

**CITY OF CAYCE**  
**Regular Meeting**  
**April 3, 2008**

The regular monthly meeting of Cayce City Council was held this afternoon at 4:00 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. Mr. Malpass opened the meeting with the invocation and Mayor Wilkerson led everyone in the Pledge of Allegiance.

**Approval of Minutes**

The minutes of the March 4, 2008 Regular meeting and March 24, 2008 Special Meeting were presented for approval. Mr. Malpass made a motion that the minutes be approved as submitted. Mr. Jenkins seconded the motion which was unanimously approved.

**Presentations**

- A. Presentation by Col. John Kirkland Re Boys State Program

Col. John Kirkland of the American Legion Post 130 appeared before Council to request the city's participation in the Boys State Program. He thanked Council for the city's help in the past and asked that Council consider assisting with the program again this year.

- B. Presentation of US Flag from Woodmen of the World

Mr. Carroll Shealy of Woodmen of the World appeared before Council to present the US flag. He stated that the flag was 12 foot by 18 foot and is to be flown on special memorial days such as the anniversary of 911 and on the anniversary of the Charleston firefighters

who lost their lives. Chief Charles McNair accepted the flag on behalf of the city.

C. Presentation of the Employee of the Quarter Award

Mayor Wilkerson presented the Employee of the Quarter Award to Keith Crawford. Mr. Crawford is a Refuse Collector for the city and his supervisor has received numerous calls from residents praising Mr. Crawford for his hard work and pleasant personality. Mayor Wilkerson thanked Mr. Crawford for his dedication and service to the community.

**Ordinances**

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

Council considered for first reading an Ordinance amending the City Code regarding confidentiality requirements for officers and employees of the city. Mr. Malpass made a motion to approve the Ordinance on first reading. Mr. Jumper seconded the motion which was unanimously approved.

B. Approval of Ordinance Amending Cayce City Code Section 34 Re Sanitation – First Reading

Council considered for first reading an Ordinance amending the City Code regarding sanitation. The City Manager stated that with the new roll cart program, the ordinance needed to be updated. In addition, he stated that while reviewing the Ordinance various corrective changes and corrections of Scrivener's errors needed to be made. Mr. Myers made a motion to approve the Ordinance on first reading. Mr. Jenkins seconded the motion. Mr. Myers stated that the ordinance needed to be revised to reflect the time for the twice a week pick up service from April through September. In addition he stated that the animal/human feces issue needed to be clarified specifically for diapers that may be placed in the roll carts. The City Manager stated that this change does not apply to diapers. Mr. Myers also stated that if residents are cleaning up after their pets, he felt that Sanitation should be able to collect the garbage if the animal waste is bagged and placed into the refuse container. The City Manager stated these revisions could be made prior to the second reading of the Ordinance. Mr. Malpass inquired as to when the remaining residences would be provided with roll carts. The City Manager stated the program should be fully implemented by the end of September. After discussion, the motion was unanimously approved.

C. Approval of Ordinance Amending Cayce City Code Section 2-225 Re Boards, Commissions and Committees – Second Reading

Council considered for second and final reading an Ordinance amending the City Code regarding Boards, Commissions and Committees in reference to policies, procedures and guidelines for appointments and removal of members. Mr. Malpass

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

### **Committee Matters**

#### **A. Committee Appointments**

##### **Beautification Board – 2 Positions**

Ms. Marie Horne has resigned from the Board. There is no recommendation at this time. Mr. Myers made a motion to postpone the issue until a replacement can be found. Mr. Jenkins seconded the motion which was unanimously approved.

Ms. Shannon Kyzer's term expires April 2008 and she has resigned from the Board. A potential member application has been received from Felicia Lorick and is attached for Council's review. Mr. Myers made a motion to postpone the issue until the Board can provide Council with their recommendation. Mr. Jenkins seconded the motion which was unanimously approved.

##### **Cayce Museum Commission – 1 Position**

Mr. Steve Isom's term expires April 2008. It is recommended that Mr. Isom be reappointed to the Commission. Reappointment application is attached for Council's review. Mr. Malpass made a motion to reappoint Mr. Isom to the Commission. Mr. Myers seconded the motion which was unanimously approved.

##### **SPAT Committee – 1 Position**

Ms. Deronda Martin's term expires April 2008. Her reappointment application was provided to Council. Mr. Jumper made a motion to reappoint Ms. Martin to the Committee. Mr. Jenkins seconded the motion which was unanimously approved.

##### **Board of Zoning Appeals – 1 Position**

Mr. Robert McLeod has resigned from the Board. There are no recommendations at this time. Mr. Malpass made a motion to postpone the issue until a replacement can be found. Mr. Jenkins 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:

- Planning Commission – December 17, 2008
- Board of Zoning Appeals – December 17, 2008
- Cayce Museum Commission – March 12, 2008
- Cayce Events Committee – March 13, 2008
- Beautification Board – March 18, 2008
- Accommodations Tax Committee – March 31, 2008

Mr. Myers made a motion to approve the minutes and that they be entered into the official City record. Mr. Jenkins seconded the motion which was unanimously approved.

Mr. Myers noted that in the Planning Commission minutes, a tower had been approved for SCANA. He stated that on a recent trip to Charlotte he noticed that the design of towers in that area had the appearance of trees which blended in well with the landscape. He asked that these types of towers be considered in the future.

### C. Committee Matters

#### Accommodations Tax Committee Recommendations

Council considered the following Committee recommendations for funding for FY 2008-2009:

Funds to replenish Ad Specialties - \$900 on a draw down basis – Mr. Myers made a motion to approve funding in the amount of \$900. Mr. Malpass seconded the motion which was unanimously approved.

Cayce Museum – Christmas Traditions - \$3,000 – Mr. Malpass made a motion to approve funding in the amount of \$3,000. Mr. Jumper seconded the motion which was unanimously approved.

Cayce Museum Acquisitions - \$2,000 on a draw down basis – Mr. Malpass made a motion to approve funding in the amount of \$2,000. Mr. Myers seconded the motion which was unanimously approved.

Cayce Museum Aide's Salary - \$9,500 – Mr. Myers made a motion to approve funding in the amount of \$9,500. Mr. Malpass seconded the motion which was unanimously approved.

Update Tourism Related Pages on Web Site - \$6,425 – Mr. Myers made a motion to approve funding in the amount of \$6,425. Mr. Malpass seconded the motion which was unanimously approved.

Christmas In Cayce Festival of Lights - \$12,500 + \$2,000 = \$14,500 – Mr. Malpass made a motion to approve funding in the amount of \$14,500. Mr. Jenkins seconded. Mr. Myers stated that the funds requested did not equal to the percentage of out of town visitors stated on the application and asked that the application be sent back to the Accommodations Tax Committee for further review. Mr. Malpass withdrew his motion and Mr. Jenkins withdrew his second to the motion. Mr. Myers made a motion to postpone the issue until further review by the Committee. Mr. Malpass seconded the motion which was unanimously approved.

Congaree Bluegrass Festival - \$8,350 – Mr. Myers stated that the funds requested did not equal to the percentage of out of town visitors stated on the

application and asked that the application be sent back to the Accommodations Tax Committee for further review. Mr. Myers made a motion to postpone the issue until further review by the Committee. Mr. Malpass seconded the motion which was unanimously approved.

Guided Nature Tours - \$770 on a draw down basis – Mr. Malpass made a motion to approve funding in the amount of \$770. Mr. Myers seconded the motion which was unanimously approved.

South Congaree Western Weekend & Festival - \$2,500 – Mr. Malpass made a motion to approve funding in the amount of \$2,500. Mr. Jenkins seconded the motion. The motion passed four to one with Mr. Jenkins, Mayor Wilkerson, Mr. Jumper and Mr. Malpass voting yes and Mr. Myers voting no.

West Metro Parade of Lights - \$2,500 – Mr. Myers made a motion to approve funding in the amount of \$2,500. Mr. Malpass seconded the motion which was unanimously approved.

River Alliance Three Rivers Greenway Brochure - \$3,500 – Mr. Jenkins made a motion to approve funding in the amount of \$3,500. Mr. Malpass seconded the motion which was unanimously approved.

Cherokee Trail Riverfest at Cayce Riverwalk Park - \$3,400 – Mr. Malpass made a motion to approve funding in the amount of \$3,400. Mr. Jenkins seconded the motion which was unanimously approved.

West Metro Visitors Center - \$21,500 – Mayor Wilkerson stated that the City had not received reports from the Visitors Center on a quarterly basis as originally requested when funds were provided for FY 2007-2008. He stated that he wanted the Visitors Center to make a presentation to Council at the May meeting prior to taking this issue up for action. Mr. Myers made a motion to postpone the issue until the May presentation. Mr. Jumper seconded the motion which was unanimously approved.

#### SPAT Committee – Approval of Officers

The SPAT Committee has submitted the following 2008 Officers for approval: Mr. Rod Lorick, Chair; Mr. Robert Power, Vice Chair. Council asked that further review of the City Code be done as they were unaware that Council needed to approve officers elected by Committee members. Mr. Myers made a motion to postpone the issue until further review has been completed. Mr. Jumper 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. However, Mr. John Banks was in attendance and

asked to address Council. He stated that the roll cart program has been very successful in his area and thanked Council for instituting the program.

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

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

He provided Council with the following dates:

April 17 – City hosting LCMA, 6:00 p.m. at City Hall  
April 22 – Opening bids for State Street Streetscape Project – Phase 2  
April 22 – Airport High School Education Foundation Dinner, 6:30 p.m.,  
Brookland Baptist Conference Center  
April 23 – Special Council Meeting, Budget Workshop, 3:00 p.m.  
April 28 – Media Training, 3:00 p.m., Council Chambers  
April 30 – City hosting Lexington County Stormwater Consortium Meeting, 1:00  
p.m. at Cayce Museum  
May 6 – Regular Council Meeting, 6:00 p.m.  
May 7 – Health Fair at City Hall  
May 13 – Cayce Business Forum, 7:30 a.m. at Farm Bureau  
May 30 – Employee Picnic at Granby Gardens

The City Manager stated that the city received a letter from Santee Cooper regarding their property at the Granby Locks that is leased to the city. He stated that they are agreeable to working with the city to donate or transfer the property to the city. He stated that he would be setting up a meeting to meet with Santee Cooper to discuss this issue and would keep Council up to date.

The City Manager advised that the city recently received a letter from the Lions Club in reference to placing playground equipment in Guignard Park. He stated that in 2005 the city was first approached and Council agreed to assist with the project up to a maximum of \$15,000 using TIF funds. He stated that he recently received a letter from the Lions Club wanting to know if the city's funds are still available and asked if the city could increase funds to \$20,000 for the project. Mr. Myers asked that due to the amount of time that has lapsed, a representative from the Lions Club be invited to the May meeting for a presentation to Council.

Mr. Malpass advised Council that the West Metro Chili Cookoff is scheduled for Saturday, April 5 from 11 am – 3 pm and that he had a few complimentary tickets if staff or Council would like to attend.

Council agreed to fund the Boys State program at the same level as last year.

Mr. Jumper stated that American Services needs a road paved or cut in to their business. The City Manager stated that this is a county road and county maintained

and staff has met with them regarding this issue. He stated he would contact Mr. John Fechtel at the County to see if there is anything they can do.

Mr. Jenkins stated that when James Street was repaved, the road is lower than the catch basin and rain remains on the road rather than draining off the road. The City Manager stated he would contact SC DOT regarding the issue.

### **Executive Session**

- A. Receipt of legal advice relating to a potential claim and other matters covered by the attorney client privilege related to bonds
- B. Discussion of negotiations incident to Proposed contractual arrangements with Lexington County Recreation Commission
- C. Discussion of negotiations incident to Proposed contractual arrangements with CSX Railroad
- D. Discussion of negotiations incident to proposed contractual arrangements with Lexington County

Mr. Myers made a motion to move into Executive Session to discuss the matters above. Mr. Jumper 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.

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

Mr. Myers made a motion to authorize the City Manager to proceed with the disclosure for the downgrading of the City's 2004 and 2007A Revenue Bonds and retain Attorney Margaret Pope as Special Counsel on the bond insurer matters. Mr. Malpass seconded the motion which was unanimously approved.

Mr. Myers made a motion to authorize the City Manger to sign the Taylor Road Crossing Construction Agreement with CSX as presented or with any more favorable terms negotiated by the City Attorney and the City Manager. Mr. Malpass seconded the motion which was unanimously approved.

Mr. Myers made a motion to authorize the City Manager to proceed with the roadway and sewer agreement for Saxe Gotha Industrial Park with Lexington County. Mr. Malpass seconded the motion which was unanimously approved.

There being no further business, meeting adjourned at 6:30 p.m.

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Avery B. Wilkerson, Jr., Mayor

**ATTEST:**

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Tammy P. Barkley, CMC, Municipal Clerk