

CITY OF CAYCE
Public Hearings and Regular Council Meeting
June 6, 2006

A Public Hearing was held at 7:00 p.m. in Council Chambers to obtain public comment on the proposed Utility Rate Structure. Those present included Mayor Avery B. Wilkerson, Jr., Councilmen James Jenkins, Kenneth Jumper, Robert Malpass, and Rick Myers, City Manager John C. Sharpe, Tammy Barkley, Municipal Clerk and Garry Huddle, Municipal Treasurer. Mayor Wilkerson advised that members of the press and the public were duly notified of the Public Hearing in accordance with the FOIA.

Opening Statement

Mayor Wilkerson stated that the purpose of the Public Hearing was to obtain public comment regarding the Proposed Utility Rate Structure.

Public Testimony

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

Close Hearing

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

Immediately following, a Public Hearing was held in Council Chambers to obtain public comment on the proposed FY 2006-2007 Budget. Those present included Mayor Avery B. Wilkerson, Jr., Councilmen James Jenkins, Kenneth Jumper, Robert Malpass, and Rick Myers, City Manager John C. Sharpe, Tammy Barkley, Municipal Clerk and Garry Huddle, Municipal Treasurer. Mayor Wilkerson advised that members of the press and the public were duly notified of the Public Hearing in accordance with the FOIA.

Opening Statement

Mayor Wilkerson stated that the purpose of the Public Hearing was to obtain public comment regarding the Proposed FY 2006-2007 Budget for the city.

Public Testimony

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

Close Hearing

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

The Regular Council Meeting immediately followed the Public Hearing. Those present included Mayor Avery B. Wilkerson, Jr., Councilmen James Jenkins, Kenneth Jumper, Robert Malpass, and Rick Myers, City Manager John C. Sharpe, Tammy Barkley, Municipal Clerk and Garry Huddle, Municipal Treasurer. Mayor Wilkerson 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 with the invocation and then led everyone in the Pledge of Allegiance.

Approval of Minutes

The minutes of the May 2, 2006 Regular Meeting and the May 16, 2006 Special Meeting were presented for approval. Mr. Myers made a motion to approve the minutes as presented. Mr. Jumper seconded the motion which was unanimously approved.

Presentations

A. Presentation by Ms. Amanda Hair Re Animal Services

Ms. Amanda Hair of Laurie Street appeared before Council. She advised Council that she also worked for the City of Cayce at the wastewater treatment plant. She provided Council with background information on her move to Cayce and advised Council of a situation where her cat was caught in a neighbor's cage, picked up by Animal Services and returned to her. She advised that her cat was again picked up in violation of the leash law. Ms. Hair was advised at that time the fee was \$80.00 to redeem her cat. She advised that she was told that the animal ordinance had been amended to include the \$80.00 redemption fee since she moved to Cayce. Ms. Hair advised that she paid the \$80 redemption fee with the help of her friends and has her animal. She stated that she feels the redemption fees are too high and that there needs to be some type of animal adoption center in the city. She asked Council to reconsider the fee structure to make it more affordable for citizens to redeem their animals. Mayor Wilkerson asked Ms. Hair for her suggestions on the amount of fees the city should charge. Ms. Hair stated that the original rate of \$20 for a sterilized animal was reasonable.

Mr. Myer stated that obviously Ms. Hair realized that not everyone love cats or dogs and that the fines were in place to help the owners of those animals understand that although a resident may love his/her animals, neighbors do not. He stated that the fees were put into place so that owners would be more responsible with their pets. Mr. Myers stated that it may have helped if Ms. Hair went through her supervisor and proper chain of command in order to obtain assistance with her situation. Mr. Myers suggested that since Ms. Hair had the information with the previous fees, that \$40 be refunded to Ms. Hair since the new information was not posted. Mr. Jenkins inquired that since her incident, how many animals she had seen running loose in her neighborhood. Ms. Hair answered that she had not seen many. Mayor Wilkerson asked Ms. Hair to provide Council with a copy of her comments. Chief McNair stated that Ms. Hair was told the first time that she would not be charged to redeem her animal, but if it happened again, she would have to pay the \$80.00 redemption fee only. He stated she did not receive the animal at large charge. A motion was made and seconded that Ms. Hair receive a refund in the amount of \$40.00.

B. Presentation by Mr. Wilson Lee Re Water Service

Mr. Wilson Lee appeared before Council to discuss his water. He stated that he lives on Granby and ever so often the color of the water is brown. He says he has discussed the issue several times with Mr. Frank Robinson and other utility staff members, but the problem with the discolored water has continued. He stated that the only explanation he has received is that his water is on an old small water line, but he feels something should be done about it. Mayor Wilkerson explained that the work orders issued were prior to the flushing of the city's water system and prior to changing the supplier of orthophosphate which could have been the reason for some of Mr. Lee's problems with his water. Mayor Wilkerson asked that the Utilities Department go by Mr. Lee's home tomorrow at 10:00 a.m. and get a sample of his water so it can be tested by DHEC. Mr. Jumper stated that he lives down from the street from Mr. Lee and at that he, too, occasionally had problems with discolored water, but at the present time, that does not seem to be a problem. He stated that in the middle of the night when the water is turned on, there is a terrible taste to it but it clears up after the water runs for about 15 minutes.

C. Presentation by Ms. Mary Harris Re Drainage Issue

Ms. Mary Harris appeared before Council to discuss a drainage issue at her address of 907 Lafayette Avenue. She stated her residence is at the bottom of the hill and when there is a torrential rain, her yard is flooded. She explained that her neighbor installed a drainage pipe in the ditch behind his home and put tons of gravel and dirt over the piping. She stated that he has also placed a screen over the pipe and she has been told it will impede the drainage in that area. She stated that she is afraid that her yard will be flooded during heavy rains and wanted to go on record that she is concerned about this issue. Mayor Wilkerson stated that the problem is that some of the ditches are on the owner's properties or in rights of way. The property owner was in

attendance and she stated that she gave the renter permission to pipe in the ditch which is on her property and understands the liability in the event Ms. Harris' yard floods.

D. Presentation by Mr. Michael Megronigle Re Billboard Issue

Mr. Michael Megronigle appeared before Council to discuss a billboard sign on Hwy. 302 that he currently has permission to use from the property owner. He stated he was in real estate and that he met with the owner of the property, Mr. Jim Smith, while viewing the property. He stated that later he received a call from SC Department of Transportation stating that he could not use the sign as a billboard without obtaining the proper authorization and permit. He stated that he spoke with Mr. Ken Knudsen, Director of Planning and Development, who advised that the use of the sign was out of compliance with zoning. Mr. Megronigle stated that as soon as the property sells, the sign will be removed and asked Council to consider letting him continue to use the sign until that time. Mayor Wilkerson stated that Council could not grant a temporary permit as the city's current ordinance defines the procedures for submitting his issue to the Zoning Board of Appeals and recommended that he take the issue to the Board for consideration.

Ordinances and Agreements

A. Approval of Zoning Ordinance Amendment Re Tattoo Facilities and Body Piercing Facilities – First Reading

Mr. Myers stated that he did not like the suggestion of placing these types of facilities in the C-4 zoned areas and would like to see them limited in the M-1 zoning category. Mr. Knudsen advised that the city has received 3 to 4 inquiries from tattoo parlors already and three of those four would not qualify for the locations mentioned. Mr. Myers stated that he did not think this would be the type of businesses the City would want on the main thoroughfare and entrance to the city. He stated that he could not consider the C-4 zoning unless there are some special conditions. The City Attorney, Mr. Danny Crowe, advised that zoning could be limited to M-1 and M-2 zones. Mr. Myers stated that he would like to review the zoning areas of the city prior to second reading of the ordinance. Mr. Crowe asked that Mr. Knudsen provide him with information so that he could prepare an attorney-client privilege memo for Council prior to second reading. Mr. Myers inquired if tattoo parlors could be regulated the same as a sexually oriented business. Mr. Knudsen advised that there are separate permitting procedures for these businesses. Mr. Myers made motion to table the issue until the July 11, 2006 Council meeting. Mr. Jenkins seconded the motion which was unanimously approved.

B. Approval of Ordinance Prescribing Rates for the City of Cayce Utility Rate Structure – Second Reading

Council considered for second and final reading the approval of an ordinance prescribing rates for the city's Utility Rate Structure. Mr. Malpass made a motion to approve the ordinance on second and final reading. Mr. Myers seconded motion. Mr. Malpass stated that he would still like the city to come up with a program to upgrade the system by replacing older piping. After discussion, the motion was approved four to one with Mr. Malpass, Mr. Jumper, Mayor Wilkerson, and Mr. Jenkins voting yes and Mr. Myers voting no.

C. Approval of Ordinance Amendment of Sec. 2-223 of the City of Cayce Code Re Composition of Boards, Commissions and Committees – Second Reading

Council considered for second and final reading the approval of an ordinance amendment of Sec. 2-223 of the City of Cayce Code regarding the composition of Boards, Commissions and Committees. Mr. Myers made a motion to approve the ordinance on second and final reading. Mr. Jumper seconded the motion which was unanimously approved.

D. Approval of Ordinance Amendment of Section 2-71 of the City of Cayce Code Re Appearance of Citizens – Second Reading

Council considered for second and final reading an ordinance amendment of Section 2-71 of the City of Cayce Code regarding the appearance of citizens. The City Manager advised that at the request of Council, the ordinance amendment was revised to require a five-day notice from citizens who wish to appear before Council. Mr. Jumper made a motion to approve the ordinance on second and final reading. Mr. Jenkins seconded the motion which was unanimously approved.

E. Approval of Ordinance to Zone and Annex Property Located at the Terminus of Roe Young Boulevard – Second Reading

Council considered for second and final reading the approval of an ordinance to zone and annex property located at the terminus of Roe Young Boulevard. Mr. Myer made a motion to approve the ordinance on second and final reading. Mr. Malpass seconded the motion which was unanimously approved.

F. Approval of Ordinance to Zone and Annex City-Owned Property Located on Roe Young Boulevard – Second Reading

Council considered for second and final reading the approval of an ordinance to zone and annex city-owned property located on Roe Young Boulevard. Mr. Myer made a motion to approve the ordinance on second and final reading. Mr. Malpass seconded the motion which was unanimously approved.

G. Approval of Agreement with Lexington School District Two for School Resource Officers

Mayor Wilkerson advised that both the School District and the city had agreed to the wording in the agreement and that the District has already built the cost for these services into their budget. The City Manager advised that the District will be funding the program on a 60/40% split with the city which included fringe benefits. Mr. Myers made a motion to approve the Agreement with the Lexington School District Two for School Resource Officers as submitted. Mr. Jumper seconded the motion which was unanimously approved.

H. Review and Discussion of Draft FY2006-2007 Budget

The City Manager stated that Council had been briefed on the HRA option and the option of increasing the health insurance deductible to \$1,000. He provided Council with a recap on the costs for the General Fund and O&M budgets and stated that the current draft budget includes the Schedule A option with the \$1,000 deductible. He stated that the HRA option would require that the city budget an additional \$70,000 for both the General and O&M funds for administrative costs and reimbursements. Mr. Myers made a motion to approve the Schedule A option with the \$1,000 deductible as included in the current draft budget. Mr. Jenkins seconded the motion which was unanimously approved. Ms. Barkley asked Council for a clarification regarding the continuance of the city's Wellness Program. Council advised that the city would not offer the Wellness Program in FY06-07 but asked that staff contact the Tri-City Leisure Center to continue discounts for employees.

I. Approval of Ordinance to Adopt FY2006-2007 Budget and to Provide Revenue for the City of Cayce for Fiscal Year 2006-2007 – First Reading

Mayor Wilkerson inquired if additional budget workshops are needed. Mr. Myers stated that there are a few items that still need to be discussed including code enforcement, animal services and revisiting the right of way crew as far as trying to incorporate it with the current parks department responsibilities. Mr. Myers asked that Council be provided with right of ways the department is currently maintaining.

Mr. Jumper inquired if there were any new businesses coming into the area during the next fiscal year. The City Manager advised that he had factored potential growth and increased business licenses into the draft budget. Mr. Jumper made a motion to approve the ordinance to adopt the FY2006-2007 budget and to provide revenue for the City of Cayce for Fiscal Year 2006-2007 on first reading. Mr. Jenkins seconded the motion which was unanimously approved. Council scheduled a budget workshop meeting for June 19, 2006 at 5:00 p.m.

J. Approval of Amendment to Midlands Utility Purchase Agreement Extending the Closing Date

Mr. Myers made a motion to approve the amendment to the Midlands Utility Purchase Agreement extending the closing date. Mr. Malpass seconded the motion which was unanimously approved.

- K. Approval to Designate the Lexington County Joint Water & Sewer Commission as the Management Agency for the 208 Water Quality Plan

Mr. Myers suggested that Council review the letter from the Commission thoroughly. He stated that as he understood the letter, approval of the designation would give the Commission control over future economic development. Mr. Frank Robinson advised that the 208 Water Quality Plan is sewer only. He stated that the city already has a designated service area that is in agreement with the Commission. Mr. Myers stated that the Commission's letter gives them a pretty broad authority over that area. Mayor Wilkerson suggested that staff revise the letter to incorporate the city's current contracts/ agreements with the Commission. Mr. Myers made a motion to table the issue. Mr. Jenkins seconded the motion which was unanimously approved.

Committee Matters

- A. Appointments and Reappointments

Cayce Events Committee – Three (3) Positions

The following members' terms have expired: Mr. John Diamond, Dr. Pete Cassidy, Ms. Frankie Newman. The Committee recommends the reappointment of all three. Mr. Malpass made a motion to reappoint Mr. Diamond, Dr. Cassidy and Ms. Newman to the Committee. Mr. Jumper seconded the motion which was unanimously approved.

Cayce Housing Authority – One (1) Position

Ms. Kathy Brazell's term expires June, 2006. It is recommended that Ms. Brazell be reappointed to the Authority. Ms. Barkley advised that the Cayce Housing Authority has asked that this item be tabled until they can contact Ms. Brazell. Mr. Myers made a motion to table the issue. Mr. Jenkins seconded the motion which was unanimously approved.

SPAT Committee – Two (2) Positions

Currently there are two open positions. A potential member application has been received from Mr. R. C. Lorick and is attached for your review. The Committee recommends the appointment of Mr. Lorick. Mr. Myers made a motion to approve the appointment of Mr. Lorick to the Committee. Mr. Jenkins seconded the motion which was unanimously approved.

Board of Zoning Appeals – One (1) Position

Currently there is one open position. A potential member application has been received from Mr. David Diamond and is attached for your review. The Board recommends the appointment of Mr. Diamond. Mr. Myers inquired if it would be a conflict of interest for Mr. Diamond to serve on the Board in regard to recommendations of TIF funding or development by Mr. Diamond. Mr. Crowe stated there would not necessarily be a conflict with decisions on TIF funding or development and that Mr. Diamond would need to recuse himself on matters dealing with any property he is involved in. Mr. Malpass made a motion to appoint Mr. Diamond to the Board of Zoning Appeals. Mr. Jenkins seconded the motion which was unanimously approved.

B. Committee Minutes – Approval to Enter Into Record

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

Board of Zoning Appeals – April 17, 2006
Planning Commission – April 17, 2006
Beautification Board – May 3, 2006
Cayce Events Committee – May 11, 2006
Cayce Accommodations Tax Committee – May 16, 2006

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

C. Committee Matters

Cayce Accommodations Tax Committee Recommendations - The Accommodations Tax Committee met on May 15, 2006 to review requests for funds for FY06-07. Applications were provided to Council for review. The Committee recommends funding as following:

Airport High School Eagle Wrestling Tournament - \$2,672.00
Brookland Cayce High School Palmetto Cup Soccer Classic - \$5,000.00
City of Cayce Museum Aide's Salary - \$9,500.00
Cayce Historical Museum – Christmas Traditions 2006 - \$2,650.00
Christmas In Cayce - \$3,644.00
Cayce Riverwalk Guided Nature Tours Spring and Fall - \$1,200.00
Cayce Historical Museum – 225th Anniversary Celebration - \$1,750.00
Cayce Historical Museum – Firehouse Exhibit - \$4,000.00
Columbia Metropolitan Convention & Visitors Bureau - \$2,000.00
West Metro Chamber Holiday Parade of Lights - \$2,000.00
West Metro Visitors Center - \$17,000.00

The Committee also received a request for funding for the South Congaree Western Weekend. The Committee recommends that this request be denied as it is not held in the city and does not benefit tourism and/or the Cayce motel/restaurant community according to members of the committee in these industries. Mr. Myers made a motion to approve the recommendations for funding as presented. Mr. Jumper seconded the motion which was unanimously approved.

City Manager's Report

The City Manager advised that the May 2006 Financial Reports would be distributed to Council this week.

The City Manager advised Council of the following dates:

- June 8 – LCMA BBQ at Platt Springs United Methodist Church – 6:00 p.m.
- June 22 – Special Council Meeting – 6:00 p.m.
- June 24 – 225th Anniversary of Battle of Ft. Granby at Cayce Historical Museum – 10:00 a.m. – 4:00 p.m.
- July 4 – City Holiday
- July Council Meeting rescheduled for July 11
- MASC Annual Meeting Registration Form – The City Manager asked Council to complete and return the registration forms to Tammy Barkley as soon as possible

Update on Maintenance of Parks – The City Manager advised that he checked with Mr. Jay Criscione of the Lexington County Parks & Recreation regarding the clean up of county parks located in the city and was advised that it would be August before that project begins. He stated that Mr. Criscione is still looking for property in the city to purchase for soccer fields. Mr. Myers asked that a meeting be set up in the near future with Mr. Criscione and County Council Chair Todd Cullum to discuss these issues.

Report on Potential Water Project – Charwood – The City Manager advised that staff met with Mr. Rock Lucas regarding sewer issues and that Mr. Lucas mentioned the fact that he did not want to put any more wells in that area. He stated that Mr. Lucas is interested in doing some expansion and paying for capacity for the city to provide water to these areas. The City Manager provided Council with two proposals received from Mr. Lucas. He stated that one proposal would be for a tie in to existing city water lines along Glenn Road and Fish Hatchery Road at an approximate cost of \$1,044,000.00. The second proposal would be to extend the city's lines on Backman Road and Fish Hatchery Road at an estimated cost of \$665,000.00. The City Manager stated that

these are two ways that the city can increase its water customer base. He stated he would keep Council up to date on continuing discussions with Mr. Lucas.

The City Manager stated that he attended a meeting today with Mr. David Hilbrand and Lexington County regarding property behind the new Busbee School. He stated that Mr. Hilbrand has taken an option on the property and is proposing a 180-200 home subdivision with homes ranging in price from \$150,000 to \$200,000. He stated that Lexington County has agreed to work with Mr. Hilbrand and the city on this project and that the biggest obstacle is installing a railroad crossing at Taylor Road. He stated that the closing date on the property is scheduled for June 30 and that Mr. Hilbrand will be ready to move the project forward after the closing. He stated that Mr. Hilbrand seems very committed to the project and is working with the Museum staff to come up historical name for the subdivision's streets to tie it back in to the history of the area. He stated that Mr. Hilbrand is also considering the property across Taylor Road for other development. Mr. Myers inquired as to the zoning of the property. The City Manager stated that Mr. Hilbrand would request a PDD zoning and will annex the property into the city.

Mr. Jenkins advised that he received a phone call from Ms. Porterfield on M Ave. who wanted to thank the city for their assistance in getting the house taken down and asked if the city could assist in getting the debris removed. The City Manager advised he would have Code Enforcement check into the issue as soon as possible.

Mr. Jenkins asked that Council be provided with a report on how many animals are being picked up. He stated that on Allen Street the residents have complained of packs of wild dogs in that area. Chief McNair advised that this information is provided to Council in the Public Safety monthly report and that on an average, 75-100 animals are picked up per month. Mr. Jenkins asked if he could be provided with this information by different areas of the city. Chief McNair advised that he would provide that information to Council. Mr. Jenkins inquired if it a problem having Public Safety dispatch handle animal services calls especially when officers are on call. Chief McNair advised that this is not a problem and the on-call animal services officers are called right away.

There being no further business, the meeting adjourned at 9:15 p.m.

Avery B. Wilkerson, Jr.

ATTEST:

Tammy P. Barkley, CMC
Municipal Clerk