

**CITY OF CAYCE
Regular Meeting
May 6, 2008**

The regular monthly meeting of Cayce City Council was held this afternoon at 6:00 p.m. in Council Chambers. Those present included Mayor Avery B. Wilkerson, Jr., Councilmen Skip Jenkins, Kenneth Jumper, Robert Malpass, and Rick Myers, City Manager John C. Sharpe, Tammy Barkley, Municipal Clerk, and Garry Huddle, Municipal Treasurer. Chief Charles McNair, Director of Public Safety, Utilities Director, Frank Robinson and City Attorney, Danny Crowe was also in attendance. Mayor Wilkerson advised that members of the press and the public were duly notified of the meeting in accordance with the FOIA.

Mayor Wilkerson called the meeting to order. Mayor Wilkerson opened the meeting with the invocation and led everyone in the Pledge of Allegiance.

Approval of Minutes

The minutes of the April 3, 2008 Regular meeting and April 23, 2008 Special Meeting were presented for approval. Mr. Malpass stated that the motion to move into Executive Session on page 2 of the April 23 minutes appeared to be duplicated and asked that the minutes be corrected. Mr. Malpass made a motion that the minutes be approved with corrections as noted. Mr. Jenkins seconded the motion which was unanimously approved.

Presentations and Proclamations

- A. Presentation by John Banks, Interim Tourism Director, West Metro Visitors Center

Mr. Banks appeared before Council to provide an update and overview of the tourism promotional efforts of the Visitors Center to bring tourism to the City of Cayce and surrounding West Metro communities.

Mayor Wilkerson stated that the City has funded the Visitors Center over the last several years and Council has heard plans and promises made in the past which have not be followed through. He

stated that Council has asked for quarterly reports and meetings, but that, too, has not happened. Mr. Banks stated that unfortunately he was not with the Visitors Center at that time. He stated he was a professional and all he has is his word. He stated he would be happy to sit down with Council on a quarterly basis to discuss his progress and projects that are in the workings.

Mr. Myers inquired as to the total budget for the Visitors Center. Mr. Banks stated that he provided this to Council previously and it is approximately \$60,000. Mr. Myers inquired as to the funding being requested from other entities. Mr. Banks stated that he felt fairly positive that the amounts requested would be provided. Mayor Wilkerson thanked Mr. Banks for the presentation.

B. Presentation by Mr. Kevin Schumacher, New Brookland Lions Club

Mr. Schumacher appeared before Council to provide an update on the New Brookland Lions Club plans to place playground equipment in Guignard Park. He stated that he approached Council regarding this project two years ago and at that time Council agreed to match funds up to \$15,000 for the construction of the playground. He stated that all approvals have been given from the Guignard family for the project and that the Club has met its goal of raising \$15,000. He stated that he wanted to verify that the City's match funds are still available and asked Council to consider increasing its share to \$20,000. He stated that the plan has been expanded to make the playground completely ADA compliant by adding a sidewalk to the area and installing a rubber mat under the equipment to make it safer for all children. He stated that they expect to break ground in June 2008 and that labor will be provided by members of the club with construction being supervised and inspected by a professional playground builder.

Mayor Wilkerson inquired as to the number of members in the Club. Mr. Schumacher stated the club currently has 43 members. Mayor Wilkerson inquired if the equipment itself meets specified ADA guidelines. Mr. Schumacher confirmed that it did meet all guidelines. Mayor Wilkerson inquired that once the equipment is installed if the club would be responsible for liability. Mr. Schumacher stated that it was his understanding when he met with Council three years ago that once the equipment is installed and inspected, the city would assume the responsibility of the playground. Mr. Myers stated that the project would need to go through the City's Planning Department to ensure all inspections and guidelines are followed properly.

Mr. Myers made a motion to approve the request of funds up to \$20,000 to be taken from TIF bond proceeds. Mr. Jumper seconded the motion which was unanimously approved.

C. Approval of Proclamation – Mental Health Month

Council considered for approval a Proclamation proclaiming the month of May as Mental Health Month. Mr. Jumper made a motion to approve the Proclamation. Mr. Jenkins seconded the motion which was unanimously approved.

Ordinances

- A. Approval of an Ordinance to provide for the amending of the provisions of the Amended and Restated Indenture of Trust Between City of Cayce, South Carolina As Issuer and Wachovia Bank, National Association, formerly known as First Union National Bank, as Trustee, dated July 15, 2004 and other matters relating thereto – First Reading

Council considered for first reading approval, an Ordinance to provide for the amending of the provisions of the Amended and Restated Indenture of Trust between City of Cayce, South Carolina as Issuer and Wachovia Bank, National Association, formerly known as First Union National Bank, as Trustee, dated July 15, 2004 and other matters relating thereto. Mr. Malpass made a motion to approve the Ordinance on first reading. Mr. Jenkins seconded the motion.

Bond attorney, Ms. Margaret Pope, was in attendance and provided Council with information regarding this matter. She provided Council with a brief explanation of the process. Mr. Malpass inquired if the Letters of Credit would satisfy the requirements of the bonds. The City Attorney stated that it would satisfy the requirements of the bonds. After discussion the motion was unanimously approved.

- B. Approval of Ordinance Authorizing the Purchase of Letters of Credit to add to the Debt Service Reserve Fund Credit Facility – Second Reading and Bid Award/Term

Council considered for second and final reading an Ordinance authorizing the purchase of “Letters of Credit” for the 2004 and 2007A Revenue Bonds Debt Service Reserve Funds replacing the debt service reserve fund bond insurance policies that were purchased for this purpose.

Ms. Pope stated that two proposals were submitted. She stated that BB&T’s proposal was for one year at 45 basis points. Bank of America submitted a proposal for 50 basis points. She stated that calculating the premiums, BB&T has submitted the lowest quote. She recommended that the City enter into the program for a year and revisit and re-evaluate at that time. She stated the quotes were so close that she would need to work with both companies to make sure the City gets the best deal. It is her recommendation to go with the bank that has provided the best rate.

Mr. Malpass made a motion to approve the Ordinance on second and final reading. Mr. Jumper seconded the motion which was unanimously approved.

- C. Approval of Ordinance Amending Cayce City Code Section 2-124 Re Confidentiality Requirements – Second Reading

Council considered for second and final reading the approval of an Ordinance amending the Cayce City Code Section 2-124 Re Confidentiality Requirements. Mr.

Jumper made a motion to approve the Ordinance on second and final reading. Mr. Malpass seconded the motion which was unanimously approved.

D. Approval of Ordinance Amending Cayce City Code Section 34 Re Sanitation – Second Reading

Council considered for second and final reading the approval of an Ordinance amending the Cayce City Code Section 34 Re Sanitation. The City Manager advised that changes discussed at the April meeting and requested by Council at the first reading of the Ordinance which included the correct dates for second pick up of household garbage and clarification on animal or human feces/diapers have been made by the City Attorney.

Mr. Myers made a motion to amend the Ordinance with the changes as discussed and submitted. Mr. Jenkins seconded the motion which was unanimously approved. Mr. Myers made a motion to approve the Ordinance as amended on second and final reading. Mr. Malpass seconded the motion which was unanimously approved.

Other

A. Approval of Request for Additional Funds from the New Brookland Lions Club for Guignard Park Project

Action taken on this item was discussed and voted on under Presentations above.

B. Approval to Replace Indigo Avenue Water Line (Lexington County School District 2)

The City Manager stated that Lexington School District 2 is relocating and paving a section of Indigo Avenue and would like the City to participate with the replacement of the existing 6-inch AC water main prior to their paving. He stated that during the campus upgrade project, this water main has cracked and ruptured several times raising concerns of the School District that the AC pipe that will remain in Indigo Avenue could also fail and rupture. He stated that the School District brought their concern to staff earlier during the project asking that the city replace the line at the city's expense. He stated that it was the city's position at that time that the pipe was operational and the sections that ruptured were due to the heavy construction equipment. He stated, however, the District is likely justified in their concerns due to the age of the pipe and the material content of the existing piping.

The City Manager advised that the School District has again contacted the city about replacing the 650 feet of AC pipe and has provided the City with the proposed change order #18 from their contractor in the amount of \$17,866 to replace the pipe with schedule 90 PVC water line piping. He stated that the School District has offered to fund 50% of this cost if the city will also fund 50% of the cost or \$8,933.

Mr. Myers made a motion to approve the replacement of the Indigo Avenue water line as discussed not to exceed \$8,933. Mr. Jumper seconded the motion. After discussion, the motion was unanimously approved.

C. Recommendation to Council Re FEMA Flood Insurance Study and Flood Insurance Rate Maps

The City Manager stated that the City gave public notice that the FIS and FIRMs from FEMA had been received and were available for review at City Hall. The public notice stated that the City would receive written comment for community review regarding this material. The City Manager advised that three individuals have visited City Hall prior to today and reviewed the information and that several written comments have been received. He provided Council with copies of the written comments and the talking points that would be included in the letter to FEMA.

The City Manager recommended that the city accept the FIRMs and FIS as submitted by FEMA as information and notify FEMA within the 30 day window that the maps and study are acceptable, but that the city cannot render an opinion on either the map or study with regards to the science, technical nature, or hydrology that went into the development of the maps and study. He stated that he further recommended that the City request by letter that FEMA provide additional technical data, a time extension of 60 days for community review and that FEMA additionally conduct a Public Hearing in the city on the issue. He stated that the City could confirm to FEMA that the maps are pictorially correct with regards to the city limits, street names, and location. He stated that the City would enclose the written comments received to date from the public along with the letter to FEMA.

Mr. Malpass made a motion to continue moving forward with the City Manager's recommendation. Mr. Myers seconded the motion. After discussion, the motion was unanimously approved.

Committee Matters

A. Committee Appointments

Accommodations Tax Committee – 1 Position

There is one open position. We have received a potential member application from Mr. Frank Bala, General Manager of the Country Hearth Inn & Suites and is attached for review. It is recommended that Mr. Bala be appointed to the Committee. Mr. Myers made a motion to appoint Mr. Bala to the Committee. Mr. Jenkins seconded the motion which was unanimously approved.

Cayce Events Committee – 3 Positions

The terms of Ms. Brenda Cole, Mr. Steve Isom and Ms. Julie Isom will expire in May, 2008. They have completed the reappointment applications and are attached for

your review. The Committee recommends reappointment of these members. Mr. Malpass made a motion to reappoint the members to the Committee. Mr. Myers seconded the motion which was unanimously approved.

Cayce Municipal Election Commission – 1 Position

Mr. Jimel Boyd has resigned from the Commission. There is no recommendation at this time. Mr. Jumper made a motion to postpone the issue until a potential member can be submitted. Mr. Jenkins seconded the motion which was unanimously approved.

Cayce Museum Commission – 1 Position

A replacement is needed to fill the term of Ms. Lee. Ms. Lee has been made an Honorary Commissioner. The Commission will review potential members at their May meeting. Mr. Jenkins made a motion to postpone the issue until a potential member can be submitted. Mr. Malpass seconded the motion which was unanimously approved.

Housing/Construction Board of Appeals – 2 Positions

The terms of Mr. Ron Lawson and Mr. Larry Yobs have expired. They have completed the reappointment applications and are attached for your review. It is recommended that both be reappointed to the Board. Mr. Myers made a motion to reappoint the members to the Board. Mr. Malpass seconded the motion which was unanimously approved.

Board of Zoning Appeals – 1 Position

Mr. Robert McLeod has resigned from the Board. A potential member application has been received from Mr. Leo Dryer. The Board of Zoning Appeals has reviewed the application and recommends the appointment of Mr. Dryer. Mr. Jumper made a motion to appoint Mr. Dryer to the Board. Mr. Malpass seconded the motion which was unanimously approved.

B. Committee Minutes

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

Board of Zoning Appeals – March 17, 2008
Beautification Board – April 2, 2008
Cayce Museum Commission – April 9, 2008
Cayce Events Committee – April 10, 2008

Mr. Malpass made a motion that the Committee meeting minutes be entered into the official city record. Mr. Myers seconded the motion which was unanimously approved.

C. Committee Matters

The Accommodations Tax Committee met on May 6, 2008 and have made the following funding recommendations:

FY08-09 West Metro Visitors Center - \$21,500 – Mr. Malpass made a motion to approve funding as recommended and that a separate Board for the Visitors Center be set up with a representative of each entity funding the Visitors Center plus one at large member. Mayor Wilkerson suggested that a member of the Chamber Board be a part of the Board for the Visitors Center. Mr. Myers seconded the motion which was unanimously approved. Mr. Malpass requested that the Visitors Center send a letter to each entity requesting that a Board for the Visitors Center be established with a representative from each funding entity and one member at large.

FY08-09 Congaree Bluegrass Festival - \$8,322 – Mr. Jenkins made a motion to approve funding as recommended. Mr. Malpass seconded the motion which was unanimously approved. Mr. Myers recommended that funding be reduced each year for these types of events and that they can become self-sufficient.

FY08-09 Columbia Metro Visitors Center - \$2,000 – Mr. Malpass made a motion to approve funding as recommended. Mr. Jumper seconded the motion which was unanimously approved.

FY08-09 Christmas In Cayce - \$8,376 – Mr. Myers made a motion to approve funding as recommended. Mr. Malpass seconded the motion which was unanimously approved.

FY08-09 SCVarsity.Com – Mr. Myers made a motion to approve the Committee's recommendation to deny funding for this event. Mr. Malpass seconded the motion which was unanimously approved.

Public Comment

Mayor Wilkerson inquired if anyone in attendance had signed the speakers' list to address Council on municipal matters listed on the agenda. Ms. Barkley advised that no signatures had been obtained.

City Manager's Report

The City Manager stated that the April financial reports would be submitted to Council later this week.

He provided Council with the following dates:

- May 7 – Health Fair at City Hall
- May 13 – Cayce Business Forum, 7:30 a.m.
- May 22 – Taste of West Metro at Granby Gardens Park, 5:30 p.m.
- May 27 – MASC Annual Meeting hotel registration open
- May 30 – Employee Picnic, Granby Pavilion

- June 5- regular Council meeting at 6 p.m.
- September 16 – West Metro Dinner – 50th Anniversary (Golden Gala) – Embassy Suites
- September 25 - Retirement Party for Howard Duvall

Other

- Water Flushing Schedule – The City Manager advised that since the drought status has been downgraded, the Utilities Crew is resuming the annual water flushing project. He stated he would provide Council with a copy of schedule for the next few weeks. He stated that the information was also on the City's website.

- Front End Loader –the emergency purchase order issued to McNeilus has been completed and the equipment is scheduled for delivery in two to three weeks.

- GASB 45 – The City Manager advised that he met with Mr. Morgan Armstrong last week on this issue and additional information will be sent soon. He stated he also met with the City Auditor, Bob Milhous who will also provide additional information. Regarding the city's health insurance program, he stated that it is currently being finalized and would provide information to Council at the June 5th Council Meeting at which time first reading of the FY 2008-2009 Budget will be on the agenda.

- CSX Railroad Crossing – The City Manager stated that he has requested that the developer send in his portion of the funds for this project and he also has a call into the County to discuss receipt of their portion of funding for the project.

- Saxe Gotha Industrial Park Sewer – The City Manager advised that the City should receive the agreement for this project shortly and will be presented to Council for review. He stated that the City Attorney and County Attorney are in the process of finalizing the agreement.

Mr. Jenkins requested that the City Manager follow up with SCE&G regarding the street lights in the Pear Street area and with SCDOT regarding the low spot on James St.

Executive Session

A. City Manager's Annual Review

Mr. Jenkins made a motion to move into Executive Session to discuss the matter above. Mr. Myers seconded the motion which was unanimously approved.

Reconvene

After the Executive Session was concluded, the Regular meeting was reconvened. Mayor Wilkerson announced that no vote was taken in Executive Session other than to adjourn and resume the Regular meeting.

There being no further business, meeting adjourned at 8:30 p.m.

Avery B. Wilkerson, Jr., Mayor

ATTEST:

Tammy P. Barkley, CMC, Municipal Clerk