

**CITY OF CAYCE
Special Meeting
May 16, 2006**

A Special meeting of Cayce City Council was held at 6:00 p.m. in the City Hall Conference Room. Those present included Mayor Avery B. Wilkerson, Jr., Councilmen Rick Myers, James Jenkins, Kenneth Jumper, and Robert Malpass, City Manager John C. Sharpe, Tammy Barkley, Municipal Clerk, and Garry Huddle, Municipal Treasurer. City Attorney, Danny Crowe and Mr. Ken Knudsen, Director of Planning & Development were 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.

Mr. Jenkins opened the meeting with the invocation and Mayor Wilkerson led everyone in the Pledge of Allegiance.

Resolutions and Ordinances

- A. Approval of Resolution of Appreciation Honoring Mr. Art Brooks on his Retirement

Mayor Wilkerson advised that County Administrator, Mr. Art Brooks is retiring from Lexington County after 20 years of service and that the proposed Resolution would be presented to him at his retirement celebration. Mr. Myers made a motion to approve the Resolution HONORING Mr. Brooks. Mr. Jenkins seconded the motion which was unanimously approved.

- B. Approval of Ordinance to Annex and zone Property Located at the Terminus of Roe Young Boulevard – First Reading
- C. Approval of Ordinance to Annex and zone City-Owned Property Located on Roe Young Boulevard– First Reading

The City Manager advised that at the May 15, 2006 Planning Commission, the Commission reviewed two requests to annex and zone property located at the terminus of Roe Young Boulevard. One of the parcels is owned by the city and with the approval of the Item B, the city-owned property would be contiguous and can be zoned and annexed into the city limits. He stated the Commission recommends the requested

zoning and annexation for both properties. Mr. Jumper made a motion to approve the ordinances to annex and zone the property described in Item B. and the property described in Item C. on first reading. Mr. Myers seconded the motion which was unanimously approved.

D. Approval of Ordinance to Rezone Brookland Cayce High School from C-1 to PDD – Second Reading

Council considered for second and final reading the approval of an ordinance to rezone the Brookland Cayce High School campus from C-1 to PDD. Mr. Myers stated that he wanted to be sure that specific issues discussed by Council would be included in the terms of the Agreement to settle the lawsuit with Lexington School District 2. Mr. Crowe stated that he is currently in the process of drafting the agreement to resolve the issue with the District including the issues related to the drainage, buffer zone, lowering of the stadium, the municipal building, and land swap. He stated that he plans to have the document ready for the city to review and to send to the District's attorneys for their review so that the lawsuit can be settled by the deadline of June 1, 2006 that was imposed by the Circuit Court Judge. Mr. Myers stated that he knew the city was under time constraints with regard to the Agreement. Mr. Crowe stated that in the resolution, Council appointed the Mayor and a representative of Council to negotiate and sign the appropriate papers. He advised that the land swap was not required to be completed by the June 1, 2006 deadline. Mr. Malpass made a motion to approve the ordinance on second and final reading. Mr. Jumper seconded the motion which was unanimously approved.

Other

A. Discussion of FY2006-2007 Draft Budget

SRO Agreement - The City Manager asked that this issue be discussed first as Mr. Crowe had a conflict in his schedule and would need to leave early. Mr. Crowe stated that the City and the District are negotiating an Agreement for the School Resource Officers (SRO's). He stated that he met with the City Manager and Chief McNair and went through the proposed Agreement from the District. He stated that from information discussed at that meeting, he struck through the portion where the District would exercise control over the assignment of the officers which caused Chief McNair concern. He stated that Chief McNair felt that the officers were always law enforcement officers and that the Department of Public Safety should maintain control over their assignments and reassignments. He advised that the District has a different type of agreement with the Sheriff's Department with other schools in the county. He stated the Sheriff, under his agreement, would reassign if the District wants a particular officer. The City Manager distributed a copy of a memo from the District which includes only one objection with the Agreement. He stated that the District wanted to put some language back in the agreement whereby they would also have control over service assignments and reassignments of SRO's. He suggested that this not be agreed to. He suggested as a compromise that the wording be changed to state that the City of Cayce

would be responsible for the assignment of the SRO's after consultation with the District rather than the SRO's serving at the pleasure of the city and the District. Mr. Myers stated that he felt that the public safety officers and Chief McNair needed to be more flexible in working with the schools. He stated that he did not have a problem with the original wording or the wording revised by Mr. Crowe. Mayor Wilkerson stated that he thought the problem is the interpretation of offenses by the School District and their policies are more lenient than the law allows. Mr. Crowe stated that the language used by the District in preparing their proposed agreement is the same as it has been in the past. He stated the request for the revision came to light this year due to a circumstance that occurred at one of the schools.

Mr. Myers stated that he felt Chief McNair placed the public safety officer in a bad situation leaving him there every day to do his job when there is some conflict. Mr. Malpass stated that he did not see any problems with the revised wording. Mr. Jenkins inquired if the city could rotate the two SRO's between the two schools. The City Manager advised that this could be done. Mr. Myers stated that if there is a personality conflict, consideration should be given to moving staff around to where they best fit. The City Manager stated that the District's policy on offenses disagrees with State law. Mr. Myers stated that this places city staff in a bad position, but the school is a unique situation and State law does not fall into the same light when reporting incidents. Mr. Malpass suggested that the issue be discussed with the District's legal counsel in that their policies do not agree with State law. Mr. Crowe advised that there are some issues that the District treats as disciplinary issues rather than against the law issues. Mr. Myers stated that this should be a problem all across the State and seems that the County should undertake trying to get these issues settled. Mr. Malpass stated that the SRO is really not the problem and that the problem is the policy and the law and maybe this issue needed to be addressed from that point. Mr. Myers stated that he did not feel the city should leave staff in the current situation and should consider removing staff from the program if the issues cannot be resolved.

Mr. Crowe advised that if a crime is committed under State law, the District or School should notify law enforcement immediately and that it is a crime for the School and/or District not to report criminal incidents. Mr. Myers stated that schools have different levels for offenses and the offenses must reach a certain level according to their policies before they are required to call in law enforcement. He stated that they are not required to contact law enforcement for offenses that have not reached certain levels. Mayor Wilkerson stated that when an incident occurs, teachers and students involved are required to write up a report and if there is discrepancy between the reports, then they send back the written reports to the teacher and student and have them re-write the reports. Mayor Wilkerson stated that if the public safety officers do not have the direct authority to enforce the law, he suggested that the city remove them from the program. The City Manager stated that the revised Agreement would be sent to the District for their comments and he would provide Council with an update as soon as the District's reply is received.

Health Insurance Renewal - Mr. Morgan Armstrong and Ms. Wendy Steer of Plan Benefit Services were in attendance to go through the city's health insurance renewal

options. He provided Council with background on the city's current carrier, Blue Cross Blue Shield. He stated that the majority of employees are healthy, however in reviewing the claims data for the group, there are 217 people that are covered under the plan (employees and dependents) and of those, only 43 met their deductible during the course of the year. He stated that 6 individuals reached their out of pocket maximum which is 2 ½% of the employee population. He stated that those figures were average and the way most groups run. He stated that what is unusual is that the 6 people that did meet their deductible have ongoing health problems that will result in high claims. He stated that the current carrier has proposed a 17% increase for the same coverage because of that data.

He stated that the proposed Schedule A option is to move everyone to a straight \$1,000 deductible plan, maintaining the same benefits at an 11% increase in premiums. The City Manager advised that this option is the one that is included in the draft budget. He provided Council with various other options to consider. Mr. Armstrong asked Council to keep in mind that 80% of staff did not meet the deductible and that these are the employees to be rewarded. He stated that what Council may want to consider for the future is to adequately compensate those employees. He briefly explained the Health Reimbursement Account (HRA) type option with Council noting that this option would keep costs and claims down. He stated that with this plan, the city would contribute a certain amount of money into the HRA fund to allow employees draw from this account for reimbursement of medical expenses once they have reached a certain amount of the deductible. He stated that by doing so, the city could provide benefits to a larger percentage of employees. He stated that by going with this type of plan, there would be less of an increase in premiums for both the city and the employees. He said that other options presented would realize approximately 7% increase, but that plan is a bit drastic for now but may be an approach Council may want to consider in the future. Mr. Armstrong recommended that Council consider either Schedule A or Schedule D. Council accepted the discussion as information, but did not officially approve a new insurance plan for the coming fiscal year. Council deferred selection of an option until at least the Regular June Council meeting.

The City Manager advised Council he recently received notification of a request for a hearing on the denial of a business license for the Boulevard Café. Mr. Malpass made a motion to schedule the hearing for June 6, 2006 at 5:00 p.m. Mr. Jenkins seconded the motion which was unanimously approved.

Mr. Jenkins brought Council up to date on the issue with the Star Club that was discussed at the Planning Commission's May 15, 2006 meeting. The City Manager advised that the property has been vacant for 16 months and the previous use allowed cannot be re-established. He stated the owner's next recourse would be to take the case to circuit court if they so choose.

The City Manager advised that information on the FY06-07 draft budget was submitted to Council last Friday. He provided Council with a brief overview of the draft

budget by going through the "Letter of Transmittal" which included income and expense projections and justification for increases in each area.

Mr. Myers stated that he did not have any problems with the overall draft budget. He inquired in the additional positions being requested under the Appendices section were included in the draft budget. The City Manager advised that these positions were not included in the draft budget. Mr. Myers suggested that animal services and code enforcement be reviewed closely. In reference to animal services, Mr. Myers stated that when city staff was handling calls for West Columbia and Springdale Council was given the justification of the personnel. He stated that now that the daily work has decreased significantly, he was not sure if the city needed two animal services officers. He also stated that he was not sure the city needed two code enforcement officers as he felt staff was not getting as much accomplished as it did when the city had one code enforcement officer. Mr. Jumper stated that he felt the code enforcement officers were regularly pulled from their tasks to work traffic, funerals, pick up prisoners, etc.

Mr. Myers stated that he had requested information on a citywide right of way program and inquired as to what is being done now by the city staff. He stated that he felt this would be a spring through fall type of project and suggested that the program be reviewed for one additional person in that some of the Parks staff is already involved in cleaning the right-of-ways.

Automatic Aid Agreement – Mayor Wilkerson advised that he spoke with County Council Member, Todd Cullum. He stated that Mr. Cullum did not have a problem with the county coming in and taking the jail back over, but did not think the \$142,000 was unreasonable for staffing the fire station in the Three Fountains area and providing fire services. He stated Mr. Cullum was going to check the County ordinances in reference to the County's responsibility for fire protection and stated he was almost certain that the county covers fire services for the Town of Lexington at no charge. The City Manager advised that the Automatic Aid Agreement cost is not included in the draft budget. Mayor Wilkerson stated he would follow up with Mr. Cullum.

Mr. Jumper stated that he was not sure 3% would cover cost of living increase overall for staff. He suggested that Council might want to consider raising the millage rate.

There being no further business, the meeting was adjourned at 8:50 p.m.

Avery B. Wilkerson, Jr., Mayor

ATTEST:

Tammy P. Barkley, CMC, Municipal Clerk