

Mayor
Elise Partin

Mayor Pro-Tem
James E. Jenkins

Council Members
Phil Carter
Tim James
Hunter Sox

City Manager
Tracy Hegler

Assistant City Manager
James E. Crosland



**City of Cayce
Regular Council Meeting
Tuesday, April 5, 2022
6:00 p.m. – Cayce City Hall – 1800 12th Street
www.caycesc.gov**

I. Call to Order

- A. Invocation and Pledge of Allegiance
- B. March 1, 2022, Regular Council Meeting
March 16, 2022, Public Hearing and Regular Council Meeting
March 24, 2022, Special Council Meeting

II. Public Comment Regarding Items on the Agenda

III. Presentations

- A. Presentation by Mr. Lee Tant with Cooperative Health re the services they offer

IV. Ordinances

- A. Discussion and Approval of Ordinance 2022-06 Amending the Zoning Map and Rezoning Properties Located at 1810 Airport Boulevard, Lots B & C (Tax Map Numbers 005717-07-020 and 005717-07-013) from M-1/RS-3 to C-4 – First Reading

V. Items for Discussion and Possible Approval

- A. Discussion and Approval to Amend the Municipal Judges' Agreements
- B. Discussion and Approval of Hospitality Tax Application for the 2022 Soiree on State

VI. Committee Matters

- A. Approval to Enter the following Committee approved Minutes into the City's Record
Cayce Housing Authority – December 21, 2021, Annual Board Meeting
Museum Commission – February 2, 2022
Events Committee – February 10, 2022

VII. City Manager's Report

VIII. Council Comments

IX. Executive Session

- A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege
- B. Discussion of negotiations incident to proposed contractual arrangements concerning 800 Lexington Avenue
- C. Discussion of possible contractual arrangements concerning sewer rates

X. Reconvene

XI. Possible actions by Council in follow up to Executive Session

- A. Discussion and approval authorizing City manager to proceed as discussed in Executive Session regarding 800 Lexington Avenue, with further negotiation and further documentation for future Council consideration

XII. Adjourn

SPECIAL NOTE: Upon request, the City of Cayce will provide this document in whatever form necessary for the physically challenged or impaired.



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**City of Cayce
Regular Council Meeting
March 1, 2022**

The March Regular Council Meeting was held this evening at 6:00 p.m. via Zoom video and conferencing software. Those present included Mayor Elise Partin, Mayor Pro Tem James Jenkins and Council Members Phil Carter, Tim James and Hunter Sox. City Manager Tracy Hegler, Assistant City Manager Jim Crosland, Administrative Coordinator Amanda Rowan, IT Director Jamie Beckham, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley, Chief of Police Chris Cowan and City Attorney Danny Crowe were also in attendance.

Mayor Partin asked if members of the press and the public were duly notified of the meeting in accordance with the FOIA. Ms. Rowan confirmed they were notified.

Call to Order

Mayor Partin called the meeting to order and Council Member James gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

Approval of Minutes

Mayor Pro Tem Jenkins made a motion to approve the February 1, 2022, Regular Council Meeting minutes and the February 16, 2022, Regular Council Meeting minutes as written. Council Member James seconded the motion which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

Ms. Nancy Drew, Item III. B. Ms. Drew stated she supported Mr. Tubbs' request to have his property rezoned from commercial to an RS-3 Zoning. She stated that she rode by and looked at the house and it was a great example of the Craftsman architecture. She stated that she supported Mr. Tubbs being able to renovate the home and move into it.

Presentations

- A. Discussion and Approval of Ordinance 2022-02 Amending Section 2-144 of the City Code So As to Clarify and Approve the City Manager's Authority to Appoint Deputy and Assist City Managers – Second Reading

Council Member James made a motion to approve Ordinance 2022-02 on Second Reading. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

B. Discussion and Approval of Ordinance 2022-04 to Rezone 1400 Lucas Street also Known as 2220 Vine Street from C-4 Highway Commercial to RS-3 Single Family Residential – Second Reading

Mayor Pro Tem Jenkins made a motion to approve Ordinance 2022-04 on Second Reading. Council Member James seconded the motion which was unanimously approved by roll call vote.

Committee Matters

- A. Approval to Enter the following Committee Approved Minutes into the City's Record
Museum Commission – November 3, 2021
Cayce Housing Authority – December 21, 2021
Museum Commission – January 5, 2022
Events Committee – January 13, 2022

Mayor Pro Tem Jenkins made a motion to accept the Committee approved minutes into the record. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

- B. Reappointments
Accommodations Tax Committee – One (1) Position
Cayce Housing Authority – One (1) Position

Council Member James made a motion to reappoint Ms. Lynda Murray to the Accommodations Tax Committee and Mr. Bruce Smith to the Cayce Housing Authority. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that the City had a wonderful event at the Museum in February for the African American Committee and their celebration of local legends. She thanked Mayor Pro Tem Jenkins and Council Member Carter for being there. She stated that Ms. Yvonne Smith recently told her that she was still riding on a high cloud and she was so excited about what the celebration meant to some of the great ancestors of the City. Ms. Hegler stated that the Police Department was going live with their website that Friday and she asked everyone to check it out. She stated that Officer Green received the Whole Sole Award a few months back for his work on the new website. She stated that he taught himself how to create a website. She stated that the website had a lot of new resources for the City's citizens and was easy to use.

Council Comments

There were no Council comments.

Executive Session

- A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege

There were not any items to discuss in Executive Session.

Adjourn

Mayor Pro Tem Jenkins made a motion to adjourn the meeting. Council Member James seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 6:10 p.m.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk



Mayor Elise Partin	Mayor Pro-Tem James E. Jenkins	Council Members Phil Carter Tim James Hunter Sox	City Manager Tracy Hegler	Assistant City Manager James E. Crosland
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**City of Cayce
Public Hearing and Regular Council Meeting
March 16, 2022**

The March Regular Council Meeting was held this evening at 6:00 p.m. via Zoom video and conferencing software. Those present included Mayor Elise Partin, Mayor Pro Tem James Jenkins and Council Members Phil Carter, Tim James and Hunter Sox. City Manager Tracy Hegler, Assistant City Manager Jim Crosland, Municipal Clerk Mendy Corder, IT Director Jamie Beckham, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley, Chief of Police Chris Cowan and City Attorney Danny Crowe were also in attendance.

Mayor Partin asked if members of the press and the public were duly notified of the Public Hearing in accordance with the FOIA. Ms. Corder confirmed they were notified.

PUBLIC HEARING ON THE ESTABLISHMENT OF A DEFAULT CONSENT OR FRANCHISE FEE FOR CERTAIN USES OF PUBLIC STREETS OR PUBLIC PLACES IN THE ABSENCE OF A CONSENT AGREEMENT OR FRANCHISE AGREEMENT WITH THE CITY

I. Opening Statement

Mayor Partin stated that notice was hereby given that members of Council of the City of Cayce would hold a Public Hearing for the purpose of obtaining public comments on the adoption of Ordinance 2022-03 to Establish a Consent Fee or Franchise Fee for Certain Uses of Public Streets or Public Places in the Absence of a Consent Agreement or Franchise Agreement with the City. She stated that the City wished to hold the Public Hearing so that Council could receive comments from the public on the proposed Ordinance. She stated that the proposed Ordinance was entitled Ordinance 2022-03 to Establish a Consent Fee or Franchise Fee for Certain Uses of Public Streets or Public Places in the Absence of a Consent Agreement or Franchise Agreement with the City. Mayor Partin stated that as the title indicated the proposed Ordinance amended City Code provisions and set a default consent fee or franchise fee for certain uses by utility companies of public streets or public places. She stated that the default fee would apply if there was not an agreement in effect between the utility and the City or and if no other fee provisions of State law applied.

Mayor Partin stated that municipalities usually enter into written agreements with utilities that grant the utilities the right to use public streets in exchange for payment by the utility to the municipality of the amount set in the agreement for that consent or franchise fee. She stated that usually that amount was a percentage of the utilities revenue from its business operations or sale of that utility service. She stated that the franchise or consent fees essentially were a rent paid by the utility to the City for use of

public streets in the City. She stated that use of the public streets was valuable to utilities because without use of City streets and businesses, the businesses would have to obtain that from private properties and sometimes pay easements for lines or poles across private property. Mayor Partin stated that in some situations, such as with cable television and telecommunications companies, State law provided permission for the use of the streets and also provided for the amount of the fee. She stated that the proposed Ordinance addressed the situation in which there was no franchise agreement with the utility and there was no applicable State law setting the amount of the fee. She stated that was why the fee set by the proposed Ordinance was referred to as a default fee. It is the fee that applies when a fee has not been set by agreement or State law. Mayor Partin stated that the fee was needed so the municipality was not deprived of franchise fees in the absence of an agreement or controlling State law and so the utility did not have free use of public streets for its money-making business at public expense.

Mayor Partin stated that in the proposed Ordinance the default consent or franchise fee applied to businesses that operated as electric and gas utilities, or that use their lines for a communications business not covered by State law. She stated that it was important to point out that the fee was imposed by the City only on the utilities. She stated that sometimes the utilities required their customers to reimburse the utilities for the fee the utility was required to pay the municipality. She stated that this so-called pass through was really just a pass on and was based on the business practices of the utility and was not required by the proposed Ordinance or by the City. She stated that some utilities such as Dominion's predecessor SC&G actually requested that the State Public Service Commission allow it to pass through these franchise fees to their customers. Mayor Partin stated it was important to remember that the City did not require the utilities to pass on the franchise fee to their customers. She stated that it was a business decision and practice of the utility and not a desire of the City.

Mayor Partin stated that as to Rules of Order for the Public Hearing that it was an opportunity for members of the public to present to Council their observations or concerns or comments on the proposed Ordinance. She stated that it was not intended to be a question and answer period between the speaker and the Council, or the speaker and City staff. She stated that Council and staff were interested in what anyone who spoke had to say and appreciated their input. She stated that was why the Public Hearing was on the agenda and everyone who wished to speak during the Public Hearing would be provided the opportunity to do so. Mayor Partin stated that individual comments were limited to a maximum of five minutes. She stated that in an effort to be mindful of everyone's time if one's comment had been mentioned, or reiterated by a previous commenter, one may defer and choose to give others who had additional unique comments, the opportunity to speak. She stated that the comments must be relevant to the item that was under consideration and should also be respectful and supportive of all those in the room.

II. Public Testimony

Mr. Greg Brandon stated that he was the Director of Operations for CMC Steel South Carolina. He stated that he wanted to speak on the negative impact the proposed franchise fee Ordinance would have on the business operations of CMC, and more importantly, the employees in the City of Cayce. He stated that CMC Steel South Carolina was one of the largest consumers of electricity in Dominion Energy's service area in the state. He stated that CMC was a steel mill operation with an electric arc furnace. He stated that they currently employed over 405 employees with an average wage of over \$75,000 a year.

Mr. Brandon stated that CMC Steel tried to be a good corporate citizen by donating and/or contributing approximately \$70,000 a year to local charities and organizations. He stated they had participated in many things such as the Cayce Beautification Foundation, were the primary sponsor for the Rhythm on the River, a significant annual contributor to the United Way, the Ronald McDonald House and a partner with the Salvation Army Angel Tree. He stated that they spend over \$335,000 a year with the City on water and sewer, expend approximately \$32 million in freight to local trucking and rail providers and \$9 million to local vendors on items such as safety supplies, machine shop services, rental equipment, contractor support, and other sundry things needed to operate. Mr. Brandon stated that he estimated their local economic impact to be approximately \$1.5 billion dollars per year.

Mr. Brandon stated that the proposed Ordinance 2022-03 will for the first time impose a 5% franchise fee on all industrial customers in the City of Cayce. He stated that the franchise fee, if passed, would result in electric bills of all industrial customers increasing by 5%. He stated that this would be an extraordinary act by the City of Cayce to increase electric rates on job producers in the community. He stated that industrial customers had provided a large stable base for Dominion, which allowed them to distribute their very high capital costs, thus lowering all electrical consumer bills. He stated that the City of Cayce would be the only city in Dominion's territory to impose such a fee, and for no reason, on industrial customers. Mr. Brandon stated that the proposed Ordinance threatened CMC's operations at the most inopportune time. He stated that everyone was having to deal with the rapid escalation in cost and inflation and the situation was compounded by already artificially high electric rates resulting from the failure of the VC Summer Nuclear Project. He stated that the conflict in Ukraine was adding to the surge in energy prices already plaguing the United States and energy prices were expected to continue to rise. He stated that at a time when the community was facing multiple challenges from the pandemic it made little sense to impose an electric rate increase on their operations.

Mr. Brandon stated that the proposal sent a clear message that current employers could be tapped with new fee schemes that had no clear relevance to the cost of providing any new services from the City. He stated that the Steel Industry was

a vital aspect of the US economy and national security. He stated that steel was the material of choice for many elements of construction, transportation and manufacturing in a variety of consumer products. He stated that it was the backbone of bridges, skyscrapers, railroads, automobiles and appliances. He stated that CMC Steel South Carolina had directly contributed to the rebuilding of the Pentagon, the Cooper River Bridge Project in Charleston, the Lake Murray Backup Dam and 12th Street Extension. Mr. Brandon stated that in the context of industrial customers, the steel industry was one of the largest energy consumers in the manufacturing sector. He stated that fact alone meant that the 5% increase in electric costs would have a disproportionate impact on their operations. Mr. Brandon stated that CMC Steel was told their estimated franchise fee would be larger than all other consumers in Cayce combined if the proposed Ordinance was enacted and consistent with the existing commission orders and case law. He stated that Dominion Energy would assess and collect the consent fee from all its customers, including CMC Steel, and other industrial customers on their monthly electric bills. He stated that Dominion had stated that it would not absorb the fee through their shareholders, because they have an obligation not to do so. Mr. Brandon stated that he urged Council to consider the deeply negative impact the proposed Ordinance might have on CMC's operations, their ability to remain competitive, the long term effects of the capital investment in their facility and their current and future employment levels in Cayce. He stated that the City had stated that it was optional, and really up to Dominion, whether they pass it through, and he hoped Dominion would comment on that.

Ms. Morgan Harrell, the Economic Development and Local Government Manager with Dominion, stated that the proposed Ordinance affected Dominion Energy South Carolina which was the primary electric and natural gas provider within the City of Cayce, therefore Dominion wanted to make sure Council was aware of a number of items that were impacted by the proposed Ordinance. She stated those points were outlined in a letter that was sent to Council and staff that day. She stated that Dominion would be happy to meet with Council individually or all together at any point for more explanation as well they were more than willing to engage in further discussions with the City on a long term franchise agreement. Ms. Harrell stated that Dominion valued their relationship with the City of Cayce and were hopeful that they could work together on the issues.

Mr. Darrell Frick with Steel Hands Brewing stated that he and his partner Scott Lambert had some concerns. He stated that they did not know all the details. He stated they had been in business for three (3) years and they still felt like they were a startup and the franchise fee seemed to be an additional tax. He stated that they would like to know more details about how it was implemented and what Dominion's plans were.

III. Close Hearing

There was not any further public testimony therefore Mayor Partin closed the hearing.

Regular Council Meeting

Call to Order

Mayor Partin called the meeting to order and Mayor Pro Tem Jenkins gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

Public Comment Regarding Items on the Agenda

Ms. Karen Dawkins, Item III. C. Ms. Dawkins stated that she felt there was some sort of disconnect between the citizens of Cayce and the administration. She stated that the City had received funds from the American Rescue Plan and what concerned her was how those funds were being allocated. She stated that she would like to know if there had been meetings or discussions or planning on how best to utilize those funds, or was it just being spent and trying to check the boxes off of a big wish list. She stated that currently there were projects that had not been done in the City due to lack of funding and they had been set aside for over 30 years. She stated that now there was an opportunity to assist with funding some of those projects but those items had not been brought up. Ms. Dawkins stated that she would like to know what the plan was and how it was determined which projects received help with funding and how could citizens have input on how those funds were allocated.

Ms. Nancy Drew, Item III. C. Ms. Drew stated that the National League of Cities advocated for a year for relief for cities and towns across America due to COVID. She stated on March 11, 2021, President Biden signed into law the American Rescue Plan and \$65.1 billion was provided for much needed relief. She stated that the City of Cayce was a local government of less than 50,000 people so the City was allotted an amount of seven plus million dollars by the Treasury. She stated that this money was sent to the South Carolina State Government to be given to Cayce to be used within the guidelines set by ARPA. Ms. Drew stated that now the City had an opportunity to use the funds for the benefit of the City and its citizens to bring relief, restore a lost quality of life to many and provide a greater quality of life for others for the future. She stated how the money was going to be used was very important. She stated that half of the allotted amount had been received in the amount of approximately \$3.5 million. Ms. Drew stated that if the Resolution was approved \$1.3 million of the first half of the City's allotment would be gone. She stated that she checked the City's calendar back to September 2021, and there had been no planning meetings, work sessions or meetings of City Council with City staff shown on the City calendar. She asked when plans had been made on how to spend the relief funds. She asked when was Council and their constituents consulted. She asked if there was a plan and if so, what was it. She asked if the money would be piecemealed and nickel and dimed until it was gone. Ms. Drew

stated that former Chief Snellgrove requested twice that General Fund budget monies be set aside for the needs of Public Safety and Police and he was turned down both times. She asked if the information now at risk of being irretrievable was then as well, but it had become an emergency now. Ms. Drew stated let's update, but let's slow down and let's plan but also consider if there were other avenues with some items. She stated let's wait and see what else needs to be done. She stated that ARPA allowed for the allocation of funds for water, sewer, wastewater and stormwater relief. She stated that the community greatly needed relief and she had lived in torment in the 200 block. She stated that Indigo Avenue needed this relief. She stated that she was asking Council to consider this in their expenditures from ARPA. Ms. Drew asked if Council was going to consider monies to allow permanent video access to Council Meetings, Planning Commission meetings and other important venues that the citizens of Cayce needed access to. She stated that she had asked Council to consider equipment used by the City to come into compliance under the ADA for disabled citizens, which would also help senior citizens in the area. She stated that she was asking for education for the employees and departments of the City of Cayce regarding people with disabilities and the civil rights laws provided for them by the ADA. She stated that she was asking Council to deny the resolution until they had more information that they could share with their constituents and be involved on behalf of the citizens of Cayce on how the funds from ARPA would be used.

Ms. Jessica Johnston, Item III. C. Ms. Johnston stated she agreed with Ms. Drew's statement regarding the capabilities within the City Hall Chambers for all citizens, but also specifically the disabled citizens. She stated that the purpose of the fund spending for the Rescue Plan Act was related to the impact of the COVID 19 Pandemic that resulted in economic losses to the government and the public. She stated that the memo in the agenda packet said the City Staff had outlined a partial expenditure list that resulted from lost revenue. She stated that she was in favor of updating the equipment in Council Chambers but she did not specifically see streaming capabilities mentioned. She stated there was mention of virtual so she wanted to ask for some clarification if that's really the idea on where we need to go. She stated that she looked at the City of Columbia's website and their agenda, and they reference that citizens can log on to their website and stream and they can also call in. She stated that she thought these were great additions that would help all citizens and disabled citizens, which was actually an issue even before the pandemic. Ms. Johnston stated that she did not see a direct correlation to lost revenue with the other requests that were listed. She stated that maybe there was but just noting that and giving some more justification would be helpful. She stated that she was interested in how the decisions were being made. She stated that she personally had not been asked for input as a citizen and it would be great to be able to give input. She stated that grants for small business owners, which she was, had been very difficult through COVID and was still hard. Ms. Johnston stated that ideas for stimulating the economy in the area, helping people get back on their feet, enhancing quality of life and mental health were needed. She stated that reducing stress by dealing with some of their neighborhood complaints

and issues that had been mentioned on numerous calls and Council Meetings would be helpful. She stated that she expected there would be some healthy discussion on it amongst Council and City staff, and that would allow for some input from citizens.

Mayor Partin stated that she saw a couple of people employed their raise hand option after the fact. She stated that the virtual meetings are ran as if the meeting was in person. She stated they needed to continue to do that since a Council Meeting was a business meeting of the Council. She stated that if one came to one of the Council Meetings, and she and Council hoped they did because there was a proposal to create an opportunity to have some better sound systems and functioning systems for Council Meetings in person that would also allow people to connect virtually. She stated that they hoped people would join them in person. Mayor Partin stated that at in person Council Meetings one did have to sign up before the Public Comment period started. She stated that there was a myriad of ways to connect with Council and share input. She stated that three (3) citizens gave input right then and that was fabulous. She stated that was why they had Public Comment at the beginning of the agenda so Council had that input. She stated that they were very thankful that people took the time to do that. Mayor Partin stated that they were meeting right then and discussing these things and having the exact conversations that were being asked for. She stated that in the City newsletter there were so many other ways listed to connect to Council and staff and to neighborhood leaders, many of whom were on the Zoom call. She stated that there were lots of fabulous ways for connection and communication in the City. Mayor Partin stated that if one missed the opportunity to raise their hand during the time when it was asked for, as intended for public comment, to please reach out to Council through email, the phone, and other ways.

Ordinances and Resolutions

- A. Discussion and Approval of Ordinance 2022-03 to Establish a Consent Fee or Franchise Fee for Certain Uses of Public Streets or Public Places in the Absence of a Consent Agreement or Franchise Agreement with the City – Second Reading

Mayor Partin stated that she would like to defer Second Reading of Ordinance 2022-03 to the second Council Meeting in April. Council Member James made a motion to defer this item to the second Council Meeting in April. Mayor Pro Ten Jenkins seconded the motion which was unanimously approved by roll call vote.

- B. Discussion and Approval of Ordinance 2022-05 Amending Section 2-144 of the City Code so as to Provide for Procurement and Contracts by City Council on a Most Convenient Source or Sole-Source Basis in Certain Circumstances – First Reading

Ms. Hegler stated that the proposed Ordinance was being brought before Council due to the supply chain bottlenecks and shortages that were a result of COVID-19 and were affecting the City. She stated that since the COVID-19 pandemic began, the City had experienced supply issues from automobile supplies to electronics. She stated that at times when supplies or equipment were needed the pressure of procurement processes delayed the purchase of them and at times those items were not available once the procurement process was completed. She stated that sole sourcing was allowed in the City's current procurement language but staff was asking Council to consider adding the flexibility in a situation where there were prolonged supply chain delays. Ms. Hegler stated that Council could build in some metrics and some questions for staff to make sure they were getting good value and the specifications of a product that one was looking for. She stated that it would make the City nimble and able to get items when needed. She stated that staff worked with City Attorney Danny Crowe on the amendment and it could be revisited when the supply chain was no longer an issue.

Mayor Pro Tem Jenkins made a motion to approve Ordinance 2022-05. Council Member Sox seconded the motion. He asked if the amendment would allow Council to still have to vote for the RFP process or would Council have to vote for staff to seek it out. Ms. Hegler stated that staff would ask Council to waive the RFP process as an item was brought to them if it applied. Council Member James stated that what staff put together was just allowing Council to be able to have the ability to react to certain opportunities during the time of supply chain issues. He stated that it was not a shortcut but really more of an opportunity for Council and staff to be able to react in a quicker manner. Ms. Hegler stated that it would still be obvious to the public which vendor staff was selecting, what they were selecting and that staff was asking Council specifically to consider this expeditious process.

Mayor Partin stated that Council appreciated Mr. Crowe bringing them a best practice and Ms. Hegler helping them to be efficient and effective and looking out for citizens but still be incredibly transparent. Council Member Carter stated that he had a question that he went over with Ms. Hegler earlier that day on the phone. He stated that Council addressed something similar to this a few years ago and Ms. Hegler was going to look up that information and get it to Council prior to Second Reading. He stated that they did something with sole sourcing but he could not remember exactly what but he did ask Ms. Hegler for clarification along with figures. Mayor Partin called the question which was unanimously approved by roll call vote.

C. Consideration and Approval of a Resolution Designating Additional Allocations for Funding Received through the American Rescue Plan Act

Ms. Hegler stated that the City was really fortunate to be allotted \$6.9 million from the American Rescue Plan Act that would come to the City in two (2) tranches. She stated that the first was \$3.4 to \$3.5 million which the City already had. She stated what she was proposing was a small portion of that and the rest of that was still up for

planning. She stated staff had discussed over the past year the different things that could be done with the money. She stated that she sent Council a list of large scale infrastructure related projects to discuss during their upcoming work sessions for the annual budget.

Ms. Hegler stated that the projects she was presenting to Council that night were necessary for the efficient operation of City staff. She stated that there were items that had not been purchased in the past because of budget shortfalls. She stated that the government had made a final rule that came out in January that was more permissive for the things the money could be used on and could be part of the City's lost revenue stream. She stated that first item on the proposed list was a big focus of ARPA and that was to make sure to raise the minimum salaries for those of the staff that were the lowest paid. She stated that the City did have some full time employees whose salaries were below \$30,000 annually and staff was proposing to increase those to \$30,000 with the first tranche and the second tranche could be used for year two and then it would be absorbed in the City's General Fund budget moving forward.

Ms. Hegler stated that the next proposed expenditure was for SmartCop Reporting Software which was necessary technology that the City's Police Officers needed. She stated that the current software that the Police Department was using was out of date and there were issues with the technical support. She stated that the current software package had the data for the entire Police Department and Court for the last twenty years and could possibly become irretrievable. Ms. Hegler stated that the new software package, SmartCop, was cloud based and had many more options and was currently being used by several surrounding jurisdictions to include Lexington Police Department, SC Highway Patrol, and Georgia State Patrol. She stated that it would also include compatible software to integrate with the Municipal Court.

Ms. Hegler stated that another proposed expenditure was the Axon Project which was something that would propel the City into the future. She stated that the City had hobbled together a lot of technology over the years and good credit to the staff that had done that as well as the City's IT department. She thanked Council for the funding that staff had been able to use to make sure that the City's Officers were safe in the field and efficient and effective on the streets. She stated that the Axon Project would help even more with this. She stated that it was mentioned a couple times that night that Council Chambers needed upgraded technology. She stated that Council Chambers did not have the technology to be able to have a hybrid system whereby Council was meeting in person and the meeting could stream to the public. She stated that staff proposed purchasing a software and equipment package that would make that possible. She stated that they wanted to move forward quickly because of supply chain issues to get those items on order for the City's residents. Ms. Hegler stated that the Municipal Courtroom needed the same upgrades. She stated that the Courtroom had some deficiencies in its ability to record and operate.

Ms. Hegler stated that these items were something that she brought forward because they would help staff to be more efficient but it was certainly not to overlook or ignore other projects that staff and Council had discussed for years. She stated that it was very important that the remaining money in the current tranche and the next tranche be used to work on these large capital items. Ms. Hegler stated that staff had been advised that it was really wise that the City had waited because the Federal and State government had also been given large sums of money through ARPA and those projects were primed for matching those monies to some grants that the State and Federal government had put out and were continuing to put out. She stated that the timing was good to discuss what those projects would be to get them prioritized for Council and seek those grants so that more could be done with the same amount of money. She stated that as staff and Council held their work sessions on the budget, they could incorporate those recommendations into a budget instead of a Resolution process, which is what staff would currently need to do should Council approve it.

Council Member Sox made a motion to defer the Resolution until Council was able to see the whole plan that staff had put together. Council Member James seconded the motion. Mayor Partin asked if she could get some clarification. She asked if an entire list for spending every dollar of that money was what was being requested. Council Member Sox stated that he would like to see where staff currently was. He stated that he knew they had been working on some plans from the past whenever the interim ruling was out and since the final ruling came out in January, he was under the impression that there was a pretty solid plan put together. He stated that whether that was between now and the next council meeting, if Council could get that he would just like to look at it before Council considered the current proposed projects.

Council Member James stated that when he spoke to Ms. Hegler that day he felt she had a really good grasp on the ARPA funds and when she spoke earlier in the meeting about the potential grants coming down. He stated that with the potential grants what Council might have expected to spend a large amount on could possibly be reduced if the grants came through, as well as Ms. Hegler's priorities. He stated that it could turn around pretty quickly for Council to be able to look at the priorities and the plan of action. Council Member James stated that was not to any way say that anything in Ms. Hegler's proposal was not worthy but to be able to take it in a total concept as Council began voting on these items that ARPA money would be spent on.

Mayor Partin stated that she would always support a deferral if more information was needed. She stated that Council voted on a deferral earlier in the meeting and she thought that was a worthwhile thing to do to bring out some discussion. She stated that she did have some concerns about Council Member Sox's motion to defer. She asked Mr. Crowe if other cities were handling ARPA money in one (1) meeting. She stated that she knew he worked with a number of municipalities. Mr. Crowe stated that his experience was that ARPA funds were being dealt with by municipalities as slices of a tranche just as proposed by City Manager Hegler. He stated that Councils were

focusing on pieces of it with anticipation of grants for others as was discussed. He stated that really what had been proposed was exactly in his experience how other municipalities were also approaching it.

Mayor Partin stated that Council usually made pretty thoughtful decisions and she was concerned that if Council had done their homework earlier, as opposed to maybe just that afternoon, she wondered if they could have gotten that question answered. She stated then there would not be a need for deferral and then a number of City staff who work so hard for the City's citizens on a regular basis, could go ahead and be brought up to a more livable wage. She called the question. Council Member's Carter, James and Sox voted yes. Mayor Partin and Mayor Pro Tem Jenkins voted no.

Items for Discussion and Possible Approval

- A. Discussion and Approval of Hospitality Tax Application from the Cayce Public Safety Foundation for the Cayce Police Department and Special Olympics Pickleball Tournament

Ms. Hegler stated that the Cayce Police Department and Special Olympics Pickleball Tournament was the first ever pickleball tournament in South Carolina. She stated that it was a partnership with the Special Olympics and would be held at the Cayce Tennis and Fitness Center on Sunday, May 1. She stated that the Cayce Public Safety Foundation was requesting \$5,550 in hospitality funds to cover the costs of the event and it was eligible for H tax grant funding. She stated that staff did a grant application process annually but sometimes they had projects that came up that weren't conceived of before. Ms. Hegler stated that the pickleball tournament would draw in people from around the area. She stated that the Foundation was hoping to draw from a 100 mile radius and they would document addresses as required by the grant. She stated that food and drinks would be served and the event would be advertised.

Mayor Pro Tem Jenkins made a motion to approve the application for funding. Council Member Sox seconded the motion which was unanimously approved by roll call vote.

Committee Matters

- A. Appointments
Municipal Election Commission – One (1) Position

Mayor Partin stated that the City's Municipal Election Commission had one open position and the City had received a potential member application from Ms. Dara Brown. Council Member Sox made a motion to appoint Ms. Brown to the Commission. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that Parks staff was in full preparation for grass cutting time. She stated that staff, particularly Ms. Rowan and Ms. Corder, were in full swing for planning the Soiree on State being held April 23. She stated that the last Soiree was held in 2019 and everyone was really looking forward to having it again. She stated that the City was getting a lot of good press coverage on it and there were a lot of interest from vendors who want to be there so it should be a great event. She stated that the Police Department was in the process of hiring the new School Resource Officers that Council recently approved so they should be in the City's schools in the coming months. Ms. Hegler stated that the QT on Charleston Highway was nearing completion and should be ready for final inspection soon. She stated that if anyone drove by the Public Safety building any time you would probably see the tower truck out. She stated that staff were already well trained on it and they just finished their formal familiarization with the tower truck. She stated that she often heard them talking about how much they love the new truck and it was great to see them with that resource and that asset and out in the community.

Council Comments

There were no Council comments.

Executive Session

- A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege

There were not any items to discuss in Executive Session.

Adjourn

Mayor Pro Tem Jenkins made a motion to adjourn the meeting. Council Member James seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 6:56 p.m.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk



Mayor
Elise Partin

Mayor Pro-Tem
James E. Jenkins

Council Members
Phil Carter
Tim James
Hunter Sox

City Manager
Tracy Hegler

Assistant City Manager
James E. Crosland

**City of Cayce
Special Council Meeting
March 24, 2022**

A Special Council Meeting was held this afternoon at 5:30 p.m. via Zoom video and conferencing software. Those present included Mayor Elise Partin, Mayor Pro Tem James Jenkins and Council Members Phil Carter, Tim James and Hunter Sox. City Manager Tracy Hegler, Assistant City Manager Jim Crosland, Municipal Clerk Mendy Corder, Finance Director Kelly McMullen, Human Resources Director Lynn Dooley, Police Chief Chris Cowan, IT Director Jamie Beckham and City Attorney Danny Crowe were also in attendance.

Mayor Partin asked if members of the press and the public were duly notified of the meeting in accordance with the FOIA. Ms. Corder confirmed they were notified.

Call to Order

Mayor Partin called the meeting to order and Council Member Sox gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

Public Comment Regarding Items on the Agenda

No one signed up for Public Comment.

Ordinances and Resolutions

- A. Discussion and Approval of Ordinance 2022-05 Amending Section 2-144 of the City Code so as to Provide for Procurement and Contracts by City Council on a Most Convenient Source or Sole-Source Basis in Certain Circumstances – Second Reading

Mayor Pro Tem Jenkins made a motion to approve Ordinance 2022-05 on Second Reading. Council Member James seconded the motion. Council Member Carter thanked Ms. Hegler for sending Council the information delineating the difference between Ordinance 2022-05 and the actions Council took in the past regarding sole sources. Mayor Partin called the question which was unanimously approved by roll call vote.

- B. Consideration and Approval of a Resolution Designating Additional Allocations for Funding Received through the American Rescue Plan Act

Mayor Pro Tem Jenkins made a motion to authorize the Resolution. Council Member James seconded the motion. Ms. Hegler stated for public record she would like to go over the proposed projects in staff's request again. She stated that the City had received, as all cities, an allocation from the Federal government as part of the

American Rescue Plan Act. She stated that the City was receiving roughly \$6.9 million dollars in two (2) different tranches. She stated that tranche was an actual Federal government term. She stated that the City was in receipt of the first tranche which was \$3.4 million dollars. She stated that staff was proposing a several step process which she sent to Council in detail that day and sent it to them a couple weeks ago with a little less detail. She stated that Council's first action with that funding took place in November and that was to provide premium pay to staff that recognized their work during COVID and making sure that City operations never faltered. She stated that the pay to staff was transformative and they were grateful for it.

Ms. Hegler stated the proposal before Council was discussed at the Council Meeting the week prior and was what she would consider internal projects for phase two and things that staff had identified as urgent or were needed in some way. She stated that staff needed to act upon them quickly. She stated that phase three of the process would be to meet with Council and discuss the larger, longer range infrastructure related projects related to sewer, water, stormwater and particularly storm drainage improvements. She stated they would also discuss other projects that had been identified by the City for some time, whether it's been on the City's capital project lists, or things staff had been trying to work with Federal and State partners to help with because it's inventory that they own, but is a problem for the City's citizens. Ms. Hegler stated that those projects needed to be discussed with Council at length and then they could prioritize them however Council decided. She stated that seemed to be in line with what a lot of other cities were doing.

Ms. Hegler stated that a large part of ARPA and one of its biggest recommendations was to raise the City's lowest salaries. She stated that obviously this was something Administration would have loved to have done for years. She stated that with it being such a priority of the Federal legislation and being brought to staff as such and having the funding at hand to do so, staff definitely did not want to overlook that. She stated that the second proposed item was the SmartCop reporting software. She stated that the City's Police Officers were currently using a program for their reports that was literally dying so it had become more urgent to replace it. She stated that it was a one-time fee and once it was purchased it would be upgraded and receive updates just like one's phone did. She stated that the SmartCop software would make the Municipal Court and the Police Department operate more efficiently with their reporting.

Ms. Hegler stated that the next proposed project was called Axon. She stated that Axon was an integrated system of cameras, Tasers and other devices. She stated that it would make the Officers even more safe and transparent and the system was truly state of the art. She stated that it would make the Officers lives easier when they get back from the field because the data from their cams would automatically be uploaded to the cloud. Currently the Officers spend a lot of time inputting their data into the computer manually. Ms. Hegler stated staff would like to fund it through this year's

and the second year tranche and then would need to fund it for two (2) more years after that. She stated that it would constantly be updated as there were upgrades to the system.

Ms. Hegler stated there were two (2) Sanitation trucks that really needed to be replaced. She stated that they both had over 100,000 miles on them. She stated that the City had the opportunity to get a new truck in a few months straight off the line. She stated that was a big part of the amendment to the procurement policy that Council just approved that night. She stated that another proposed purchase was a street sweeper/stormwater culvert vacuum. She stated it would be used to clean the City's streets but would also be used to clean storm drains. She stated that it was a mitigation project in and of itself to help with some of the storm drainage issues. Ms. Hegler stated that audio visual upgrades to Council Chambers and the courtroom were also proposed. She stated that obviously Council would like to get back to meeting in person and the best way to do that was to be able to offer an option for people that could not attend the meeting in person. She stated that Council Chambers currently was not set up for that. Ms. Hegler stated that she looked forward to discussing other projects with Council in the near future. Mayor Partin asked if those discussions would take place in the budget meeting with the City's Department Heads. Ms. Hegler stated that was what she proposed because those projects were really the babies of the Department Heads and were known well by them and they knew how to describe them.

Council Member James stated that the minimum salary adjustments that Ms. Hegler spoke of was not something that Council was not cognizant of. He stated that one of the items ARPA specifically said to look at was minimum salaries and it gave the City the opportunity to do that. He stated he was glad that was part of the proposal. He stated that City leadership was extremely cognizant and recognized the needs of the City but in that also came with maximizing the dollars. He stated that what he was seeing looking through phase one, phase two and phase three was that while some people may think a timeframe was different than what they may want, Ms. Hegler was taking those timeframes to where they merge really well with grants, or other opportunities of money. Council Member James stated that staff needed to make sure that they had communicated very well that this was not something that happened in a vacuum. He stated that he appreciated Ms. Hegler looking at not spinning this because next year, the City could have some matching dollars and that may slow down a timeframe to somebody else, but it would maximize the finances in that timeframe. He stated the other thing in recognizing, certainly, in District One, and probably in District Four was stormwater runoff. He stated that in the current phase the Street Sweeper was much more than just that, it was also a storm water culvert vacuum, which everyone knew whenever drains get clogged it deterred the waters to go places that it should not go. He stated it was a mitigation effort within itself. Council Member James stated that other storm water drainage mitigation efforts were outlined in phase three.

Mayor Partin stated that she shared with Council the week prior that she had the opportunity to sit with some other mayors and hear what their thoughts were on ARPA funding and everybody was on the same timeline as the City. She stated that Columbia received their funding separately and did not have to wait on the State therefore they had their funding longer. She stated that Columbia had made it clear to say that they were slowing down. She stated that staff had received information that the State and the Federal government were going to be putting out grants. Mayor Partin stated the City could make their dollars go further and she was thankful for City staff for being mindful of that. She stated that they were not jumping in and saying here's one plan and let's do it all. But were actually saying let's take a look because we have some time. She stated that it was actually a four (4) year time window. She stated that she loved that all the stuff coming forward came from public input the City had received. Mayor Partin stated that the City liked to over communicate and had these dialogues in so many different ways. She stated that the Comprehensive Plan was one of many examples. She stated that some of the proposed projects came from the feedback that citizens had given in addition to public comment that the City had in every single Council Meeting. Mayor Partin stated that Council was thankful that it was a really great robust plan that included all that input. Mayor Partin called the question which was unanimously approved by roll call vote.

City Manager's Report

Ms. Hegler stated that the Police Department's health fair event was being held at Spires Gym that weekend from 12pm to 4pm. She stated that Tartan Day South was being held April 2 and Museum Staff would be there hosting a new exhibition called Colonial Village. She stated that they were given a large area on the festival grounds and there would be demonstrations and exhibits of Colonial and Revolutionary War crafts, traditions and historical information. She stated there would also be information about the 12,000 Year History Park, Congaree Fort 1 and a children's coloring area. Ms. Hegler stated there would be sweetgrass basket making, spinning cloth, blacksmithing, Indigo dyeing and how to write with a feather quill and ink. She stated that it would be a really good time for families and children. She stated that Mr. Thomas had worked really hard on the Colonial Village and was very excited about it.

Council Comments

There were no Council comments.

Executive Session

- A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege

There were not any items to discuss in Executive Session.

Possible actions by Council in follow up to Executive Session

Adjourn

Council Member James made a motion to adjourn the meeting. Mayor Pro Tem Jenkins seconded the motion which was unanimously approved by roll call vote. There being no further business, the meeting adjourned at 5:49 p.m.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk

Memorandum

To: Mayor and Council

From: Tracy Hegler, City Manager
Monique Ocean, Planning & Zoning Tech

Date: April 1, 2022

Subject: First Reading of Ordinance 2022-06 to re-zone two properties located at 1810 Airport Boulevard, Lots B & C (TMS# 005717-07-020 and 005717-07-013) from M-1/RS-3 to C-4.

Issue

Council approval is needed for the First Reading of an Ordinance to re-zone two properties located at 1810 Airport Boulevard, Lots B & C (TMS# 005717-07-020 and 005717-07-013) from split zoning M-1/RS-3 to C-4.

Discussion

The owner wishes to rezone two properties to C-4 Highway Commercial. The subject properties consist of a split zoning of M-1 (Light Industrial) and RS-3 (Single Family Residential). The properties are located on Airport Boulevard which is home to a mixture of uses including retail, gas stations, and restaurants. The C-4 zoning district is intended to accommodate commercial development catering to the needs of the traveling public, and highway dependent commercial and business uses.

The owner is requesting to re-zone the properties to C-4 (Highway Commercial) because the current zoning of M-1 and RS-3 creates an element that may make it difficult to receive zoning approval for development.

The subject properties are located adjacent to other zoned C-4 properties and RS-3 properties.

The requested zoning is in compliance with the Cayce Comprehensive Plan.

The Planning Commission voted on the requested re-zoning from M-1/RS-3 to C-4 at the Planning Commission meeting on February 28, 2022. No one spoke for or against the rezoning but two owners of neighboring properties were present to inquire about the request for rezoning.

Recommendation

The Planning Commission unanimously recommends Council approve First Reading of an Ordinance to re-zone two properties located at 1810 Airport Boulevard, Lots B & C (TMS# 005717-07-020 and 005717-07-013) from split zoning M-1/RS-3 to C-4 (Highway Commercial).

STATE OF SOUTH CAROLINA)	ORDINANCE 2022-06
)	Amending the Zoning Map and Rezoning
COUNTY OF LEXINGTON)	Properties Located at 1810 Airport
)	Boulevard, Lots B & C (Tax Map Numbers
CITY OF CAYCE)	005717-07-020 and 005717-07-013) from
)	M-1/RS-3 to C-4

WHEREAS, the Owner/Applicant requested that the City of Cayce amend the Zoning Map to re-designate the properties comprising and shown at 1810 Airport Boulevard, Lots B & C (Tax Map Numbers 005717-07-020 and 005717-07-013) from a split zoning M-1 (Light Industrial) and RS-3 (Single Family, Small Lots) to C-4 (Highway Commercial), and

WHEREAS, the Planning Commission held a public hearing on this request to receive comments from the public and adjacent property owners, and

WHEREAS, the Planning Commission met on February 28, 2022, to receive public comments and vote on whether to recommend the rezoning request, and has decided, by a unanimous vote, that it does recommend this change to the existing zoning,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Cayce, in Council, duly assembled, that the properties hereinafter listed, and as shown on the attached sketch, are hereby rezoned and reclassified on the Zoning Map of the City of Cayce as C-4 (Highway Commercial):

Tax Map Numbers 005717-07-020 and 005717-07-013
1810 Airport Boulevard, Lots B & C

This Ordinance shall be effective from the date of second reading approval by Council.

DONE IN MEETING DULY ASSEMBLED, this _____ day of _____ 2022.

Elise Partin, Mayor

Attest:

Mendy Corder, CMC, Municipal Clerk

First Reading: _____

Second Reading and Adoption: _____

Approved as to form: _____
Danny C. Crowe, City Attorney

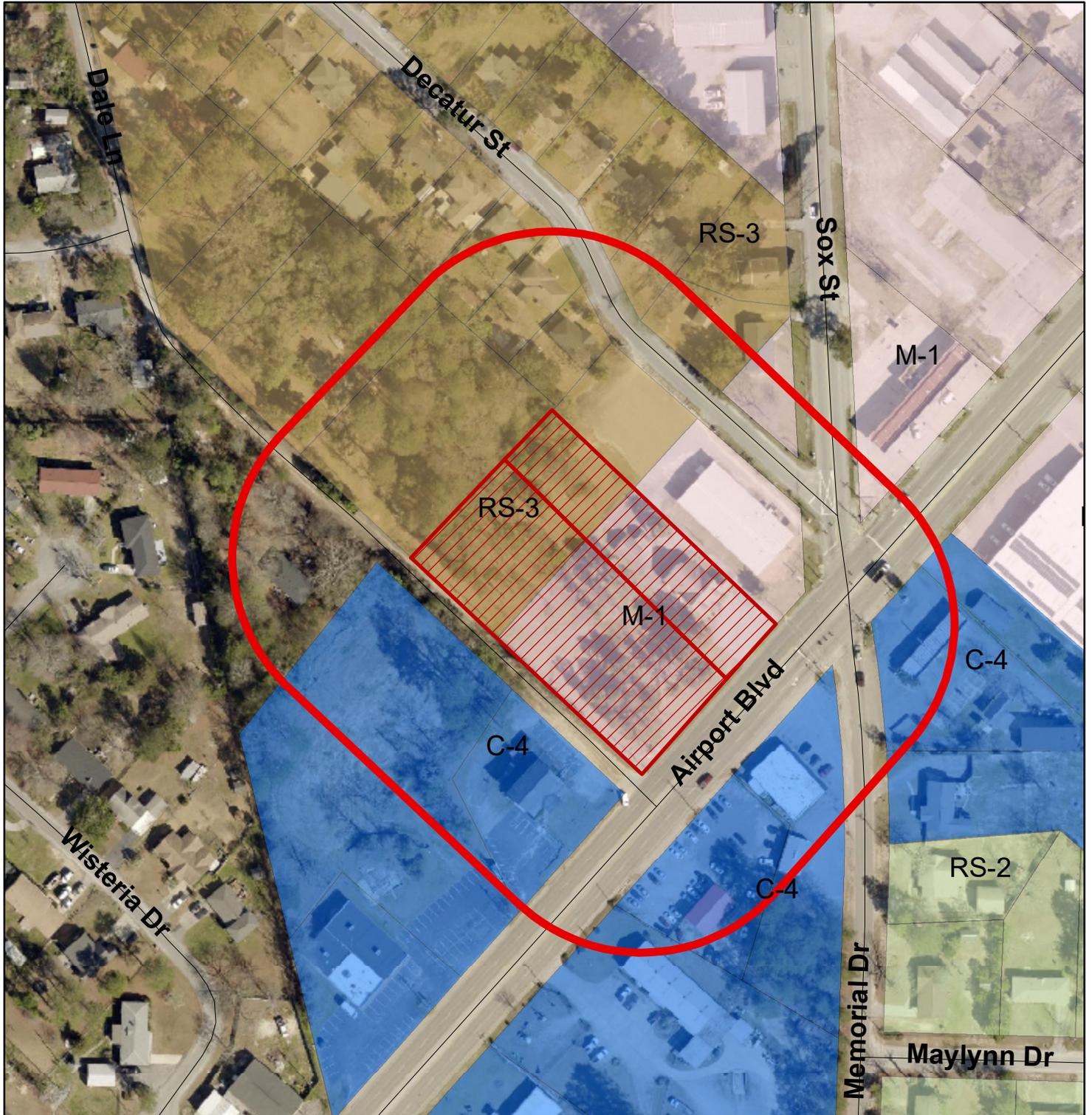
Re-Zoning Request MA002-22 1810 Airport Blvd Lots B & C Current Zoning

Legend

Map Amendment 002-22

 Re-Zoning Request 1810 Airport Lot B&C

 200 ft Buffer



Memorandum

To: Mayor and Council

From: Tracy Hegler, City Manager

Date: April 5, 2022

Subject: Amendment to the City's Municipal Judges' Agreements

ISSUE:

Council approval is needed for an amendment to the Municipal Judges' agreements to allow for additional time worked and for compensation for those days.

BACKGROUND/DISCUSSION:

The City entered into agreements with Municipal Judges Bobertz and Jeffries in April of 2021. The current agreement stipulates that each Judge will work approximately two days a month (one Judge is assigned a day per week) but does not allow compensation for additional days worked by either Municipal Judge. There are periods of time that alternate days would be beneficial to decrease the backlog of jury trials and preliminary hearings. Having those additional days would give the option of alternate court dates, if needed. The additional day selected by either Judge would be compensated at \$500.00 per day which is the same rate under their current contract.

State law requires that Municipal Judge Agreements are set for a minimum of two years, so approving this agreement (attached) would also start a new two-year term.

RECOMMENDATION:

Staff recommends Council approve an amendment to the Municipal Judges' agreements to allow for additional time worked and for compensation for those days.

STATE OF SOUTH CAROLINA)	
)	AGREEMENT FOR SERVICES AS
CITY OF CAYCE)	MUNICIPAL COURT JUDGE

This Agreement is made and entered into, as of the date executed below, by and between the **City of Cayce** (sometimes referred to herein as the “City”) and **Shannon Furr Bobertz** (sometimes referred to herein as “Bobertz”).

WHEREAS, the City Council, has determined that it wishes to reappoint Shannon Furr Bobertz to serve as a City of Cayce Municipal Court Judge, and

WHEREAS, Bobertz has agreed to accept that reappointment; and

WHEREAS, the parties wish to memorialize the terms of service as a Municipal Court Judge,

NOW, THEREFORE, the parties to this Agreement hereby agree as follows:

1. The City hereby agrees to reappoint Shannon Furr Bobertz, as a Municipal Court Judge, for a term of two (2) year from the date of this Agreement and until a successor is appointed and qualified. The parties understand that the City Council, pursuant to the City Code, also may extend the term beyond two years to allow for continued service to coincide with the first regular City Council meeting following municipal elections. The parties further understand that a Municipal Court Judge may be reappointed, in the discretion of the Council, to a successive term or terms.
2. Bobertz agrees to perform the functions and duties of a Municipal Court Judge pursuant to, and subject to, the Constitution of the United States, the Constitution of the State of South Carolina, the Code of Laws of the State of South Carolina (including Chapter 25 of Title 14 thereof), the Cayce City Code (including Chapter 14 thereof), and any applicable directives of the Supreme Court of the State of South Carolina. The parties understand that the Municipal Court Judge is also subject to the Code of Judicial Conduct and judicial discipline by the State Supreme Court. Bobertz agrees that, at all times, she will remain a member in good standing of the Bar of this State and comply with all requirements of the State Supreme Court for qualification, certification and continuing eligibility to serve as a Municipal Court Judge.
3. It is anticipated that the duties and responsibilities of each of the two Municipal Court Judges appointed at the outset of this Agreement (including Bobertz) shall include one court session per week for either regular traffic court or for jury strikes, pretrial conferences, bond hearings, bench trials or jury trials. Schedules for the Municipal Court Judge or Municipal Court Judges for a particular week will be coordinated between the two judges or, in the absence of coordination, as assigned by the City Manager. The parties understand that Judge schedules and court schedules may be adjusted in the future as the

needs of the court require. Additional days may be required to assist with decreasing docket numbers. These additional days will need prior approval of the City Manager and will be compensated at \$500.00 per day. The parties will endeavor to work with each other, and any other Municipal Court Judge, in good faith concerning scheduling of court sessions and Judge assignments. The parties also understand that additional unscheduled duties and responsibilities will be required to include the issuance of warrants, orders, appeal returns, and other documents and records. Administration of the Municipal Court shall be under the direction of the City Manager and the City shall provide sufficient clerical and nonjudicial support personnel to assist the Municipal Court Judge or Municipal Court Judges.

4. Compensation for the year (12 months) of the term shall be at the salary of \$25,000 per year, with interim payment at such times as other City employees are paid and subject to payroll deductions as provided by law. Bobertz is not subject to any cost-of-living salary increases as may be provided to general non-contractual employees and is not subject to overtime. It is understood that compensation is contingent on Bobertz maintaining any requirements for qualification, certification and authorization from the State Supreme Court to serve as a Municipal Court Judge and maintaining her status as a member in good standing of the Bar of this State. To assist the City in its continuing efforts to determine appropriate compensation, the Municipal Court Judge will provide to the City Manager, on a weekly basis, a statement of dates and hours worked and a general description of services provided during that week. Compensation for the remainder of the term of the Municipal Court Judge may require adjustment, as mutually agreed upon, depending on Judge schedules and court schedules as needed and performed.
5. In addition to the salary compensation described above, Bobertz shall be eligible, if she elects health insurance as offered by the City, for payment by the City of the City's share of her health insurance premiums, and shall be eligible for participation, at her own expense, in other optional supplemental insurance or health and wellness programs offered by the City to its general non-contractual employees. To the extent allowed by the regulations and policies of the State Retirement System, the City will contribute to the State Retirement System on behalf of Bobertz a match of retirement fund payments made by Bobertz. The City also will provide a monthly cell phone allowance of One Hundred (\$100.00) Dollars in consideration of the City's reasonable use of the cell phone number for contact with Bobertz. Additionally, the City will pay, on behalf of Bobertz, registration fees for up to fourteen (14) hours of any Judge-required CLE programs per year. It is understood between the parties that the payment for such CLE programs is for local CLE only with no reimbursement for travel, lodging or meals, and with any such payments to be pro-rated with any other jurisdiction for which Bobertz may receive payment for such CLE.
6. This Agreement constitutes the entire understanding of the parties, and no oral representations shall be binding unless specifically included herein. Any change or modification hereto must be in writing and signed by both parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, on this ____ day of _____ 2022.

WITNESSES AS TO CITY:

CITY OF CAYCE

By: _____
Name: Tracy Hegler
Its: City Manager

WITNESSES AS TO BOBERTZ:

Shannon Furr Bobertz

needs of the court require. Additional days may be required to assist with decreasing docket numbers. These additional days will need prior approval of the City Manager and will be compensated at \$500.00 per day. The parties will endeavor to work with each other, and any other Municipal Court Judge, in good faith concerning scheduling of court sessions and Judge assignments. The parties also understand that additional unscheduled duties and responsibilities will be required to include the issuance of warrants, orders, appeal returns, and other documents and records. Administration of the Municipal Court shall be under the direction of the City Manager and the City shall provide sufficient clerical and nonjudicial support personnel to assist the Municipal Court Judge or Municipal Court Judges.

4. Compensation for the year (12 months) of the term shall be at the salary of \$25,000 per year, with interim payment at such times as other City employees are paid and subject to payroll deductions as provided by law. Jeffries is not subject to any cost-of-living salary increases as may be provided to general non-contractual employees and is not subject to overtime. It is understood that compensation is contingent on Jeffries maintaining any requirements for qualification, certification and authorization from the State Supreme Court to serve as a Municipal Court Judge and maintaining his status as a member in good standing of the Bar of this State. To assist the City in its continuing efforts to determine appropriate compensation, the Municipal Court Judge will provide to the City Manager, on a weekly basis, a statement of dates and hours worked, and a general description of services provided during that week. Compensation for the remainder of the term of the Municipal Court Judge may require adjustment, as mutually agreed upon, depending on Judge schedules and court schedules as needed and performed.
5. In addition to the salary compensation described above, Jeffries shall be eligible, if he elects health insurance as offered by the City, for payment by the City of the City's share of his health insurance premiums, and shall be eligible for participation, at his own expense, in other optional supplemental insurance or health and wellness programs offered by the City to its general non-contractual employees. To the extent allowed by the regulations and policies of the State Retirement System, the City will contribute to the State Retirement System on behalf of Jeffries a match of retirement fund payments made by Jeffries. The City also will provide a monthly cell phone allowance of One Hundred (\$100.00) Dollars in consideration of the City's reasonable use of the cell phone number for contact with Jeffries. Additionally, the City will pay, on behalf of Jeffries, registration fees for up to fourteen (14) hours of any Judge-required CLE programs per year. It is understood between the parties that the payment for such CLE programs is for local CLE only with no reimbursement for travel, lodging or meals, and with any such payments to be pro-rated with any other jurisdiction for which Jeffries may receive payment for such CLE.
6. This Agreement constitutes the entire understanding of the parties, and no oral representations shall be binding unless specifically included herein. Any change or modification hereto must be in writing and signed by both parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, on this ____ day of _____ 2022.

WITNESSES AS TO CITY:

CITY OF CAYCE

By: _____
Name: Tracy Hegler
Its: City Manager

WITNESSES AS TO JEFFRIES:

Bryan S. Jeffries

Memorandum

To: Mayor and Council

From: Tracy Hegler, City Manager

Date: April 1, 2022

Subject: Discussion and Approval of Hospitality Tax Grant Request for the 2022 Soiree on State as requested by the City

Issue

Council approval is needed to grant hospitality tax funds for the 2022 Soiree on State.

Discussion

Historically, staff would submit an application for Hospitality Tax funding for the Soiree on State during the grant process but was unsure if it would be held this year due to the pandemic. Thankfully the City's premier event, the Soiree on State, is back and is being held Saturday, April 23, 2022. The Soiree is held in the City's River Arts District and brings thousands of people to the City. Staff is requesting \$25,000 in Hospitality Tax funds for operations and expenses.

This request is eligible for hospitality tax grant funding.

Recommendation

Staff recommends Council approve \$25,000 of hospitality tax grant funds for the 2022 Soiree on State.

**City of Cayce
Hospitality Tax Grant:
Information & Application
Fiscal Year 2021-2022**



City of Cayce
1800 12th Street Extension
P.O. Box 2004
Cayce, SC 29171
803-796-9020
www.caycesc.gov

Information

The City of Cayce, in August 2014, established a local hospitality tax for the purpose of funding the operation and maintenance of current tourism-related facilities and to fund projects and events that promote quality of life, tourism and recreation. As part of this, the City makes grant funding available to nonprofit organizations hosting events within the Cayce city limits.

Grant funding is available to nonprofit organizations through a competitive application process. Applications for funding are accepted annually during the fall for the following calendar year. Grant awards are finalized by City Council in January, to be spent during the remainder of the year. Additional information about the City of Cayce Hospitality Tax, including the grant application, can be found at: <http://www.caycesc.gov/htax.asp>.

This document includes all information necessary to learn about and apply for a Hospitality Tax grant. Please review the information carefully prior to submitting a grant application.

I. Hospitality Tax Law

According to the South Carolina Local Hospitality Tax Act, the revenue generated by the hospitality tax must be used exclusively for the following purposes (Section 6-1-730):

- (1) tourism-related buildings including, but not limited to, civic centers, coliseums, and aquariums;
- (2) tourism-related cultural, recreational, or historic facilities;
- (3) beach access and renourishment;
- (4) highways, roads, streets, and bridges providing access to tourist destinations;
- (5) advertisements and promotions related to tourism development; or
- (6) water and sewer infrastructure to serve tourism-related demand.

NOTE: A **tourist** is defined as a person who does not reside in but rather enters temporarily, for reasons of recreation or leisure, the jurisdictional boundaries of a municipality for a municipal project or the immediate area of the project for a county project. (Section 6-1-760).

II. Eligibility Criteria

Non-profit organizations are eligible to receive grant funding. Applicants must provide a letter from the IRS confirming nonprofit status **OR** confirmation of registration with the South Carolina Secretary of State's Office as a nonprofit organization.

Grant funding is available only for events located within Cayce city limits. There is currently a moratorium on the approval of any requests for events outside of the City of Cayce.

The City of Cayce **WILL NOT** award Hospitality Tax funds to individuals, fraternity or sorority organizations, religious organizations, or organizations that support and/or endorse political campaigns.

III. Funding Guidelines

The primary purpose of the application **MUST** be tourism. Priority will be given to projects that:

- Promote dining at restaurants and other eating/drinking establishments in the City of Cayce.
- Promote and highlight the City of Cayce's historic and cultural venues, recreational facilities, and events.

Promotional materials for the event/project (including, but not limited to, brochures, flyers, advertisements, etc.) must include a statement that “Funding assistance provided by City of Cayce Hospitality Tax Funds.”

IV. Application Process

Nonprofit organizations interested in applying for Hospitality Tax grant funding must complete a formal application and provide required supporting documentation. Applications for grant funding must be submitted on the City’s current Hospitality Tax Grant Application; submissions made on any other form will not be considered. Incomplete applications will not be evaluated. Applications are accepted via email, mail or in-person delivery by close of business on the specified due date.

All applications for funding will be reviewed by City staff and the City Manager. Staff will make recommendations for grant funding to City Council who ultimately make the final determination of grant funding.

Applicants may be required to make a presentation to City Council. Council meetings are normally held on the first Tuesday of each month at 6:00 p.m. in Council Chambers at City Hall. Applicants will be notified if such a presentation is required.

V. Grant Payments

Hospitality Tax grants are reimbursable awards. The City of Cayce issues grant award checks after the submission of a reimbursement request form documenting all related expenses with copies of receipts, invoices and cleared checks. City staff will review all reimbursement requests and documentation against the original grant application and award criteria. Expenses not previously identified in the application will not be reimbursed.

After the reimbursement request form has been approved by the City, a check will be issued to the organization for reimbursement. Project/event vendors will **NOT** be paid by the City of Cayce; checks will be written only to the approved applicant. The approved applicant must submit an IRS Form W-9, Statement of Assurance, and a full budget for the project on file to receive reimbursement. The process of receiving a reimbursement grant check, after receipt and review of reimbursement form, takes approximately 10-15 business days.

If an organization is found to have unspent funding or has spent funding in any other way than as described and approved per the application, the funds must be returned to the City of Cayce. All requests for grant reimbursement must be submitted by June 30, 2021.

VI. Reporting Requirements

Within 30 days following completion of the project or event, the applicant must submit a final project report. The report must include:

- Number of people that attended the event
- Number of attendees from outside the City of Cayce
- How the attendance number was determined (i.e. sign-in log, zip code request, etc.)
- Final budget, including both income and expenses
- Copies of all advertisements or promotional materials associated with project
- Up to five photographs of the project/event, including one photo exhibiting acknowledgment of the City of Cayce through receipt of Cayce Hospitality Tax Funds



FY21-22 Hospitality Tax Application

Applications must be received by 5:00 p.m. Friday, April 23, 2021

Please review the full FY21-22 Hospitality Tax Grant Information and Application packet prior to submitting an application. To apply for a grant:

- 1. Complete and sign the Hospitality Tax Application.**
Incomplete applications will not be evaluated.
- 2. Provide the following required attachments:**
 - Letter from IRS confirming nonprofit status OR confirmation of registration with the South Carolina Secretary of State as a nonprofit organization
 - List of current board of directors
 - Copy of liability insurance
 - Copies of financial statements for the last three years or for the period of time for which the organization has been in operation
- 3. Provide the following optional attachments:**
 - One additional page for project description
 - One additional page for budget justification of grant expenditures
- 4. Submit three copies of the application and attachments:**
 - Secure each application with a paper or binder clip (no report folders, please)
 - Email, mail or hand deliver the application:
 - E-mail: sharris@caycesc.gov
 - Mail: City of Cayce
Hospitality Tax Grant Application
PO Box 2004
Cayce, SC 29171
 - Hand deliver: Cayce Municipal Complex, 1800 12th Street

**For questions regarding the application process, please contact Sarah Harris:
803-550-9545 or sharris@caycesc.gov**

FY21-22 City of Cayce Hospitality Tax Grant Application

Project Information	
Project Name:	
Project Address/Location:	
Project Date(s):	Amount Requested:

Organization Information	
Organization:	
Mailing Address:	
City/State/Zip:	
Phone:	Alternate Phone:
Fax:	E-Mail:
Executive Director:	
Contact Person (if other than Executive Director):	
How many years has this organization existed?:	

Project Description

Tourist Information

Estimated number of **total attendees** to be attracted by this project:

Estimated number of attendees **from outside of Cayce** to be attracted:

Explain how the number of tourists will be calculated (surveys, forms, license plates, etc.):

Explain how the requested dollars will increase tourism, financially impact tourism-related businesses in the City of Cayce, and how this impact is being determined:

Statement of Assurances/Certification

The applicant has reviewed the full FY21-22 Cayce Hospitality Tax Grant Information and Application document and understands the hospitality law, eligibility criteria, funding guidelines, application process, payment process and reporting requirements set forth. The applicant hereby certifies that the information submitted as part of this application is accurate and reliable. Any change/and or variation must be reported immediately, otherwise funding may be withheld.

If awarded, the applicant agrees:

- Promotional materials for the project (including, but not limited to: brochures, flyers, advertisements, etc.) must include a statement that “Funding assistance provided by City of Cayce Hospitality Tax Funds.”
- Revenue generated by the project must benefit a community or organization within the Cayce city limits.
- Financial records, support documents, statistical records, and all other records pertinent to Hospitality Tax funding shall be retained for a period of three years. All procurement transactions, regardless of whether negotiated or advertised, shall be conducted in a manner that provides maximum competition. The grant recipient shall establish safeguards to prohibit employees from using their positions for a purpose that has the appearance of being motivated by a desire for private gain for themselves or others. All expenditures must have adequate documentation. All accounting records and supporting documentation shall be available for inspection by the City of Cayce upon request.
- Unspent funding or funding that has spent in any other way than as described and approved per the application must be returned to the City of Cayce.
- No person, on the basis of race, color, or national origin, should be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under the program or activity funded in whole or in part by Hospitality Tax funds.
- Employment made by or resulting from Hospitality Tax funding shall not discriminate against any employee or applicant on the basis of handicap, age, race, color, religion, sex, or national origin.
- None of the funds, materials, property, or services provided directly or indirectly under Hospitality Tax funding shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office.
- That the organization carries liability insurance in the amount of \$_____ and agrees to include the City of Cayce as a named insured for purposes of this project. The organization assumes full legal responsibility for any suit or action at law or equity, and any or all claims arising from this project/activity, and do hereby indemnify and hold harmless the City of Cayce and its staff from any liability in any action at law or equity associated with its support for this project/activity.
- A Final Report of the project will be submitted upon project conclusion including the items as outlined in section VI of the FY21-22 Information and Application document.

Board Chairperson Signature:

Board Chairperson Name (printed):

Date:

Executive Director Signature:

Executive Director Name (printed):

Date:



**Minutes for December 21, 2021, Annual Board Meeting
of the Housing Authority of the City of Cayce, SC**

The Board of Commissioners of the Housing Authority of the City of Cayce, SC held its Annual Board Meeting on Tuesday, December 21, 2021, virtually via video conference.

Chairman Jack Sightler called the meeting to order at 5:30 pm. A copy of the agenda was posted on the Housing Authority's website. Roll call was conducted, and the following members of the Board were present:

CH Board Members			Columbia Housing Authority Staff Present
Chairman	Jack Sightler	Present	Ivory Mathews, Chief Executive Officer
Vice-Chairman	Bruce Smith	Present	Gloria Warner, Regional Property Manager
Commissioner	Johnetta Riley	Present	Lee McRoberts, Executive Assistant
Commissioner	Silvia Sullivan	Present	Kimberley Brown, Executive Assistant
Commissioner	Cheryl Seymour	Present	Adam Dalenburg, Development Manager
			James Crossland, City of Cayce

ELECTION OF OFFICERS

Mr. Sightler called for nominations for Chairman. Ms. Seymour nominated Mr. Sightler as Chairman, seconded by Mrs. Riley, it was unanimously approved.

Board Member		Aye	Nay	Absent
Chairman	Jack Sightler	X		
Vice-Chairman	Bruce Smith	X		
Commissioner	Silvia Sullivan	X		
Commissioner	Cheryl Seymour	X		
Commissioner	Johnetta Riley	X		

Mr. Sightler called for nominations for Vice-Chairman. Ms. Seymour nominated Mr. Smith as Vice-Chairman, seconded by Ms. Sullivan it was unanimously approved.

Board Member		Aye	Nay	Absent
Chairman	Jack Sightler	X		
Vice-Chairman	Bruce Smith	X		
Commissioner	Silvia Sullivan	X		
Commissioner	Cheryl Seymour	X		
Commissioner	Johnetta Riley	X		

ADJOURNMENT

There being no further business and upon motion of Ms. Sullivan, seconded by Mr. Sightler, it was unanimously approved to end the meeting at 5:35 pm.

Prepared by:

Ivory N. Mathews
Secretary/Executive Director

Cayce Historical Museum Commission February 2, 2022, Meeting Minutes

The February 2, 2022, meeting of the Cayce Historical Museum Commission (CHMC) was held in the City of Cayce Council Chamber. The meeting was convened at 4:04 by Chairman Archie Moore. The following individuals attended the meeting:

Name	Status
Archie Moore	Chairman
Mary Sharpe	Vice Chairman
James Stewart	Secretary
A.G. Dantzler	Commissioner, excused at 5:15
Charlita Earle	Commissioner
Pamela Sulton	Commissioner
Garrett Creasman	Commissioner
David Brinkman	Commissioner
Marcy Hayden	Commissioner
Andy Thomas	Cayce Museum Office and Communications Associate
Tracy Hegler	City of Cayce Administrator
Danny Crowe	City of Cayce Attorney
Leo Redmond	Guest

ACTION ITEMS from the February Meeting:

Upcoming Events:

March 24, 2022 6:00 – South Carolina Railroad History, the Midlands, and Cayce presentation by Roger Stroup

April 2, 2022 – Tartan Day Colonial Fair

April 28, 2022 – South Carolina Confederation of South Carolina Local Historical Societies Reception

Invocation: Commissioner Dantzler

January Meeting Minutes:

Following a review of the minutes from the last meeting, Commissioner Sulton made a motion to accept the minutes. This motion was approved by the Commission.

Certified Local Government (CLG)

Commissioner Stewart presented a summary of the components of the CLG program legislation and the ways that it would benefit the city as well as the bylaws changes needed for the CHMC to participate as Cayce's historic preservation review board. At the completion of the summary Commissioner Stewart motioned for the CHMC to adapt the bylaws to CLG guidelines so that Cayce can apply for membership in the state Certified Local Government program.

Commissioner Hayden seconded the motion, which was approved by all members of the commission.

Bylaws Committee

The Commissioners discussed the need for updated bylaws and the expansion of the CHMC's responsibilities within the city. At the end of the discussion, Commissioner Hayden motioned to expand the scope of the commission to include outside sites and cultural and historical resources. Commissioner Sulton seconded the motion, which was passed by a unanimous vote.

The Chairman also called for the creation of a Bylaws Committee to update the CHMC bylaws. Commissioner Moore motioned that the Committee to be composed of the CHMC officers, Commissioner Hayden, and Commissioner Sulton. This motion was seconded by Commissioner Creasman and passed by a unanimous vote of the Commissioners.

The Commission also discussed the development of museum exhibits that better represent the city's diverse cultural composition. A good deal of time will be needed to develop exhibits. In the short term, the discussion included the use of existing collections to tell new stories; a retrospective of the city's African American church congregations; and Cayce's first midwife. The commissioners are also looking for digital content for the Museum's social media feeds and website.

Museum Staff Report

Mr. Thomas provided a summary of Museum staff activities occurring since the January CHMC meeting. He is preparing a new program for the Columbia Speedway and is engaged in budget planning for the next fiscal year. He was also preparing for the Legends of Cayce Event on February 17.

Mr. Thomas also provided a summary of items offered for donation to the Museum. After deliberation the Commission recommended that the museum decline the donation as they were not directly relevant to the Museum's objectives.

The Commissioners were also informed of Mr. Robbie Amick's passing in February. He was a longtime volunteer at the Museum and will be missed by all.

With no additional items on the Agenda, Commissioner Sulton motioned to adjourn the meeting, the motion was seconded, and the CHMC voted to adjourn the meeting at

5:48 PM.

**CITY OF CAYCE
EVENTS COMMITTEE MEETING MINUTES
City Council Chambers
February 10, 2022**

Present: Danny Creamer, Dwede Dennis, Maxine Creamer, Dave Capps, Johnathon Moore, Evony Reed, Cindy Pedersen, Robert Cathcart, Brianne Siciliano, Alexis Moore

Absent: Megan Lightle

City Representative: Amanda Rowan

Chairperson Danny Creamer called the meeting to order and led the group in the Pledge of Allegiance. Dwede Dennis gave the invocation.

Review of January 13, 2022, minutes. Dave Capps made a motion to accept the minutes, Dwede Dennis seconded. The minutes were approved.

New Business:

Discussion was held on moving the 2022 Fall Festival to November. Mr. Creamer explained that due to the Bluegrass Festival returning in October, the City was looking at moving the Fall Fest to November. Alexis Moore asked if the Bluegrass Festival would be a City sponsored event, like the Soiree, or an Events Committee event. Mr. Creamer explained that it would be joint event between the Events Committee and the City. Maxine Creamer noted that the addition of the Bluegrass Festival would mean the committee would be working on events in October, November, and December. Cindy Pedersen suggested holding the Bluegrass Festival in the Spring, due to it appearing to be too much in 3 months. Mr. Creamer explained that the City is hoping to reuse past banners and items that have the date in the Fall along with other events already taking place in the Spring. Ms. Moore suggested holding the Bluegrass in lieu of the Fall Fest. Amanda Rowan explained that the Fall Fest is more of a multi-cultural event, whereas the Bluegrass Festival is not, so the City has asked that Bluegrass not replace the Fall Fest. Mr. Capps agreed that it would be a lot of work, but also a lot of “party”. Ms. Dennis suggested adding craft vendors to Fall Fest for Christmas shopping. She also inquired about the involvement of Mr. Willie Wells. Mr. Creamer explained that Mr. Wells’ involvement would be limited, and that promotion and bookings would be completed by the Committee or City staff. Ms. Pedersen asked why Mr. Wells would not be handling the bookings. Mr. Creamer explained that Mr. Wells was working as a promoter/booking agent, so they were not comfortable with using him for bands, but he would still be involved with sponsors. Ms. Rowan stated that moving the Bluegrass to the Fall would allow for H- and A-tax funding. Ms. Moore suggested advertising for future events at each event. Mr. Capps made a motion to accept date changes for events. Ms. Reed seconded.

Ms. Pedersen made a motion to assist the City in any COVID Memorial Events on March 1st. Ms. Rowan stated she wasn’t aware of any events taking place but would let them know if any came up.

Mr. Creamer asked that the City let them know when H- and A- tax applications were available for the next year and Ms. Rowan agreed.

Mr. Creamer stated he had already started putting feelers out for Fall Fest musicians. The Committee would like to bring back Mystic Vibrations, The Accused, and the Soda City Brass Band. Mr. Creamer would like to see the Bluegrass Festival get back to its roots, where in the early stages they pulled it off for around \$8-10,000 total by starting small.

Event Committee Cookout: The committee cookout was discussed. Mr. Creamer asked for a date and location. Ms. Pedersen suggested the Granby Pavilion. Johnathon Moore offered to host at his home. Ms. Dennis made a motion to accept Mr. Moore's offer. Mr. Capps seconded. Mr. Creamer suggested the 12th of March, but Brianne Siciliano would not be in town, so Mr. Creamer suggested the 19th of March. Ms. Reed suggested 1pm. Johnathon Moore stated families would be welcome. Ms. Siciliano suggested sending around a sign-up sheet. Mr. Creamer stated he would supply meats and send out the email. Ms. Pedersen volunteered to bring a signature drink.

Ms. Reed asked about the Buffalo Soldiers. Mr. Capps explained that the original event was an annual anniversary event that the Buffalo Soldiers National Chapter puts on, but the local chapter was agreeable to do something locally. The City has been given the point of contact's information to reach out. A possible joint event with West Columbia was suggested. Mr. Creamer suggested incorporating them into one of the upcoming events.

There being no further business, Robert Cathcart made a motion to adjourn. Ms. Moore and Pedersen seconded the motion. The meeting was adjourned.

The next Events Committee meeting is Thursday, March 10, 2022, at 5:30pm.

Respectfully submitted,
Maxine Creamer