

**CITY OF CAYCE
Regular Meeting
October 4, 2005**

The regular monthly meeting of Cayce City Council was held this evening at 5:30 p.m. in Council Chambers. Those present included Mayor Avery B. Wilkerson, Jr., Councilmen James Jenkins, Robert Malpass, and Rick Myers, City Manager John C. Sharpe, Tammy Barkley, Municipal Clerk, and Garry Huddle, Municipal Treasurer. Mayor Wilkerson advised that Councilman Kenneth Jumper would be arriving later for the meeting. He advised that members of the press and the public were duly notified of the meeting in accordance with the FOIA.

Mayor Wilkerson opened the meeting and Mr. Malpass said the invocation. Mayor Wilkerson led everyone in the Pledge of Allegiance.

Approval of Minutes

The minutes of the September 6, 2005 Regular meeting and the September 21, 2005 Special meeting were presented for approval. Mr. Malpass made a motion that the minutes be approved as submitted. Mr. Myers seconded the motion which was unanimously approved.

Presentations

- A. Presentation of Corporate Ambassador Awards to RECO USA, Rose Talbert Paints, Cayce Old Geezers, Cayce Masonic Lodge

On behalf of Council and the City, Mayor Wilkerson presented the Corporate Ambassador Awards to Mr. Jim Brown of RECO USA and Mr. Pope Walker of Rose Talbert Paints for their assistance in restoring the 1960's pumpkin carriage that once was displayed at the Howard Johnson's motel on Knox Abbott Dr. Mayor Wilkerson stated that many man-hours were spent in sand blasting, priming and painting the carriage and all was done at no cost to the city. He thanked both companies for their generosity and announced that the carriage is now in its permanent home, Granby Gardens Park.

Mr. Henry Garnett from the Cayce Masonic Lodge and the Cayce Old Geezers club was presented with the city's Corporate Ambassador Award for their donations totaling \$1,100.00 to the Cayce

Department of Public Safety. The donations have been used to purchase two new bulletproof vests. On behalf of Council, Mayor Wilkerson thanked both groups for their generosity not only today but for their continued support of the city's efforts throughout the years.

B. Presentation of 2004 AWOP Excellence Award – Stanley L. Goodwin Water Treatment Plant

Mr. Bob Schmidt, Superintendent of Plants, advised that the City of Cayce's Stanley L. Goodwin Water Treatment Plant has received the 2004 Area-Wide Optimization Program (AWOP). This award recognizes water plants that successfully achieve the optimization performance goals as set forth by the AWOP and the optimized performance level that exceeds the present regulatory requirements. Council congratulated the staff of the Water Plant for their accomplishment.

C. Recognition of Officer Dennis Tracy, Recipient of the El Paso Intelligence Center 2005 Director's Award

Mayor Wilkerson advised that the El Paso Intelligence Center was established in response to a Department of Justice study that detailed drug and border enforcement strategy and programs. He stated that the Intelligence service center is staffed by representatives of the Immigration and Naturalization Service, the U.S. Customs Service and the DEA. He advised that the Director of EPIC holds an annual awards banquet to recognize officers and agents from through the United States who have made significant seizures. The 2005 Director's Award was presented to Cayce's Officer Dennis Tracy. Mayor Wilkerson stated that Officer Tracy has been employed by the City since 1998 and currently serves as a narcotics investigator assigned to the Lexington County Multi-Agency Narcotics Enforcement Team. During the past year, Officer Tracy has made significant parcel seizures that include approximately 1,000 pounds of marijuana, 5 kilograms of cocaine, 2,200 dosage units of ecstasy, and 150 grams of methamphetamine. Council joined in congratulating Officer Tracy on receiving the 2005 Director's Award. Mayor Wilkerson thanked Officer Tracy to his commitment to making the Cayce community a safer place to live, work, and play.

Ordinances

A. Approval of Ordinance to Annex Mungo Property – Second Reading

Council considered for second and final reading an Ordinance to annex and zone an additional 7.52 acres of property owned by the Mungo Company adjacent to the existing Hunters Mill subdivision. The City Manager advised that no further calls or contacts in reference to the proposed annexation have been received. Mr. Malpass made a motion to approve the ordinance to annex the Mungo Property as described and to set the zoning at PDD-R on second and final reading. Mr. Myers seconded the motion which was unanimously approved.

B. Approval of Zoning Ordinance Text Amendment Table 2 – Second Reading

Council considered for second and final reading an Ordinance to amend Table 2 in the Zoning Ordinance which would synchronize the North American Industry Classification System (NAICS) codes to those same codes approved and adopted by the city in the Business License Ordinance. Mr. Myers made a motion to approve the Ordinance to amend Table 2 in the Zoning Ordinance as submitted and that the City Attorney and the Director of Planning draft an amendment to the Ordinance to address title loan and check cashing companies. Mr. Jenkins seconded the motion which was unanimously approved.

C. Approval of Zoning Ordinance Text Amendment Re Digital Reader Board – Second Reading

Council considered for second and final reading an Ordinance to amend the City of Cayce Zoning Ordinance, Sign Regulations, to include and allow the use of digital reader boards in certain zones. Mr. Ken Knudsen, Director of Planning & Development, stated that the Central Midlands COG performed a survey in May of all municipalities regarding their restrictions on digital reader boards. To date, all municipalities that responded do not allow these types of signs. He stated that the City of Columbia does allow them on a very limited basis. He stated that he had also contacted local sign companies and their response to the suggested amendment was that they could comply with the ordinance. He stated the ordinance would satisfy the urgent need of those requesting these types of signs. Mr. Myers asked if the amendment addressed both free standing and non-free standing signs. Mr. Knudsen stated that it did not address signs attached to a building because different criteria is required for this type of sign. Mr. Myers inquired if the amendment would affect businesses that already have these type signs such as the West Metro Chamber, Trinity Baptist Church, or the Chiropractor's office on Knox Abbott. Mr. Knudsen advised that these businesses would be grandfathered in and would only be required to comply with the suggested amendment if there were to replace their signs. Mr. Myers made a motion to approve the ordinance on second and final reading. Mr. Malpass seconded the motion which was unanimously approved.

D. Discussion of Proposed Amendments to Cayce City Code Animal Ordinance

The City Manager advised that Chief McNair and his staff have reviewed the city's current Animal Ordinance and have found that several sections are no longer valid due to changes made to procedures and guidelines. In addition, suggestions have been made to make the code more responsive to what the Animal Control officers actually do on a daily basis and to make the ordinance more user friendly to citizens. He provided Council with a side-by-side comparison of the current ordinance and the

suggested changes submitted by Public Safety. Council asked staff to review suggestions made by Council, draft an ordinance and place in on the November Council meeting agenda for first reading. Mayor Wilkerson asked that staff contact Councilman Jumper for his suggestions.

Contracts and Agreements

A. Approval of Quitclaim Deed – Portion of Rauton Street

The City Manager advised that several months ago, the city was contacted by John Fechtel of Lexington County Public Works on the issue of ownership of a portion of Rauton Street. He stated that SCDOT had contacted Mr. Fechtel regarding maintenance of the street. Neither the city nor these agencies own or maintain about 1400 feet of Rauton St. which is in very bad condition and needs resurfacing. He stated that Lexington County has put forth a proposal that the City quitclaim deed ownership or obtain legal ownership through the courts of 1,400 feet of Rauton Street. Once the city has acquired the street, it could then apply to Lexington County for a Municipal C Fund Grant in the amount of \$14,000 and the County would resurface and maintain that portion of the road. At that point, the County would try to get a commitment from SCDOT for them to take Rauton Street into the State highway system. He advised that if SCDOT would not accept the road into their system, the County would continue to maintain Rauton Street for the city. Mr. Malpass made a motion to approve the quitclaim deed for a portion of Rauton Street. Mr. Myers seconded the motion. Mr. Myers inquired if the \$14,000 figure included labor. The City Manager stated that the County would provide the labor at no charge. Mr. Myers asked that this issue be made clear to all parties involved. Mr. Jenkins asked for an update on the list of streets provided by Council to the County for repaving. The City Manager advised that the County had decided not to go forward and issue the bonds and funding was not available. He stated he would follow up with County Councilman Todd Cullum and report to Council. After discussion the motion was unanimously approved.

Mr. Jumper arrived at 4:40 p.m.

B. Approval of Letter of Agreement for Distribution of TIF Funds – Parkside Cottages Development

The City Manager advised that at the September meeting, Council approved in principal the use of TIF funds for the proposed residential development on Lorick Street at the entrance to the Cayce Riverwalk Park known to be known as Parkside Cottages. Council authorized staff to work with the property owner, Mr. David Diamond, to formulate an offer through a Letter of Agreement. He stated that the Letter of Agreement has been drafted which employs the guidelines and safeguards that were approved by Council. He stated that the proposed infrastructure along with the enhancements requested by Council would result in TIF assistance to the Parkside Cottages development in the amount of \$108,009.00. The proposed Letter of

Agreement was provided to Council for review. Mr. Myers asked that the responsibility of the maintenance of the right of way, fence, and landscaping. be spelled out within the Letter of Agreement. Mr. Myers made a motion to approve the Letter of Agreement and include specific information regarding the responsibility of who will maintain the right of way, fencing, and landscaping. Mr. Frank Robinson, Director of Utilities, asked that the developer and city work together on the landscaping and sidewalks as utility lines are in the area. Mr. Malpass seconded the motion which was unanimously approved. Mr. Diamond asked that the city design the sign for the entrance to the park. Mr. Myers asked that the SPAT Committee review the entrance to the park and what traffic problems will be encountered with the increased traffic from the new development.

C. Presentation of Cayce Riverwalk Extension Project and Approval of Authorization to Proceed – Mr. Mike Dawson

Mr. Mike Dawson appeared before Council to present the River Alliance's proposed plans and design for the Cayce Riverwalk Extension project which would expand the walkway from the railroad trestle to the Riverland Park subdivision. Mr. Dawson advised that if all goes well, he would be able to provide biddable construction documents to the city by the first of February 2006 and be completed by November 2006. Council reviewed the architectural renderings of the path, bridges, community center and restrooms and other design elements of the project. Mr. Myers stated that some discussion had taken place regarding the possibility of opening some green space around the locks area for camping. Mr. Dawson advised that one of the elements on the master plan is to provide green space for primitive camping. Mr. Myers also stated he felt it would be important to install security cameras. Mr. Jenkins asked if fishing should be prevented at the overlooks. Mr. Ken Simmons, architect on the project, stated it should be allowed. Mr. Myers made a motion to approve the preliminary conceptual plans and proceed with the project to prepare biddable documents for the project. Mr. Jenkins seconded the motion which was unanimously approved.

Mr. Myers, members of Council and those in attendance recognized Mayor Wilkerson in celebrating his birthday today.

Committee Matters

A. Appointments and Reappointments

Accommodations Tax Committee – Two (2) Positions

One open position remains and must be filled by an individual from the restaurant industry. Mr. Walt Hallman of Vella's has resigned from the Committee. There are no recommendations at this time. Mr. Malpass made a motion to table the issue. Mr. Jenkins seconded the motion which was unanimously approved.

Cayce Events Committee – One (1) Position

Ms. Cathy Gunter has resigned from the Committee due to family commitments. A potential member application has been received from Ms. Ellen Mancke and is attached for your review. The Committee recommends the appointment of Ms. Mancke to the Committee. Mr. Malpass made a motion to appoint Ms. Mancke to the committee. Mr. Myers seconded the motion which was unanimously approved.

Cayce Historical Museum Commission – One (1) Position

Mr. Marion Hutson's term expired September 2005. He has been contacted and would like to serve again. The Commission recommends the reappointment of Mr. Hutson. Mr. Myers made a motion to approve the reappointment of Mr. Hutson. Mr. Malpass seconded the motion which was unanimously approved.

Planning Commission – One (1) Position

Mr. John Raley's term expired September 2005. The Commission did not meet in September. There is no recommendation at this time. Mr. Myers made a motion to table the issue. Mr. Malpass seconded the motion which was unanimously approved.

B. Committee Minutes to Enter Into Record

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

Cayce Events Committee – September 8, 2005

Accommodations Tax Committee – September 13, 2005

Cayce Museum Commission –September 14, 2005

Mr. Jumper made a motion to approve that the minutes be entered into the official City record. Mr. Malpass seconded the motion which was unanimously approved.

D. Committee Recommendations

Council reviewed the following recommendations for funding from the Accommodations Tax Committee:

BC High School Sandlapper Baseball Classic - Brookland Cayce High School has requested funding in the amount of \$450.00 to fund the Sandlapper Baseball Classic which will involve 16 teams. Three of these teams will be attending from 50 or more miles (Florence, Barnwell, Greenwood). The Committee recommends funding as requested.

BC High School Palmetto Cup Soccer Classic - Brookland Cayce High School has requested funding in the amount of \$3,500.00 to fund the Palmetto Cup Soccer

Classic that will involve 16 teams of which the majority will be attending from 50 or more miles. The Committee recommends funding as requested.

Airport High School 2006 Sports Festival – Airport High School has requested funding in the amount of \$6,975.00 to fund the Sports Festival which will include baseball, softball, and girls' soccer teams. The three-day event expects to bring in 22 teams, 14 of which will be attending from 50 or more miles. The Committee recommends funding as requested.

Airport High School Holiday Wrestling Tour – Airport High School has requested funding in the amount of \$2,672.00 to fund the Holiday Wrestling Tour which will include 10 teams, the majority of which will be attending from 50 or more miles. The committee recommends funding as requested.

Mr. Myers made a motion to approve all recommendations as submitted. Mr. Malpass seconded the motion which was unanimously approved.

City Manager's Report

The City Manager reminded Council of the following dates:

October 6, 2005 – River Alliance Board Meeting at Cayce Riverwalk Park at the Riverwalk Pavilion at 9:00 a.m.

October 15, 2005 – New Brookland Blitz Cleanup. Two homes are in the city that they have agreed to work on.

October 28, 2005 – Cayce Employee Fall Picnic and Chili Cook-off at Granby Pavilion

October 29, 2005 – Employee Garage Sale at City Hall grounds

November 8, 2005 – West Metro Annual Dinner – Embassy Suites – The City Manager inquired if Council wanted to purchase a corporate table for the event. He stated the cost would be \$325 (table for eight). Council authorized the City Manager to purchase the corporate table.

January 18, 2006 – Employee Awards Breakfast – The City Manager asked Council to check their calendars and advised if this date would be convenient with their schedules.

Update on Lloydwood Sewer System – The City Manager advised that the Circuit Judge did sign the order and the city has received the Receivership Agreement. He stated that city staff moved in on Saturday to check out things. He stated that he had a telephone conversation with the Office of Regulatory Staff and they advised that public meetings would be held to let the public know exactly what will be taking place. He advised that staff is keeping track of all their time and money spent.

Norfolk Southern Transportation – The City Manager advised that he has exhausted his efforts to have Norfolk Southern refurbish the Hwy. 321 railroad trestle.

He stated that he has asked the City Attorney, Danny Crowe, to get involved at this point. Mayor Wilkerson inquired if the issue could be handled as an infraction against City Code. The City Manager advised that Mr. Crowe would be researching that angle and will put on a full court press to take this issue to the next level.

The City Manager advised that staff is beginning to work on the Fall/Winter Sunrise newsletter. He stated that if Council wanted to include an article, copy is due by October 13.

In reference to the Mayors community banner and video program, the City Manager advised that the video photographer would be in town next week to obtain film footage and the Mayor's opening remarks. The sales team for the banner program will be in town the middle of the month to begin meeting with area businesses. He provided Council with samples of artwork for the banner.

Utilities Compound Appraisal – The City Manager advised that Mr. Diamond's firm started the appraisal on the Utilities Compound. His company had gotten to a point that they needed to bring in an additional appraiser as the scope was broader than what Mr. Diamond's license was allowed to handle. He stated that individuals from Ted McGee's firm was hired to assist, but that has been delayed due to Mr. McGee's hospitalization. He stated that Mr. Diamond has also spoken to Oscar Rucker at SCDOT and advised that his appraisal is going to exceed theirs. The City Manager stated that he had given Mr. Diamond authorization to engage another firm to assist with the appraisal.

Mr. Jenkins stated that a few weeks ago he had made a request to have SCDOT sweep Julius Felder Street where sand has built up. The City Manager stated he would check with SCDOT again to see if they can handle.

Mr. Myers stated he had received a complaint from individuals in the Edenwood neighborhood regarding someone who owns a commercial type truck being approached by the city and advising that they could not keep the truck on their property. He stated that the situation is exactly what Council discussed could be a problem with the new ordinance enacted. He asked Chief McNair to check on the issue.

Mr. Myers stated that individuals from the Riverland Park neighborhood approached him to thank city staff for all their help with the family from Louisiana who lost everything during Hurricane Katrina.

Executive Session

- A. Contractual Issue – SCE&G Proposed Fee In Lieu Agreement
- B. Receipt of Legal Advice – Brookland Cayce High School Rezoning

Mr. Myers made a motion to move into Executive Session to discuss the matters listed above. Mr. Jenkins 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, the meeting adjourned at 7:15 p.m.

Avery B. Wilkerson, Jr., Mayor

ATTEST:

Tammy P. Barkley, CMC, Municipal Clerk