it is vitally important that we all work together to decrease the widespread proliferation of COVID-19 among us all now rather than suffer the unfortunate and devastating consequences later; and

**WHEREAS**, the Centers for Disease Control and Prevention (“CDC”) and SCDHEC advise the use of cloth face coverings to slow the spread of COVID-19; and

**WHEREAS**, taking measures to control outbreaks minimizes the risk to the public, maintains the health and safety of the City’s residents, and limits the spread of infection in our communities and within the healthcare delivery system; and

**WHEREAS**, in order to protect, preserve, and promote the general health, safety and welfare and the peace and order of the community, the City is taking steps to try to protect the citizens and employees of the City from increased risk of exposure; and

**WHEREAS**, in light of the foregoing, City Council deems it proper and necessary to adopt this Emergency Ordinance to require (a) persons entering buildings or structures open to the public as described below to wear face coverings while inside the building or structure, and (b) all employees of restaurants, retail stores and other establishments as described below, to wear face coverings at any time there is face to face interaction with the public and in other circumstances,

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

1. All persons over the age of the (10) years entering a building or structure in the City open to the general public, including but not limited to, restaurants, retail stores, salons, barber shops, grocery stores, convenience stores, medical and dental offices, and pharmacies, and including fitness centers and studios while such persons are not engaging in exercise, must wear a Face Covering while inside the building or structure, excluding restaurants while seated. The business shall have responsibility for posting conspicuous signage at all entrances informing its patrons of the requirements of this section.
2. All restaurants, retail stores, salons, barber shops, grocery stores, medical and dental offices, fitness centers and studios, and pharmacies, and all businesses engaged in food preparation, in the City must require their employees to wear a Face Covering at all times while having face to face interaction with the public, or with other staff, when social distancing of at least six (6) feet cannot be observed. Alternatively, they may provide a separating barrier between the employee and the public.
3. Any person who is unable to safely wear a face covering due to age, an underlying health condition, religious reasons, or is unable to remove the face covering without the assistance of others is exempt from this Ordinance.
4. For purposes of this Ordinance, “Face Covering” shall be defined to mean masks of a uniform piece of cloth, fabric, synthetic or other permeable material that securely covers a person’s nose and mouth and remains affixed in place without the use of one’s hands or plastic face shield. Face Coverings include, but are not limited to, bandanas, medical masks, cloth masks, scarves, gaiters, and face shields worn to cover the person’s nose and mouth.
5. A person who fails to comply with Section 1 of this Ordinance shall be guilty of a civil infraction, punishable by a fine of not more than \$25.00. Each day of violation of this Ordinance shall be considered a separate and distinct offense.
6. A person who fails to comply with Section 2 of this Ordinance shall be guilty of a civil infraction, punishable by a fine of not more than \$100.00. Each day of violation of this Ordinance shall be considered a separate and distinct offense. In addition to the fines established by this section, repeated violations of this Ordinance by a person who owns, manages, operates or otherwise controls a business subject to this Ordinance may, subject to all procedural protections set forth in the City Code, result in the suspension or revocation of any occupancy permit or business license issued to the business in which the repeated violations occurred. Repeated violations of this Ordinance are additionally hereby declared to be a public nuisance, which may be abated by the City by restraining order, preliminary and permanent injunction, or other means provided for by the laws of this State. The foregoing

notwithstanding, reasonable effort shall be made to bring the business into voluntary compliance with the terms of this Ordinance prior to the issuance of any citation. For the purposes of this section of this Ordinance, "person" shall be defined as any individual associated with the business who has the control or authority and ability to enforce the social distancing requirements of the Ordinance within the business, such as an owner, manager or supervisor. "Person" may also include an employee or other designee that is present at the business who does not have the title of manager, supervisor, etc. but has the authority and ability to ensure that the requirements of this Ordinance are met while the business is open to the public.

- 7. Should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.
- 8. This Emergency Ordinance shall be terminated by the issuance of another ordinance or shall automatically expire on the sixty-first day after enactment of this Ordinance, whichever date is earlier.

This Ordinance shall become effective at 6:00 a.m. on Friday, July 10, 2020, to continue until the earlier of repeal of this Ordinance or the automatic expiration of this Ordinance on the 61st day after enactment of this Ordinance.

**DONE IN MEETING DULY ASSEMBLED**, this 7th day of July 2020.

\_\_\_\_\_  
Elise Partin, Mayor

Attest:

\_\_\_\_\_  
Mendy Corder, CMC, Municipal Clerk

First Reading and Adoption: \_\_\_\_\_

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

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# Memorandum

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**To:** Mayor and Council

**From:** Tracy Hegler, City Manager  
Carroll Williamson, Planning and Development Director

**Date:** June 26, 2020

**Subject:** First Reading of an Ordinance Amending Zoning Ordinance Article 6 District Regulations to Add Language Concerning New Regulations on Uses in the I-77 Gateway Design Overlay District

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## Issue

Council approval is needed for the First Reading of an Ordinance amending Article 6 District Regulations to remove some permitted uses in the I-77 Gateway Design Overlay District and to add some additional prohibited uses.

## Discussion

The I-77 Gateway Design Overlay District was created by Council to be an economically thriving welcome to the City from Interstate 77 along 12<sup>th</sup> Street Extension.

In March, Council approved a rezoning of one large parcel to Planned Development District for a large mixed use development called Southern Commons at the corner of Saxe Gotha Road and 12<sup>th</sup> Street Extension. Other large parcels in this area have residential, medical, and education uses currently. To ensure that new developments that are planned within this overlay district compliment the desired commercial character, Staff recommends that additional uses of residential, medical, education and public administration be prohibited.

The Planning Commission voted on amending Article 6 of the Zoning Ordinance concerning uses in the I-77 Gateway Design Overlay District at the Planning Commission meeting on June 15, 2020.

## Recommendation

The Planning Commission recommends Council approve First Reading of an Ordinance amending Article 6 District Regulations to remove some permitted uses in the I-77 Gateway Design Overlay District and to add some additional prohibited uses. Additionally, staff recommends that council delete Public Administration as a permitted use because it contradicts with the Planning Commission's recommendation to add it to the list of prohibited uses.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )  
CITY OF CAYCE )

**ORDINANCE 2020-20**  
**Amending the Zoning Ordinance Article**  
**6 District Regulations Section 6.10-3 to**  
**Add Language Concerning Uses in the**  
**I-77 Gateway Design Overlay District**

**WHEREAS**, Council has determined that it is in the best interest of the public to amend Section 6.10-3 of Zoning Ordinance Article 6 District Regulations to add language concerning uses in the I-77 Gateway Design Overlay District; and

**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 June 15, 2020, to review public comments and vote on recommending proposed amendments to Section 6.10-3 of Article 6 District Regulations of the Cayce Zoning Ordinance, and voted to recommend an 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 Section 6.10-3 of Article 6 District Regulations of the Cayce Zoning Ordinance 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 \_\_\_\_\_ 2020.

\_\_\_\_\_  
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 6.10-3 Uses**1) Knox Abbott Drive Design Overlay District and 12<sup>th</sup> Street Extension Design Overlay District

- a. Permitted Uses. Unless specifically prohibited by Section 6.10-3.1.b, the uses permitted within the underlying zoning district shall apply.
- b. 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, public administration, and rural
- b. 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. 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. 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. Any use involving selling or exhibiting pornographic materials or illicit drug-related paraphernalia
  - vi. 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. Any massage parlors or similar establishments
  - viii. Billboards
  - ix. Pawn shops, consumer cash lending secured by personal property
  - x. Check cashing services
  - xi. Kennels
  - xii. 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. Mobile homes and mobile home parks
  - xiv. Fireworks sales, temporary and permanent
  - xv. Electronic cigarette stores
  - xvi. Mini warehouses and self-storage units
  - xvii. Residential- single family, duplex, and multi-family
  - xviii. Educational Services (NAICS Sector 61)
  - xix. Health Care and Social Assistance (NAICS Sector 62)
  - xx. Public Administration (NAICS Sector 92).
- c. Conditional Uses
- i. Communication Towers and Antennas are permitted as a conditional use in accordance with Article 7, Section 7.8.

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# Memorandum

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**To:** Mayor and Council

**From:** Tracy Hegler, City Manager  
Carroll Williamson, Planning and Development Director

**Date:** June 26, 2020

**Subject:** First Reading of an Ordinance Amending Zoning Ordinance Article 6 District Regulations to Add Language Concerning New Regulations on Infill Development

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## Issue

Council approval is needed for the First Reading of an Ordinance amending Article 6 District Regulations to add additional design requirements for new houses built in neighborhoods that are predominantly brick houses.

## Discussion

On November 20, 2019, Council approved an Ordinance regulating the design standards of new homes built in existing neighborhoods. One of the criteria was that a proposed new home surrounded by homes with non-vinyl siding must not use vinyl siding.

Because certain neighborhoods have homes that are built almost exclusively out of brick material, new homes built in these neighborhoods should retain some of that same character that reflects this common characteristic. This Ordinance puts additional requirements for infill lots that are surrounded by brick homes, following the same measure as is used for other infill development to determine what defines surrounding development.

## Recommendation

The Planning Commission recommends Council approve First Reading of an Ordinance amending Article 6 District Regulations to add additional design requirements for new houses built in neighborhoods that are predominantly brick houses.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )  
CITY OF CAYCE )

**ORDINANCE 2020-21**  
**Amending the Zoning Ordinance Article**  
**6 District Regulations Section 6.12 to**  
**Add Language Concerning Regulations**  
**on Infill Development**

**WHEREAS**, Council has determined that it is in the best interest of the public to amend the Zoning Ordinance Article 6 District Regulations Section 6.12 to add language concerning regulations on infill development; and

**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 June 15, 2020, to review public comments and vote on recommending the amended Article 6 District Regulations Section 6.12, of the Cayce Zoning Ordinance, and 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 6.12 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 \_\_\_\_\_ 2020.

\_\_\_\_\_  
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 6.12 Infill Development Design Standards

**Purpose.** The purpose of requiring design standards for infill development is to ensure new developments within existing residential neighborhoods retain the character of that neighborhood.

### Definitions.

**Infill Development-** The development, reuse, or change of use of vacant, underdeveloped or proposed redeveloped land on an existing street that is surrounded on at least two (2) sides by existing development.

**Surrounding Development-** The single-family residential properties surrounding the property to be developed. Surrounding development includes each property whose front or side property lines falls within 500 feet, measuring from each corner of the property to be developed. The Planning Director has the discretion to reduce or enlarge the boundary when major separations (highways, railroads) are located within 500 feet of the property to be developed.

**Requirements.** All building plans of the primary structure of an infill development are required to be reviewed and approved by a Planning and Development Department committee prior to the issuance of a building permit. For infill development property that will be subdivided into multiple properties, each building plan shall be considered infill development and subject to the provisions of this Section of the Ordinance.

**Design Standards.** Design standards shall include, but are not limited to, (1) front porches, (2) first floor at least two (2) feet above grade, (3) non-vinyl siding, and (4) columns.

**Review Process.** This committee will review, within ten (10) working days of submittal, each building plan of the primary structure to determine if its design is similar in design to the surrounding development by conducting a survey of the designs of the residential primary structures within the surrounding development. If 50% or more residential primary structures within the surrounding development has one of the design standards, that standard shall be required on the building plans of the infill development. Additionally, if over 75% of the houses in the surrounding development have a brick exterior wall covering, then the infill development shall have one of the following constructed of brick: foundation wall above grade, at least half the height of the columns, or 25% of the exterior wall covering of the side of the structure which serves as the primary front entrance or faces the street.

Once reviewed, this committee will approve the design or disapprove the design with an explanation of which design standards are required for approval.

**Appeals.** Appeals of the committee's decision shall be made to the Board of Zoning Appeals, in accordance with Article 4.

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

**COUNCIL ACTION REQUIRED**

**STANDARD TECHNICAL CODES BOARD OF APPEALS – TWO (2) POSITIONS**

The Standard Technical Codes Board of Appeals currently has two (2) open positions. The City has received a potential member application from Mr. Bruce Smith. His potential member 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 – ONE (1) POSITION**

The open position must be filled by someone from the motel industry in Cayce.

**CAYCE HOUSING AUTHORITY – ONE (1) POSITION**

Mr. Edward Landry no longer lives in the City. There are no recommendations at this time.

**STANDARD TECHNICAL CODES BOARD OF APPEALS – TWO (2) POSITIONS**

Members who serve on this Board must be either an Engineer, Contractor, Architect or Design Professional. There are no recommendations at this time.

**EVENTS COMMITTEE – THREE (3) POSITIONS**

There are no recommendations at this time.

**MUSEUM COMMISSION – ONE (1) POSITION**

Mr. Leo Redmond resigned therefore there is one open position. There are no recommendations at this time.

**CITY OF CAYCE  
POTENTIAL COMMITTEE MEMBER APPLICATION**



Name: BRUCE R SMITH  
 Home Address: TAMWOOD CIRCLE City, State, Zip CAYCE, SC 29033  
 Telephone: 803 E-Mail Address atl.net

Resident of Cayce:  Yes  No Number of Years 50

Please indicate the Committee(s) for which you are applying:

- Accommodations Tax Committee     Beautification Board     Event Committee  
 Cayce Housing Authority     Museum Commission     Planning Commission  
 Housing/Constr Board of Appeals     Board of Zoning Appeals

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: JK Smith Inc Position Owner/Residential/Contractor  
 Address: TAMWOOD CIRCLE  
 City, State, Zip CAYCE SC 29033 Telephone: 803  
 Fax: 803 E-Mail atl.net  
 Work Experience: Over 25 years old building and remodeling  
experience

Educational Background: Airport High School

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

see attached

Volunteer Work:  Scooter Scott Program

Hobbies: Traveling, Mentoring and going to Car Shows

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

Bruce R. Smith, President and Owner of JK Smith, Inc., is a life-long resident of Cayce, South Carolina. He was inspired to renovate and build houses by his late father, which he has done since 1995 when J.K. Smith, Inc. was formed. An active member of the community, Bruce is affiliated with various business and civic organizations:

- National Association of Home Builders
  - Remodeling Council of Columbia
  - Member, Rotary International
  - Past Member, Congaree State Bank Advisory Board Member
  - Past Member, School Improvement Council for Airport High School
  - Commissioner, City of Cayce Housing Authority
  - Airport High School Alumni Hall of Fame Inductee
  - Member of Leadership Lexington County Board of Directors
- Recipient, Paul Harris Fellow

# Memorandum

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**To:** Mayor and Council

**From:** Tracy Hegler, City Manager  
Carroll Williamson, Planning and Development Director

**Date:** June 29, 2020

**Subject:** Standard Technical Codes Board of Appeals Bylaws

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## **Issue**

The Standard Technical Codes Board of Appeals recommends that Council approves its bylaws.

## **Discussion**

The Standard Technical Codes Board of Appeals was created by City Council in its present form on March 2, 2010. However, the Board had never met until June 15, 2020. During this meeting on June 15, the board made a motion to recommend approval of its bylaws and the vote was unanimous.

## **Recommendation**

Standard Technical Codes Board of Appeals recommends that City Council approve its bylaws.

**City of Cayce  
Standard Technical Codes Board of Appeals  
BYLAWS**

**ARTICLE I  
ORGANIZATION**

**SECTION 1 – RULES**

These bylaws apply to the procedure for appeals related to the technical codes adopted in City Code Section 10-31 for the City of Cayce Standard Technical Codes Board of Appeals. This Board consists of 7 members as provided in the City Code Section 10-31.

**SECTION 2 – OFFICERS**

The officers of the Board shall be a chairman and a vice-chairman elected for one-year terms in the month of January. The chairman may serve a maximum of two successive terms or until his successor is elected. The Board shall appoint a member of the Staff of the City of Cayce as secretary of the Board.

**SECTION 3 – CHAIRMAN**

The chairman shall be a voting member of the Board and shall

- a. Call meetings of the Board
- b. Preside at the meetings and hearings; and swear in witness
- c. Act as spokesperson for the Board
- d. Sign documents for the Board
- e. Have orders of the Board served on parties
- f. Perform other duties approved by the Board.

**SECTION 4– VICE-CHAIRMAN**

The vice-chairman shall exercise the duties of the chairman in the absence, disability, or disqualification of the chairman. In the absence of the chairman and vice-chairman, the members present shall elect an acting chairman.

**SECTION 5 – SECRETARY**

The secretary shall

- a. Provide and publish notice of appeals and meetings
- b. Assist the chairman in the preparation of the agenda
- c. See the property involved in appeals for variances or special exceptions is properly posted

- d. Keep recordings and minutes of meetings and hearings
- e. Maintain Board records as public records
- f. Serve Board decisions on parties
- g. Attend to Board Correspondence
- h. Perform other duties normally carried out by a secretary.

## **ARTICLE II MEETINGS**

### **SECTION 1 – TIME AND PLACE**

An annual schedule of regular meetings shall be adopted, published and posted at Cayce City Hall in December of each year. The regular Board meeting date shall be the 3<sup>rd</sup> Monday of each month at 5:30 p.m. Special meetings may be called by the chairman upon 24 hours notice, posted and delivered to all members and local news media. Meetings shall be held at the place stated in the notices, and shall be open to the public.

### **SECTION 2 – AGENDA**

A written agenda shall be furnished by the secretary to each member of the Board and the news media, and shall be posted in accord with the State Freedom of Information Act. Items may be removed from the agenda or postponed at a meeting by majority vote.

### **SECTION 3 - QUORUM**

A majority of the members of the Board shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling the meeting.

### **SECTION 4 – RULES OF ORDER**

The latest edition of Robert's Rules of Order shall govern the conduct of meeting except as otherwise provided by State law, the City Code or ordinances, or by these Rules of Procedure.

## **ARTICLE III APPEALS PROCEDURE**

### **SECTION I – FORM OF APPEAL**

Appeals from administrative decisions shall be filed on forms approved by the Board and provided to applicants by the secretary. The Board may require additional information deemed necessary. The failure to submit adequate information may be grounds for dismissal. An application filed by an agent shall be accompanied by written designation of the agent signed by the applicant or party in interest.

## **SECTION 2 – TIME FOR APPEAL**

An appeal from an administrative decision must be filed in accordance with City Code Section 10-31, within thirty (30) days after service of the decision. The appeal shall be made on an approved appeal form to the secretary of the Board who also shall notify the official from whom the appeal is made.

## **SECTION 3 – CALENDAR**

Appeals and applications shall be marked with the date of receipt and placed on the hearing calendar in the order in which received. Appeals shall be heard in the order on the calendar unless otherwise set by the Board for good cause shown.

## **SECTION 4 – WITHDRAWAL OF APPEAL**

Any appeal or application may be withdrawn by written notice delivered to the secretary prior to action by the board. An appeal from an administrative decision, which is withdrawn, may not be refiled after the time for appeal has expired.

## **SECTION 5 – CONTINUANCES**

The Board for good cause shown may continue the hearing of an appeal or application.

## **SECTION 6 – NOTICE**

Public notice of a hearing of the Board shall be published in a local newspaper and posted on or adjacent to the property affected at least fifteen (15) days prior to the hearing. The notice shall contain a description of each matter to be heard and identify the applicant and property affected.

# **ARTICLE IV HEARING PROCEDURE**

## **SECTION 1 – APPEARANCES**

The applicant or any party in interest may appear in person or by agent or attorney. The Board may postpone or proceed to dispose of a matter on the records before it in the absence of an appearance on behalf of an applicant.

## **SECTION 2 - WITNESS**

Parties in interest and other witnesses may present testimony under oath. Witnesses may be compelled to attend by subpoena requested at least ten (10) days prior to a hearing and signed by the chairman. The Board may call its own witnesses when deemed appropriate.

## **SECTION 3 – CROSS-EXAMINATION**

No party shall have the right to cross-examine witnesses; however, the opportunity to examine opposing witnesses may be freely extended when conducted in an orderly manner. Intimidation of witnesses will not be allowed.

## **SECTION 4 – EVIDENCE**

Relevant documents, photographs, maps, plans, drawings, etc., will be received in the record without authentication in the form of legible copies. Relevant testimony, which is not cumulative or hearsay, will be received. The chairman will rule on all evidentiary matters. Evidence may be placed in the record with an objection noted.

## **SECTION 5 – CONDUCT OF HEARING**

The normal order of hearing, subject to modification by the chairman, shall be:

- a. Statement of matter to be heard (chairman or secretary)
- b. Presentation by applicant (5 minute limit)
- c. Presentation by official appealed (5 minute limit)
- d. Presentation by opponents (5 minute limit)
- e. Rebuttal by applicant (3 minute limit)
- f. Unsworn public comment when appropriate
- g. The Board may question participants at any point in the hearing
- h. Matters in which additional time is granted may be moved to the end of the agenda.

## **SECTION 6 – DISPOSITION**

The Board may deliberate and make a final disposition of a matter by majority vote of members present at the hearing and qualified to vote; provided that not less than a quorum are qualified to vote. The vote may be taken at the same time or a subsequent meeting. A member may not vote on a matter which the

member has not heard. Deliberations and voting shall be conducted in public session.

#### **SECTION 7 – FORM OF ORDER**

An order shall be issued disposing of a matter by granting or denying relief with such conditions may be deemed necessary; or affirming, modifying, or reversing an administrative decision. A matter may be dismissed for lack of jurisdiction or prosecution. Findings of fact and conclusions of law shall be separately stated in an order.

#### **SECTION 8 – SERVICE OF ORDER**

The secretary shall deliver a copy of an order to each party in interest by hand delivery or by mail immediately upon execution of the order by the chairman.

### **ARTICLE V RECORDS**

#### **SECTION 1 – MINUTES**

The secretary shall record the audio of all meetings and hearings of the Board. The secretary shall prepare minutes of each meeting for approval by the Board at the next regular meeting. Minutes and recordings shall be maintained as public records.

#### **SECTION 2 – ORDERS AND DOCUMENTS**

The secretary shall assist in the preparation and service of all orders of the Board in appropriate form. Copies of all notices, correspondence, documentary, evidence, and forms shall be maintained as public records.

### **ARTICLE VI ADOPTION AND AMENDMENT**

#### **SECTION 1 – ADOPTION**

These rules were adopted by vote of a majority of the members of the Board at a regular public meeting on June 15, 2020..

#### **SECTION 2 – AMENDMENT**

These rules may be amended at any regular meeting of the Board by majority vote of the members of the Board at least seven (7) days after the written amendment is delivered to all members.

Date Adopted 06-15-2020



Chairman



Vice-Chairman