

## Aiken City Council Minutes

### REGULAR MEETING

May 9, 2016

Present: Mayor Osbon, Councilmembers Dewar, Diggs, Ebner, Homoki, Merry and Price.

Others Present: John Klimm, Stuart Bedenbaugh, Gary Smith, Charles Barranco, Jessica Campbell, George Grinton, Tim Coakley, Alicia Davis, Kim Abney, Sara Ridout, Dan Brown of the Aiken Standard, and about 35 citizens.

### CALL TO ORDER

Mayor Osbon called the regular meeting to order at 7:04 P.M. Mr. Kenny Murphy, Minister of South Aiken Church of God, led in prayer. The pledge of allegiance to the flag was led by Public Safety Officer of the Year Billy Cameron.

### GUIDELINES

Mayor Osbon reviewed the guidelines for speaking at the Council meeting. All the meetings are public meetings in which many opinions are expressed and the business of the city must be conducted. He said discipline, honorable and professional decorum is paramount. Courteous and respectful communication is expected. In public hearings all questions and statements from the public shall be directed to the Chair. He welcomed comments from the audience on the agenda items listed for public hearing. He asked that comments be limited to five minutes and that persons speak only one time per topic. He asked that those who would like to speak raise their hand and be recognized and come to the podium and give their name and address.

### ADDITIONS OR DELETIONS TO AGENDA

Mayor Osbon asked if there were any additions or deletions to the agenda.

Councilman Ebner pointed out that Boy Scout Max Johnson is present monitoring the City Council meeting for one of his merit badges. Councilman Ebner stated he had not heard of any additions or deletions from the agenda so he would move for approval of the agenda. The motion was seconded by Councilwoman Diggs. The motion was unanimously approved.

### MINUTES

The minutes of the Worksession and Regular meeting of April 25, 2016, were considered for approval. Councilman Ebner moved, seconded by Councilman Homoki, that the minutes of April 25, 2016, be approved. The motion was unanimously approved.

### PRESENTATIONS

Comprehensive Annual Financial Report Award

Finance Department

Kim Abney

Mayor Osbon stated a presentation was to be made for the Comprehensive Annual Financial Report (CAFR) Award.

Mr. Klimm stated the City of Aiken has received the Certificate of Achievement for Excellence in Financial Reporting for the 24th consecutive year. This Certificate of Achievement recognizes our efforts to make sure that our city audit is clearly presented in a format that is both simple to understand and provides accurate information for anyone reviewing our Comprehensive Annual Financial Report (CAFR).

Ms. Jennifer Broughton, President of the Government Finance Officers Association of SC, and who works for the S.C. Comptroller General's Office in Columbia as the Audit Manager, is present at the Council meeting to present the award to the City and Kim Abney, Finance Director.

Ms. Abney thanked Ms. Broughton for taking time out of her busy day as Audit Manager for the Comptroller General's Office, to come to Aiken to make the presentation. Ms. Abney pointed out this is the 24<sup>th</sup> year the City of Aiken has received this award.

Ms. Broughton stated she was honored to be present for the Government Finance Officers Association of South Carolina. She pointed out that 24 years is a good measure and shows lots of comprehensive financial reporting by Kim Abney and her staff. Ms. Broughton stated she was pleased to present the award to the City of Aiken.

### PROCLAMATIONS

#### Mental Health Month

Mayor Osbon stated a proclamation had been prepared to recognize May as Mental Health Month.

Councilman Merry read the proclamation.

Councilwoman Digg moved, seconded by Councilman Homoki, that Council approve the proclamation recognizing May as Mental Health Month. The motion was unanimously approved.

Mayor Osbon and Councilman Merry presented the proclamation to Lisa Tindal, Executive Director of Mental Health America, with representatives from Aiken-Barnwell Mental Health and Aiken Regional Aurora.

#### Teen Pregnancy Prevention Month

Mayor Osbon stated a proclamation had been prepared to recognize May as Teen Pregnancy Prevention Month.

Councilwoman Diggs read the proclamation.

Councilman Merry moved, seconded by Councilman Dewar, that Council approve the proclamation recognizing May as Teen Pregnancy Prevention Month. The motion was unanimously approved.

Councilwoman Diggs pointed out that Carmen Landy, of Helping Hands, was present to receive the proclamation. She pointed out that Helping Hands had partnered with South Carolina Campaign to Prevent Teen Pregnancy. She also pointed out that Rural Health Services had started two teen clinics to educate young people as well about consequences of teen pregnancy.

Mayor Osbon and Councilwoman Diggs presented the proclamation to Ms. Carmen Landy. Ms. Landy stated she felt many of us don't see the impact of teen pregnancy in our community. We think Aiken has an older population and that teen pregnancy is not a problem. However, Aiken is one of the counties in South Carolina with the highest teen pregnancy burden and highest financial burden of teen pregnancy in South Carolina. She said Aiken ranks in the middle and teen pregnancy is an issue in Aiken. This is an issue for 15 to 19 year olds who aren't completing their education, not able to get good jobs and not able emotionally to take care of babies so they sometimes end up in places like Helping Hands which is the reason they took on the teen pregnancy issue. She pointed out that Mary Miller who is a member of the Community Advisory Board, is present. The Advisory Board helps with the project as they implement teen prevention programs in all middle and high schools in Aiken County.

## BOARDS AND COMMISSIONS

### Appointments

Melissa Viola

Jason Rabun

Recreation Commission

Elizabeth "Biz" Carey

Equine Committee

Mayor Osbon stated Council needed to discuss appointees to various city boards, commissions and committees.

Mr. Klimm stated Council has 12 pending appointments to fill vacancies on different City boards, commissions, and committees. Two appointments are presented for Council's consideration and vote at the meeting tonight.

Councilman Ebner has recommended the appointment of Melissa Viola to the Recreation Commission to fill the position of Jason Rabun. If appointed Ms. Viola's term would expire September 1, 2018. Ms. Viola would represent the business category on the Recreation Commission.

Also, for Council consideration is the recommendation of the Equine Committee that Dr. Elizabeth "Biz" Carey be appointed to the Equine Committee to represent the Steeplechase category. Appointments to the Equine Committee are at large and represent various categories of the equine industry.

For Council consideration is the appointment of Melissa Viola to the Recreation Commission and Dr. Elizabeth "Biz" Carey to the Equine Committee.

Councilwoman Diggs moved, seconded by Councilman Dewar, that Council appoint Melissa Viola to the Recreation Commission and Dr. Elizabeth "Biz" Carey to the Equine Committee. The motion was unanimously approved.

Councilman Dewar pointed out that the Administration and Finance Committee had discussed the program of appointments to boards and commissions. He said they are in the process of revamping the program. He pointed out there are citizens who have volunteered and sent forms expressing the desire to serve to the City Clerk. He also pointed out that a survey had been done by the Chamber of Commerce listing names of people who would be willing to serve on every board and commission of the city. He asked that Councilmembers work harder to get the pending appointments down to zero. He stated with the material we have we have the capability to completely fill all openings.

Councilman Ebner pointed out that Jason Rabun who is on the Planning Commission and Melissa Viola are from the Young Professionals Group.

## CONCEPT PLAN – ORDINANCE 05092016

Town Creek Road

Town Creek Commons

Rezone Property

Planned Residential

Michael Calhoun

Town Creek Drive

TPN 106-18-19-002

Mayor Osbon stated this was the time advertised for second reading and public hearing on an ordinance to approve rezoning of property on Town Creek Road as Planned Residential and approve a Concept Plan.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE TO REZONE CERTAIN PROPERTY LOCATED ON TOWN CREEK ROAD FROM RESIDENTIAL SINGLE-FAMILY (RS-6) TO PLANNED RESIDENTIAL (PR) AND TO APPROVE PROPOSED CONCEPT PLAN.

Councilwoman Price moved, seconded by Councilman Ebner, that Council approve on second reading and public hearing an ordinance to approve rezoning of property on Town Creek Road as Planned Residential and approve the Concept Plan.

Mr. Klimm stated Michael Calhoun, applicant, is requesting approval of rezoning of 5.98 acres located on Town Creek Road and approval of a concept plan. Mr. Calhoun is proposing to develop three single-family attached triplex units on the 5.98 acres. The request is to rezone the property from RS-6 Single Family Residential to PR Planned Residential. The development will act as a transition zone between the office park currently under construction on Town Creek Road and the existing single-family detached residences. The Planned Residential zone permits greater flexibility and more creative design for the development of residential areas, and Section 6.2.14.E of the Zoning Ordinance lists the review criteria for a rezone application.

At their April 12, 2016, meeting the Planning Commission reviewed the request for rezoning to Planned Residential and the proposed concept plan. The Planning Commission unanimously recommended approval of the rezoning to Planned Residential and approval of the concept plan with the following conditions:

1. That the development comply with the Concept Plan submitted, and that a note be added to the Plan that the project will comply with the provisions of the Planned Residential zone at 4.2.6, and 4.2.9 Attached Single-family Residential Projects of the Zoning Ordinance;
2. That the development comply with the requirement in 4.2.9 that any driveway on a lot of 30 feet or less in width may not exceed 12 feet in width. Any driveway on a lot of more than 30 feet may have a driveway no more than 18 feet in width, or, upon amendment of the Zoning Ordinance by City Council, a waiver is granted from this provision;
3. That a revised Concept Plan listing any conditions of approval be submitted within 90 days;
4. That upon Concept Plan approval a survey plat indicating the area to be rezoned be recorded at the RMC Office within 90 days;
5. That the Applicant executes an agreement listing the conditions of approval within 90 days.

City Council approved this ordinance on first reading at the April 25, 2016, meeting. For City Council consideration is approval of an ordinance on second reading and public hearing to rezone 5.98 acres on Town Creek Road from R-6 Single Family Residential to PR Planned Residential and also approve the concept plan presented with the conditions recommended by the Planning Commission.

A public hearing was held.

Mayor Osbon asked for comments from the audience. No one spoke.

Mayor Osbon called for a vote on the motion by Councilwoman Price, seconded by Councilman Ebner, that Council approve on second reading and public hearing an ordinance to approve rezoning of property on Town Creek Road as Planned Residential and approve the Concept Plan. The motion was unanimously approved.

REZONE - ORDINANCE112 Sumter Street NE120 Sumter Street NE124 Sumter Street NEPeter PoulosLynn PoulosTPN 121-06-17-014TPN 121-06-17-013TPN 121-06-17-012

Mayor Osbon stated this was the time advertised for second reading and public hearing of an ordinance to rezone 112, 120, and 124 Sumter Street NE from RS-10 Residential to GB General Business.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE TO REZONE PROPERTY OWNED BY PETER AND LYNN  
POULOS FROM RESIDENTIAL SINGLE-FAMILY (RS-10) TO GENERAL  
BUSINESS (GB).

Councilman Ebner moved, seconded by Councilwoman Diggs, that Council approve on second reading and public hearing an ordinance to rezone 112, 120, and 124 Sumter Street NE from RS-10 Residential to GB General Business.

Mr. Klimm stated Peter and Lynn Poulos, applicants, are requesting rezoning of 112, 120 and 124 Sumter Street NE from RS-10 Residential to GB General Business. Currently the three lots are vacant properties. The rezoning is requested to allow the parcels to be developed for small retail uses to provide needed services to the immediate and surrounding residents. These properties were previously zoned GB and were rezoned to RS-10 at the request of the previous owner.

The Planning Commission reviewed this request for rezoning to GB General Business and has determined that it is consistent with the Comprehensive Plan and the proposed zoning is compatible with the surrounding uses. The Planning Commission unanimously recommended that the property be rezoned to GB General Business.

City Council approved this ordinance on first reading at the April 25, 2016, meeting. For City Council consideration is second reading and public hearing of an ordinance to rezone property at 112, 120 and 124 Sumter Street NE from RS-10 Residential to GB General Business.

A public hearing was held.

Mayor Osbon asked for comments from the audience and from Council.

Councilwoman Price stated she had some questions to ask Mr. Poulos. Councilwoman Price noted that the three parcels were zoned Residential and the request is to rezone to General Business. She pointed out that it had been said that development would be a small retail development. She said the property is very close to a school. She said her question is what will the small retail development be.

Mr. Poulos responded that at this point he is looking at a lot of options. His thoughts are a laundromat facility, a take out delivery food service and possibly a mixed use development of some duplexes with a 4,000 to 5,000 sq. ft. retail space which would be consistent with the GB zone. He said he was exploring a learning center. He said he has 30 years in education, has taught at a high school for 5 years, a community college for 15 years, and another 15 years at four year colleges and universities. He said he was thinking about developing a stem learning center that would be an important addition to the community. He said there has been nothing definitive at this point to go forward.

Councilwoman Price was concerned about approving something in a neighborhood and we don't know what is going in that location. Mr. Poulos stated he was exploring

different options because he wants to make sure it is going to work and that it will be something supported by Aiken and the community. He said it is hard at this time to say exactly what he is going to do on the property. He said he was looking at putting in two duplexes which would be closer to the school and closer to the development of homes in the area. In the area closer to Richland Avenue is where the commercial development would be.

Councilwoman Price pointed out there is public housing in the area and she wondered if Mr. Poulos was considering putting duplexes similar to the public housing. Mr. Poulos stated he was considering that and commercial development near Richland Avenue. Mr. Poulos stated he had talked with the Aiken Housing Authority, and they had indicated there is a need for housing. In response to a question, Mr. Poulos stated rent for a two bedroom unit would probably be \$735 per month and for a three bedroom unit it would be about \$900. He said they would be Section 8 housing.

Councilwoman Price stated she could not support what is being described to be placed on the property. She said we are trying to give that area another focus.

Councilman Dewar asked if Councilwoman Price would prefer that the item be continued so Mr. Poulos could come back with something more specific. He said generally Council does not approve something vague. Mr. Poulos stated he was not sure he could provide more specifics. He said he was looking at what might work in the particular area. He said a lot is involved in getting that kind of information. He said whatever he does would be something to provide services to the residents of the area. Councilwoman Diggs stated she liked the idea of a learning academy. She said she would like to know specifically what Mr. Poulos is considering putting on the property. Mr. Poulos stated at this time, he could not be specific about what will go on the property.

Mr. Gary Smith, City Attorney, pointed out when Council approves a rezoning then what whatever is listed for that zone is allowed to be developed in the zone if it meets regulations. He said Council can't contractually limit the developer as to what can go in the zone once it is rezoned.

Councilman Dewar asked if the motion is defeated, would there be a year waiting time before it could be brought back to Council for consideration. Mr. Smith said he did not know the answer.

Councilman Merry stated since Mr. Poulos had stated he could not answer the questions at this time about what he may want to develop on the property, he wondered when Mr. Poulos might be able to make that determination. Mr. Poulos stated a lot was involved to get information before he could make a decision regarding proposed development and without the rezoning he was hesitant to go forward with the time and expense involved.

Mr. Poulos pointed out that everything around the property is already zoned General Business. He pointed out the three lots are the only residential zoned property. Council continued to discuss the request. There was a question as to whether the surrounding property is already zoned General Business. It was pointed out that a majority of the property in the area is residential. Mr. Poulos stated the zoning in the area is General Business even though most of the property is presently residential. He said he wants to restore the three lots he purchased to General Business. He said the three lots were rezoned from General Business to residential prior to his purchasing them.

Councilwoman Price pointed out that on Kershaw Street which is one block over the area is residential, and they have a lot of problems, and she wants to help reverse that. She pointed out there are some issues on Sumter Street as well. She pointed out that the property fronts on a major thoroughfare.

Council continued to discuss the present zoning of the surrounding area. It was thought the surrounding property was zoned Residential, but Mr. Poulos stated he had talked with the Planning Department and the surrounding area is zoned General Business. He said he would go back to the Planning Department to check on that.

Mayor Osbon stated he would suggest that Council continue this request to allow Mr. Poulos to work further with the Planning Department on this matter.

Councilwoman Price moved, seconded by Councilwoman Diggs, that the request to rezone 112, 120, and 124 Sumter Street NE from RS-10 Residential to GB General Business be continued. The motion was unanimously approved.

#### CITY CODE – ORDINANCE 05092016A

##### Procurement Code Professional Services

Mayor Osbon stated this was the time advertised for second reading and public hearing of an ordinance to amend the Procurement Code of the Aiken City Code.

Mayor Osbon read the title of the ordinance.

#### AN ORDINANCE AMENDING THE PROCUREMENT CODE OF THE AIKEN CITY CODE.

Councilman Dewar moved, seconded by Councilman Homoki, that Council approve on second reading and public hearing an ordinance to amend the Procurement Code of the Aiken City Code.

Mr. Klimm stated our staff works hard to complete many projects as efficiently and quickly as possible. In trying to maximize our efficiency, we believe the proposed amendment to our procurement code will help. On projects that require professional services, we have to issue requests for qualifications [RFQ] or requests for proposals [RFP] if the estimated cost is \$10,000 or greater. The issuance of an RFQ or RFP generally adds four to six weeks to a project schedule. Professional services generally includes services rendered by licensed professionals, including, but not limited to architects, engineers, planning consultants, auditing firms, banking institutions and law firms. We are asking that this cap be increased to \$25,000. You may remember that before this section of the procurement code was amended in January, 2014, there was no cap, so keeping a ceiling on the dollar amount at \$25,000 still ensures that all interested firms will have a fair chance within a transparent and publicly advertised process.

Members of the Administration and Finance Committee have reviewed this proposal from staff and expressed no objections to increasing the amount from \$10,000 to \$25,000.

City Council approved this ordinance on first reading at the April 25, 2016, meeting. For City Council consideration is second reading and public hearing of an ordinance amending the procurement code of the Aiken City Code regarding professional services.

Mayor Osbon asked for comments from the audience and from Council.

Councilman Ebner stated this issue came up three or four years ago at a Horizons meeting. He said the discussion then was that the cap was \$25,000 and we lowered it to \$10,000. Before that there was no limit.

Mayor Osbon pointed out that Aiken County has a \$50,000 limit and he wondered if there was any consideration to make the cap uniform with Aiken County.

Councilman Dewar stated the Administration and Finance Committee talked about \$25,000 as being the ceiling on professional services without requiring RFQ or RFPs. Staff recommended \$50,000, but at this time the Committee has recommended \$25,000. If Council members feel strongly enough that the cap could be \$50,000 then Council could discuss the matter.

Councilman Homoki stated he felt that going to \$50,000 is extreme right now. He felt \$25,000 is the right threshold for the time being. As the dollar goes down and things become more expensive the matter could be revisited in a few years.

Mayor Osbon called for a vote on the motion by Councilman Dewar, seconded by Councilman Homoki, that Council approve on second reading and public hearing an ordinance to amend the Procurement Code of the Aiken City Code to require that RFQ or RFP be obtained for professional services over \$25,000. The motion was unanimously approved.

BUDGET – ORDINANCE 05092016B

FY 2015-2016

Parks, Recreation and Tourism

Parks Operation Center

Roof

Mayor Osbon stated this was the time advertised for second reading and public hearing of an ordinance to amend the budget of the City of Aiken for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016, to provide funds to replace the Parks Operation Center Building roof.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE AMENDING THE BUDGET OF THE CITY OF AIKEN FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, ENDING JUNE 30, 2016.

Councilman Dewar moved, seconded by Councilwoman Price, that Council approve on second reading and public hearing an ordinance to amend the budget of the City of Aiken for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016 to provide funding to replace the roof on the Parks Operation Center building on Banks Mill Road.

Mr. Klimm stated our Parks, Recreation and Tourism's [PRT] Parks Operations Center [POC] suffered roof damage as a result of a wind storm recently. Our insurance will cover \$57,050 for the replacement of the damaged portion of the roof, after we pay our \$1,000 deductible.

We would like to proceed with full replacement of the roof as there are multiple leaks in other portions of the roof which cause issues with the lighting, alarm system and equipment. In order to proceed, a budget amendment will be necessary. The additional funding needed is \$86,630 which would come from two revenue account line items:

001-0000-391.30-30: Building Depreciation for Parks Building Funds: \$35,137  
001-0000-391.30-20: Special Holding Fund for PRT Special Projects: \$51,493 from Special Holding account 001-0000-103-40-20

The corresponding expenditure account is 001-5150-455.72-02, Building Improvements.

City Council approved this ordinance on first reading at the April 25, 2016, meeting. For Council consideration is second reading and public hearing of an ordinance amending the budget of the City of Aiken for the fiscal year beginning July 1, 2015, and ending June 30, 2016, to provide funds to replace the roof on the Parks Operation Center building on Banks Mill Road.

A public hearing was held.

Mayor Osbon asked for comments from the audience and from Council.

Mayor Osbon called for a vote on the motion by Councilman Dewar, seconded by Councilwoman Price, that Council approve on second reading and public hearing an ordinance to amend the budget of the City of Aiken for the Fiscal Year beginning July 1, 2015, and ending June 30, 2016, to provide funds for replacement of the roof for the Parks Operation Center building. The motion was unanimously approved.

SALE OF PROPERTY – ORDINANCE414 Fairfield Street NEFinance and Administration CommitteeAiken County Forfeited Land CommissionBarbara LewisTPN 120-18-34-014

Mayor Osbon stated an ordinance had been prepared for Council's consideration on first reading to approve an ordinance to sell 414 Fairfield Street NE.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE APPROVING THE SALE OF PROPERTY LOCATED AT 414 FAIRFIELD STREET TO BARBARA LEWIS.

Councilwoman Price moved, seconded by Councilwoman Diggs, that Council approve on first reading an ordinance to sell 414 Fairfield Street NE.

Mr. Klimm stated at a recent Finance and Administration Committee meeting staff was asked to conduct a pilot project and publicly advertise for bid three parcels. One parcel was 414 Fairfield Street NE, which was acquired via City Council Resolution from the Aiken County Forfeited Land Commission in April, 2015. We received one bid for 414 Fairfield Street NE for \$2,000 from Ms. Barbara Lewis. After review of the bid, we recommend acceptance. Proceeds from the sale of the property will be deposited in General Fund account 001-0000-366.10-60 [Miscellaneous Revenue/Sale of Property].

We did not receive bids on the other properties. However, we have subsequently been working with the Aiken County Board of Realtors to systematically sell City property that we consider surplus and hope to have more properties to present to Council for sale in the coming months.

For City Council consideration is first reading and public hearing of an ordinance to sell 414 Fairfield Street NE.

A public hearing was held.

Mayor Osbon asked for comments from the audience.

Mayor Osbon called for a vote on the motion by Councilwoman Price, seconded by Councilwoman Diggs, that Council approve on first reading an ordinance to sell 414 Fairfield Street NE. The motion was unanimously approved.

DEVELOPMENT AGREEMENT – ORDINANCE2270 Whiskey RoadHenbell LLCLadd BrittTD BankTPN 122-18-05-003

Mayor Osbon stated an ordinance had been prepared for Council's consideration on first reading to approve an ordinance approving a development agreement for property at 2270 Whiskey Road.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO ENTER INTO A DEVELOPMENT AGREEMENT WITH HENBELL PROPERTIES, LLC INVOLVING PROPERTY LOCATED AT 2270 WHISKEY ROAD.

Councilman Ebner moved, seconded by Councilman Homoki, that Council approve on first reading an ordinance approving a development agreement for property at 2270 Whiskey Road.

Mr. Klimm stated we have been working with developers, Henbell LLC, interested in purchasing the old Ladd Britt property at 2270 Whiskey Road. A proposed plan they have shared involves a potential restaurant and retail establishment at the site. There are several unique issues on which we worked with the potential developer and have proposed a Development Agreement for Council review with these conditions:

1. The City project that has sanitary sewer and storm sewer running to the TD Bank property at the southern border of this property will allow for Henbell LLC to connect to these lines. Henbell LLC will reimburse the City \$20,000 to connect to the sanitary sewer line and \$20,000 to connect to the storm sewer line.
2. The Traffic Impact Study commissioned by the developer recommends a single entrance/exit point allowing for full movement across Whiskey Road.
3. The property developer and owner will agree to be annexed into the City.

Henbell LLC and the City have reviewed the Development Agreement and both parties agree to its contents. This agreement is similar to the one Council approved on April 27, 2015, for the adjacent property formerly occupied by TD Bank.

For Council consideration is first reading of an ordinance authorizing the City of Aiken to enter into a development agreement with Henbell Properties LLC involving property located at 2270 Whiskey Road.

A public hearing was held.

Mayor Osbon asked for comments from the audience.

Mayor Osbon called for a vote on the motion by Councilman Ebner, seconded by Councilman Homoki, that Council approve on first reading an ordinance approving a development agreement for property at 2270 Whiskey Road. The motion was unanimously approved.

#### CAPITAL PROJECT SALES TAX – ORDINANCE

Repurposing

CPST II

CPST III

Mayor Osbon stated an ordinance had been prepared for Council's consideration on first reading to approve an ordinance to repurpose CPST funds.

Mayor Osbon read the title of the ordinance.

#### AN ORDINANCE TO REPURPOSE THE USE OF FUNDS FROM THE CAPITAL PROJECT SALES TAX.

Councilman Ebner moved, seconded by Councilwoman Price, that Council approve on first reading an ordinance to repurpose CPST funds.

Mr. Klimm stated Council had received a summary document entitled Capital Projects Sales Tax Project Update. The items before Council at this meeting are numbers 3 and 4. The first item deals with the funding of the Perry Park restroom facility that has been approved by the School Board recently, and we are ready to go for construction of the facility if the funding is approved. The second item of significance is the Public Safety Building Expansion. He pointed out that in CPST III there were several items with one dealing with the renovation of the existing Public Safety Headquarters and the second one dealing with the construction of a new Fire Headquarters. It is the position of the Department of Public Safety that the Headquarters project is the highest priority, and they are asking that monies be shifted from the fire facility to the Headquarters facility. That will not be enough money to fully complete the project. Presently Chief Barranco has undertaken a comprehensive review of the condition of the Headquarters facility to answer basically whether it is possible to rehabilitate that facility or whether to build a new facility. Mr. Klimm stated there is also a modest increase in the Citizens Park

Walking Trail project and a request to fund our share of the Safe Routes to School Project. He said those are the items from the full listing of CPST II and III projects that staff would like Council's consideration for funding changes.

Mayor Osbon asked for comments from the audience.

Ms. Ann Dicks, 314 Jehossee Drive, stated she was looking at page 157 of the agenda packet. She pointed out Citizen Park Walk Trail – increase funding from \$100,000 to \$125,000. She noted there was another item on the agenda under Petitions and Requests that Council approve the expenditure of up to \$88,000 of CPST III funds for the Citizens Park Walking Trail Expansion. She wondered if those were the same pots of money or different pots of money.

Ms. Joy Gillespie, CPST Projects Manager, stated the request for \$88,000 had not been approved yet and was not additional money, but was included as part of the request.

Councilman Ebner stated one thing he has requested that we do is to put all the numbers as an extension of the ordinance that was passed in April, 2015. He said it took some effort to get the numbers right last year. He felt we need to extend these out, negatives and positives, on the chart so we can trace the money now and five years from now. He said he had a couple of other questions. One is the new Public Safety Building versus the Fire Station. He said for the last couple of years that we don't need another fire station on the north side, but we still show it on the listing as a viable amount of money. He wondered if this might be something we will need in the future. He pointed out the future is only two years away because the Capital Projects Program has about 2 1/2 years before it ends. He was concerned about leaving money for two items in the listing. If we need them, that is okay, but if we don't need them we need to eliminate them.

Chief Barranco stated in the most recent ISO survey they have changed the process of the way they calculate what the locations have to be for the fire stations. Also, in working with the consultants doing the operational audit at this point and even in the near future, there is no recommendation for a new fire station, but there is a definite need for the improvement at Public Safety Headquarters. Councilman Ebner stated he supports that. He said he would like for staff to consider that matter between the first and second readings of the ordinance. He said he hated to leave the money there. The near future is probably 2019 when CPST III is over versus the next one if it passes would be seven years from now. He pointed out that in seven years the ISO rating and the need probably would not change. Chief Barranco pointed out that in looking at the call volume that we currently have, there is not an indication of a need for a fire station at this point. However, in the future that could change.

Councilman Ebner stated if we build a new Public Safety Headquarters, the fire station we have could be improved and that would probably compensation for a new fire station. He said he would like for staff to look at that and see if we have done the right movement of money. He felt if we don't build a new Public Safety Headquarters building we definitely need to improve it.

Councilman Ebner pointed out that as we move some of the projects from the lower part of CPST III for money we are projecting, we are beginning to move some over each other. He said a vote by the citizens said the projects can be done in the order decided by Council. He said he was concerned that we skipped \$600,000 to buy Northside property and did not take that money and put it on the Northside project or Eustis Park. We took money from other places. He said in looking at the title of some of the projects, perhaps we should look at how some of these were divided. He said he was suggesting that staff do that. He felt that we do need to extend the 2015 ordinance which Council approved so we will know where the money came from. He said that would also be an audit issue if we can't trace the money.

Councilman Homoki stated it seemed to him that two years ago we were speaking of actually moving the fire station out of the Headquarters building and expanding the Headquarters building. Recently we were talking about an extra fire station and that was to go on the north side.

Councilman Ebner stated in his opinion if you build a new Public Safety building on Laurens Street or improve that building that may help the overall ISO rating. He pointed out that ISO has said we don't need a new fire station anywhere in the city in the near future. Because of that he does not see a need to keep that project in the listing.

Councilwoman Price stated regarding the Public Safety building expansion the funding is to be increased from \$900,000 to \$2,230,000. She said there was a brief discussion regarding the need for a possible new location. She wondered about investing over \$2 million into a building given what is there and how long they have been in that facility whether we need a new facility for Public Safety. Mr. Klimm responded that we are presently undertaking an evaluation, and we would not spend any money until the evaluation is completed and then come back to Council with a recommendation.

Councilman Dewar stated he had several comments. He pointed out that there was a format that had been used from the beginning on the CPST funds, and when we make changes he would like to see them on that listing. He said he wants to know from what account money is being taken and to what account the money is being added. He said he would like to see the listing updated before the next reading of the ordinance. He said he would also like to see the City of Aiken Capital Projects Sales Tax Status Report issued on a regular basis, and would like to see that at the next meeting if possible. He said he does not see the need to move the Public Safety building money. He said we don't know what we are going to do and are in the process of evaluating Public Safety. He felt we do not have enough money to do either of the two alternatives—expansion of the present building or build a new one. He thought it would be nice that it would be in one pot, but he did not see the need to do it until we know for sure what we want to do. He felt if you are looking at a new Public Safety Headquarters building we would be talking about \$4 to \$5 million and we don't have that. He wondered for the total amount we would have of \$2.2 million if it would be possible to renovate the current building to make it satisfactory. He said he did not see the need to move the Public Safety funds at this time. He felt the rest of the projects are fine. He pointed out that it is a challenge because at the time we give the projects to the voters, it is difficult to guarantee the projects will be done in the order listed on the ballot.

Mr. Bedenbaugh, Assistant City Manager, pointed out that last year we had first reading of an ordinance to repurpose some projects and then between first and second readings there was about a month's time between the readings and we had a meeting where we showed Council what the balance was as of a certain date for Council to approve and the money is locked in as of that date for the repurposing. Councilman Dewar stated we have been through a series of dealing with this where we changed the title of the projects listed. He said it has been very confusing. He felt we need to stick with this. He said he has some constituents who follow the Capital Projects Sales Tax listing, and he would like for us to get back to that.

Councilman Ebner pointed out that in the memo for this item regarding CPST funds, it says that in April, 2015, Council approved the repurposing of CPST II and III funds. He said since we are building on that he felt we should have an extension of the same paper that we did in 2015. He said he was sure we would do it again in 2017. He said he supports doing it. He pointed out that this will become the permanent record of what it was on that day. He felt that would help Ms. Abney with the audit.

Mr. Bedenbaugh stated he felt that process worked well where we got it on the table, made modifications, and came back with a document and everyone agreed on the dollar amount as of the report of the end of the month. Then at second reading we had an opportunity for Council to make any changes they saw fit.

Mayor Osbon called for a vote on the motion by Councilman Ebner, seconded by Councilwoman Price, that Council approve on first reading an ordinance to repurpose CPST funds. The motion was unanimously approved.

RESOLUTION

Deed of Dedication  
Southwinds Construction  
Utilities  
Easements  
Cornerstone Phase I  
Cornerstone Phase II  
Cornerstone Phase III  
Lift Station  
Dominion Drive  
Loudoun Drive  
Nokesville Circle

Mayor Osbon stated a resolution had been prepared for consideration by Council to accept two deeds of dedication from Southwinds Construction for utilities and associated easements in Cornerstone Phases I, II, and III and the lift station area.

Mayor Osbon read the title of the resolution.

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF TWO DEEDS OF  
DEDICATION FROM SOUTHWINDS CONSTRUCTION, LTD.

Councilman Dewar moved, seconded by Councilwoman Diggs, that Council approve the resolution accepting the deeds of dedication from Southwinds Construction for utilities and associated easements in Cornerstone Phases I, II, and III and the lift station area.

Mr. Klimm stated Southwinds Construction, Ltd. is the owner of Cornerstone Subdivision Phases I, II, and III, which is located off Whiskey Road. They are requesting that the City accept a deed of dedication which includes water system, sanitary sewer lines, and associated easements along Dominion Drive, Loudoun Drive, and Nokesville Circle. They are also asking that the city accept a deed to the Lift Station Area.

Our Engineering and Utilities Department has reviewed this request and is recommending that the City accept this deed of dedication and deed to the Lift Station Area. The Engineer of Record has certified the completion of these utilities as being built according to City specifications and has found no deficiencies in the systems.

For Council consideration is approval of a resolution accepting the deed of dedication for the sanitary sewer lines, water lines, valves and other related equipment and apparatus and their associated easements in Cornerstone Subdivision, Phases I, II, and III and the deed to the Lift Station Area.

The public hearing was held.

Mayor Osbon asked for comments from the audience and from Council.

Councilman Merry asked when the lift station pumps out where does it go. Mr. Grinton responded that it goes across Whiskey Road and ultimately into the manhole that discharges into and through Woodside. It was pointed out that it crosses Whiskey and crosses Whiskey Road again. Councilman Merry asked how large the lift station was and if it could handle more than Cornerstone Subdivision. Mr. Grinton stated he knew that the developer is negotiating with a potential developer next door to his property to allow him to discharge so it would go into the lift station. As part of the development we would have to confirm the capacity. Councilman Merry stated a few years ago he talked to Engineering about the challenges for sewer on this end of town and it was exceedingly difficult to provide sewer service in that area. He wondered if this is something that could be leveraged to provide sewer service possibly to adjacent property. Mr. Grinton stated he felt the biggest challenge would be the bottlenecks. He said there is a manhole on Citadel that we pump several lift stations to as well as South Meadows and Cornerstone. All that then discharges down through Woodside to the Woodside lift station. He said whether the lift station could be used for additional users would be examined when future development comes. Mr. Grinton pointed out that the Talatha

Oaks Subdivision would be discharging to an expanded South Meadows lift station and that station will be pumping to the same place. He said there will be a restriction and that is part of the infrastructure hydraulic evaluation modeling that will be done so the city will be in a position to answer those questions. He said the plan is to obtain costs for hydraulic modeling of both water and sewer for the city systems so we can answer those questions for developers. Councilman Merry stated then by accepting the Cornerstone lift station, we would have the opportunity to serve more potential city residents than just those in Cornerstone.

The question arose as to whether Cornerstone is in the city limits. Mr. Grinton stated he did not think so. Councilman Merry stated the city would be accepting a deed for responsibility and expense for a lift station that does not serve any city residents and for which the city receives no city tax dollars. Mr. Grinton responded that the city gets double sewer rates. He said Cornerstone is comparable to South Meadows.

Councilman Homoki asked questions regarding the lift station and whether systems would be designed to accommodate other developments in the area. Mr. Grinton pointed out there are a couple of issues. One is the lift stations and sewer systems are paid for by the developer. They typically resist trying to build anything bigger than what they need. The city has limited leverage to try to get them to build something bigger. He said there has not been an economic strategic plan for some of the areas so the second part would be how much development there is going to be, where it is, and when will it come. He pointed out that the developer for Talatha Oaks was involved in the development of South Meadows and they are planning to move the lift station in South Meadows and enlarge it so it can accommodate both subdivisions. He said if there is a strategic plan he felt it would make sense to do what is suggested, but without a strategic plan you would just be guessing on the matter.

Councilman Merry asked if there was an annexation agreement in place for Cornerstone Subdivision. Staff did not know at this time whether there was an agreement or not.

Councilman Ebner stated he felt the City Attorney needs to rule on that because the agreement for annexation would have been made for the commercial and residential development at the same time. Mr. Grinton stated you would expect that to have been done with the approval of the concept plan. Councilman Ebner pointed out there are a lot of houses in Cornerstone which are behind the commercial development. Councilman Ebner stated to Mr. Gary Smith, City Attorney, that Councilman Merry had raised the question about an annexation agreement for the Cornerstone development. He pointed out that the commercial development was built first before the housing development. There was a question as to whether the property may be contiguous to the city. It was pointed out that the city furnishes water and sewer to the Cornerstone development.

Councilman Merry asked if the city did accept the deed to the lift station and we did choose to make upgrades necessary to have other development discharge into it, would we need any kind of access, path or easement to get to the lift station. Mr. Grinton stated the developer in this case has retained the potential pathway for the next door development so that developer will have to gain access to the sewer line through his property. That easement is being retained by the Cornerstone developer. Mr. Grinton pointed out the city would be getting access to what we would need.

Mayor Osbon asked if this item could be continued since there seems to be questions.

Councilman Ebner stated he would question the continuance of service that we have to provide by state law. He said this is what we went through with Talatha Oaks. He said we can debate about whether we have an annexation agreement but the service of the sewer is going to happen. Councilman Merry stated it is not about the service of the sewer, but acceptance of the lift station. He said the city is already providing sewer. Councilman Ebner asked why we would not accept it. Councilman Merry stated if we accept it we need to make sure it is the best scenario for the taxpayers. He pointed out that currently the only people the lift station is serving are non-taxpayers. Mr. Grinton stated he felt the reality that the city is operating the lift station and will end up

maintaining it is required in order to maintain the sewer in that subdivision. Presently the only thing the developer is doing is paying the electric bill for the pumps.

Councilman Merry stated he felt we should at least require that we have a pathway easement so we can tie in other sewer lines to it. He said it had been stated that the city does not have access to it, but the developer does. Mr. Grinton responded there is a pathway. The developer is retaining that property. Presently we don't have anything to access yet. Discussion continued on this matter.

Councilwoman Price stated there seems to be questions, she moved that Council continue the item to another meeting. The motion was seconded by Councilwoman Diggs. The motion was approved by a majority vote. Councilman Ebner opposed the motion to continue the item.

Councilman Ebner stated he understands where Councilman Merry is coming from, but there is a statement in the deed that the city has access to the current station. He felt access in the future is a different issue. He said the city does have access to the current pumping station from a public road.

### VEHICLE MAINTENANCE FEE – ORDINANCE

Road Fee

Transportation

Public Safety Improvements

Mayor Osbon stated an ordinance had been prepared for Council's consideration on first reading to approve an ordinance establishing a vehicle maintenance fee for the City of Aiken.

Mayor Osbon read the title of the ordinance.

### AN ORDINANCE AMENDING THE AIKEN CITY CODE TO ESTABLISH THE ROAD MAINTENANCE FEE.

Councilwoman Price moved, seconded by Councilman Dewar, that Council approve on first reading an ordinance establishing a vehicle maintenance fee for the City of Aiken.

Mr. Klimm stated that over the past year Councilmembers and staff have shared the concerns of many of our citizens in asking the question of what we are doing to maintain and improve not only our roadways in the city, but also our basic infrastructure. He said Aiken can be very proud of doing many, many things very well, but all of us know that three areas presently exist where we are not addressing even present needs, must less future needs. The City of Aiken does not have a Roads Program. The City of Aiken does not maintain its infrastructure and has not for years. The City of Aiken has no ability to add to our roads system. People ask almost on a daily basis what are we doing to improve the situation on Whiskey Road. The fact is that we are doing nothing, and that is what the proposed items are designed to address. He said he enjoys no more than anyone else the prospect of asking Council to increase taxes or implement a new fee. He knows that times are tough for many of our citizens, and we are mindful of the fact that we need to be held accountable with every dollar that we spend. He said he had looked around in South Carolina to see how other communities and other jurisdictions deal with routine road maintenance. Aiken County implemented this very funding structure some 15 years ago to address their need to maintain the roads in Aiken County. Some communities in the country do nothing. They just build roads and let them sit there, and ultimately they let them fall into such disrepair that they are impassable, or they find emergency funding on a case by case basis. Some communities have sort of a program where from time to time they find occasional funds to take care of the worst of the worst of their roads. Some communities have a permanent source of funding, but for the most part wait until the road is in total disrepair before the road is rebuilt. Some communities do what leading public works entities in this country suggest and that is that they implement a pavement preservation program. He said he was not an engineer, but in his role and responsibility as City Manager he has learned more than he ever wanted to know about roads. He said he knows that roads are like many other things, if you don't maintain them the ultimate cost to repair is much more significant. Communities that are

progressive enough to have programs that begin in the second, third or fourth year of the road with a preventative maintenance program significantly extends the life of the road. Since there are some 80,000 layers of government in this country, dealing with roads is not something that is unique to Aiken, to this area, or to the state. The question is how communities deal with this most effectively. He said the way they do that is implement a pavement preservation program so that after a road is built in the second or third year you start using a series of tools in the municipal tool box to significantly extend the life of the road.

Mr. Klimm stated Council talked about this several hours in a work session. He said Council is mindful of the tools that are available for us to utilize. He said the fact is there is no funding source. He said he had already received comments from residents wanting to know why this was not done 10, 20, or 30 years ago and why there isn't funding. He said he could not answer that because he was not here 20 or 30 years ago. He said even if he had the answer, it does not help us now with the issue. The fact is that while he believes that we have a significant concern on our hands he feels that inaction over the next three to five years will begin to place us into a risky category of financial uncertainty and ultimately crisis. We can solve this problem if we identify a funding source and begin a pavement management program like so many other communities around the country. The first part of this is only the maintenance of our existing roads. We are ready in the next reading to be much more specific in terms of what we would do with the money. We are mindful that this is a difficult request and are also very supportive of mandating that this money—every penny—be spent solely for the purposes that it is being appropriated for by ordinance until we reach a point in time where we have a system of preservation in place.

Mr. Klimm stated the second category that we will talk about a little later deals with the need to build new roads. If we are to address the growing and significant concerns that our citizens talk about in terms of improving traffic flow, we need to improve our infrastructure in terms of new roads. The second part of that is there are significant safety concerns that many of Council as elected officials have brought to his attention where we have areas in the city without sidewalks and where kids are walking in dangerous situations and yet we don't have a funding source to fund in a consistent manner things like sidewalks. He said he knows for any Council or staff person that this is not a comfortable position to be in. He said his message is that every year that we kick the can down the road, we put ourselves and future residents of Aiken in a real bind. The fact is that we need a Roads Program. He said the reason this is on the agenda tonight is to give due notice for at least a month so our citizens know and clearly understand that we are going to be debating this and have time to formulate an opinion, call us, and do research so they are able to come to second reading which is more than a month away and be prepared to discuss this issue. Mr. Klimm stated he hears more comments about the fact that we have done so well in so many areas, but we are so utterly lacking in dealing with maintaining our roads, building new roads and infrastructure. The third item we are not dealing with tonight is our basic infrastructure. He said we not only, don't have a funding source to fix our infrastructure, we don't have a full understanding of the condition of the infrastructure. We have not done that analysis. He said his message, as difficult as these issues are to deal with, is that if we don't deal with these three in a timely way we are putting present residents and future residents in a real bind. He said he knows that he does not just feel this as an individual, but he knows that Council went through a strategic planning process when two of our members just ran for Mayor, and he knows that issue was first and foremost in all the forums that he went to when the citizens asked what is the city doing about infrastructure, what are we doing about our roads, what are we doing about traffic concerns. He said this is our effort to at least get it on the table so we can have a community discussion.

For Council approval is first reading and public hearing of an ordinance establishing a vehicle maintenance fee for the City of Aiken.

A public hearing was held.

Mayor Osbon asked for comments from the audience and from Council.

Mr. Windell Mock, 1804 Lundy Drive, stated he thought Mr. Klimm hit the problem on the head. He said, however, he disagreed with some items he talked about. He pointed out that the condition of the roads is very poor. He felt the roads here in a few years will be that of a third world country. He said he was amazed that we have not been getting money to fix the roads. He said he came to Aiken in 1998, and money has been collected in the form of a tax for roads. He asked where that money went. He pointed out the proposal is a \$20 fee per vehicle tax for the sole purpose of improving the roads. He wondered if that money would be added to the money that we receive from the state and the federal government to maintain the roads. He wondered when the money would be identified and put into that corral and how much money do we have and how much projected that we are going to need. He pointed out that the citizens pay taxes to maintain roads, but the roads have not been maintained. He noted that we are proposing to waste a huge amount of money to renovate Dougherty Road which is a two lane road about one mile in length. It is proposed to spend millions of dollars to expand the two lane road to a two lane road with trees in the middle which will not reduce the congestion, and he felt it might make it worse. He felt Dougherty Road should be readdressed. He felt Council should look at how they are going to manage the money they collect. He felt as a taxpayer they have about reached the limit. He pointed out the 9% sales tax, and the proposal to raise that. There are things coming down the pipe that will demand more and more of his tax dollars. He felt it was important for Council to spend that money as if it were their own. He felt he was expressing how the better part of the citizens feel. He said Aiken is a great place to live, but we need to take care of our roads and our public facilities which should be our highest priority. There are many other things that have been done that are very good, but we did them at the expense of our roads and infrastructure and that needs to stop if we are going to be successful.

Ms. Carolyn Bazzle, 955 Brookhaven Drive, stated she is a true Aiken native since she was born here and her parents were born here. She said the city is her town even though she lives in the county. Ms. Bazzle stated she built her house 40 years ago and it was in a corn field. She said she came to the meeting because she cares about some of the comments made. She said she was disappointed there were not more people at this meeting complaining about the increases. She asked where does the buck stop with demanding more and more taxes and fees. She stated the senior citizens are being taxed to death. She pointed out there was not a Social Security check increase this year, and Medicare Part B cost went up. She pointed out that she is already paying the \$20 fee since she lives in the county. She noted that the city is all around her and she could be in the city and would have to pay another \$20 fee to the city. She said she was not interested in being in the city for the same reason other people say they don't want to be in the city and have to pay double taxes by being taxed twice—by the city and the county. Ms. Bazzle stated she and the Popes paid for the water line that runs down Brookhaven Road. Now the line serves the School District and a lot of other people. She said she was here to ask what is happening with our tax dollars. She pointed out that she watches while the city spends so much time and money and planning on work in The Alley. She felt there are better places to be spending money than fixing The Alley. She pointed out that the city is now working on a way to bring in more money which has to do with the Aiken Mall. She said the reason the city does not have money coming in because the places charge ridiculous prices so the people drive to Augusta, Georgia, or Columbia, SC to shop. She said when people decide to offer a good quality product for a reasonable price the city will see more spending done in the City of Aiken. She asked how much more the City expects to squeeze out of the people of Aiken in fees and taxes when their pay checks are not going up. She pointed out that 50 million people in the United States alone are at poverty level and below and they don't have money. She stated there should have been money all along set aside for roads. She pointed out when you allow people to tell you what kind of bridge you can put in and how to build the roads, the city will never have enough money to pay for the roads. She said we need safety and common sense. She pointed out that Whiskey Road has a traffic problem, and when it rains there is damage from the storm water. She said roads need improvement. She wondered where the tax dollars are going. She pointed out that a tax had already been implemented that has to do with food, the water and sewer fees had just been increased, and the School District just implemented a 1% sales tax. She wondered how many more increases they felt the citizens can absorb. Mayor Osborn stated he would be glad to sit down with her and show her where the money is going.

Mr. Andrew Kocis, 2221 Shawnee Drive, stated he had moved to Aiken four years ago from Ohio. He said he agrees 100% about the infrastructure. He said there had been three water breaks in the last few years in his area. He said he was in the process of putting a \$2,000 water filter on his house because the water is dirty. He said he agrees that the infrastructure and the roads are bad. He pointed out that the big 18 wheelers are the vehicles that tear up the roads. He felt his car does not tear up the road like the big trucks. He wondered why he is charged for what the big trucks do. He said he had yet to see any accountability of any tax money in Aiken. He wondered where a citizen can see that the city received X amount of dollars and X amount was spent. Councilman Merry pointed out that the information is on the city's website. He stated the city had won 24 consecutive years of awards as far as financial accounting and transparency.

Mayor Osbon stated he appreciates what Mr. Kocis is saying. He said he would sit down with him in his office and go through the budget. He pointed out that Dougherty Road is a state road rather than a city road. He said the city roads we are talking about are not roads that 18 wheelers will be going down, but are in residential areas. He pointed out the city does not have a roads program to maintain the roads.

Mr. Philip Lockard, 808 Legare Road, stated he supports what has been said by the City Manager regarding the need for road improvements and sewer and other infrastructure, but he does not know why the citizens of the City of Aiken have to be the only ones to pay the \$20 tax for something that the citizens don't drive on exclusively. He said people from the county, visitors, rental cars, and other vehicles drive on the roads, and Council would be asking a few people of the City of Aiken to undertake the expenditures to repair the roads with the \$20 fee. He said city residents already pay a \$20 fee to the county for county roads. He said when he is not on a city road, he is either on a county road or a state road. He noted that the city gets funds from the state and county to maintain those roads. He stated it is a shame the City of Aiken has not had a fund to maintain the city roads and they will deteriorate until we will have to go back and take care of the base structure. He pointed out the city has CPST I, II and III funds and Hospitality Tax funds. He felt some of those funds could be used to maintain roads. He noted that Council had talked about CPST funds going for restrooms, Public Safety buildings, and Citizens Park walking tracks. These items might be needed, but the items need to be prioritized. If the money can be used for roads, then roads need to be prioritized and give 90% of that to fixing the roads rather than some of the items that are not necessary, but nice to have.

Mayor Osbon pointed out that the CPST funds are designated to certain projects that the voters voted on. He said those funds are restricted to the items listed on the ballot. He pointed out that some of the money from the Hospitality Tax could be used for roads. He said the reason this item was on the agenda at this time was to get the item introduced so people have time to think about it before the next meeting. He said his thought was to have a public information meeting before the second reading as he felt it is important that everyone understand what is being proposed, why and the situation we are in. He said he is a no tax, no fee guy, but he is concerned when he sees roads where there is no program to maintain them. He said the fee is to maintain city roads within the city limits. There are over 90 miles of city owned roads that the city is responsible for maintaining. He said the county had the foresight to fund a road program. He said we are in a situation where we fund the roads or we let them go.

Mr. Lockard pointed out that not all people who ride on the roads will pay the \$20 fee. It will only be the people who reside within the city limits who will pay the fee and yet many, many other people ride on the roads. He felt there may be a more equitable way of raising funds than to charge just the City of Aiken residents a fee.

Mr. Tad Barber, 334 Walker Avenue, stated he wanted to get a clarification as he was hearing two different things. He said Mr. Klimm had indicated that these funds would be used for road improvements and named Whiskey Road specifically, which is a state road. He said probably 75% of the roads in the city limits are state roads. He said it had been indicated that the fee was to be implemented to maintain city-owned roads. He asked if we would be fixing roads in neighborhoods that 75% of the people in Aiken don't drive on or will we be fixing other roads all through the city, including the state roads. He said

all the citizens in Aiken pay gas tax which goes for roads and yet we don't seem to get our fair share coming to the city. He felt it is commendable to have a roads program, but the question is where are the roads that will be worked on and will they be city-owned streets or all the streets in the city.

Mayor Osbon stated he took Mr. Klimm's comments to referencing items 5, 6, and 7. Items 6 and 7 would deal more with new roads. For example, dealing with improving the traffic congestion on Whiskey Road. Mayor Osbon stated to clarify, this item is for city-owned roads because that is our responsibility. It was pointed out there was a map showing the city-owned roads. Mr. Barber stated he had seen the map, and it is predominately on the south side, in Houndslake and other smaller neighborhoods. He said of those 90 miles two-thirds or one-half of the roads are in Houndslake alone. He pointed out that all the citizens of the City would be paying a fee to pay for neighborhood streets. He said he lives on a state-owned road, and it took him 20 years to get his road repaved. Then the city decides to put infrastructure improvements in and within a year of putting in a new road, the city digs it up to put in water and sewer. He said his concern is fixing just city roads. Most people do not live on city roads.

Mr. Gary Smith, City Attorney, pointed out that is what the ordinance specifies. The ordinance says "nominated roads must adhere to the following criteria to qualify for consideration: (a) The road must be a public road maintained by the city. (b) The road must be connected to an existing state or city maintained road. (c) The city must possess right-of-way easements from all property owners bordering the nominated road." He said the ordinance only deals with city streets.

Mr. Barber stated he felt the city should work with the state and try to get our fair share of the money from the state and that should be a big priority if not more so than the fee. He pointed out the fee would raise about \$500,000 a year and would not be that much in terms of doing major improvements. Mr. Barber stated he could drive from his house to the south side and all the way to the University and to work and never be on a city-owned road and yet he would have to pay a fee for somebody in Houndslake to have their road fixed. He said he just wanted clarification on the fee. He said he agrees roads are needed and infrastructure is needed. He felt the plan is positive in the long run, but the question is if this is a real source of funds or just a potential opportunity for money. He said being on the School Board he understands the need to make an investment in those things we use.

Councilman Merry asked Mr. Smith what he was referring to in his comments. Mr. Smith stated he was referring to the ordinance which had been prepared. He said he was citing the wording in the ordinance under Sec. 36-3 Road and Drainage Improvement Projects, item (b) (1) Roads. He said that wording was the criteria for determining which roads would be considered. Councilman Merry wondered if there should be language regarding ownership. Mr. Smith pointed out the ordinance states "roads maintained by the city." He said if the road is maintained by the city, it needs to be owned by the city. He said the city can't maintain somebody else's roads. Councilman Merry stated he felt the wording should be specific and state "roads owned by the city."

Councilman Dewar stated none of Council likes to be in the position of defending a tax—it is called a vehicle maintenance fee. He said he had a few emails stating we should call it what it is. He said it is a tax. Every penny we get to operate the city is tax money and it comes from the citizens. He said with the fee we would not be charging for using the roads, but charging to maintain the roads within the city. He said it is proposed that the fee would be effective January 1, 2017. He noticed there is wording in the ordinance for waiving of the fee for disabled veterans and that is defined. He said he did not like defining a tax, but we need a roads program. He said it is not our fault the program was not put in 20 years ago. He said it is frustrating in looking at the data that there are 90 miles of city roads and they are solely the responsibility of the city to maintain. The state nor the federal government do not give us money to maintain the city roads. Both the state and the federal government each on occasion give us money for special projects such as Dougherty Road and Hitchcock Parkway. The Capital Projects Sales Tax Program which was approved by the voters does identify some roads projects such as University Parkway and Powderhouse Connector Road. However, the work is not

maintenance of the roads. He pointed out that asphalt is supposed to last 25 years, but if you do not maintain it, it will last less. If it lasts less, it costs you more. He pointed out there are two more items on the agenda that will increase costs to residents as well. He said he did not like doing it, but he did not see a choice. He felt it is a fair thing to do. It does introduce a couple of issues, such as donut holes which should be dealt with. It is not fair to see one resident pay this fee and the next door neighbor not pay the fee. He said we have to begin somewhere in maintaining and improving our infrastructure. He said the money would be dedicated specifically for roads. He pointed out with regard to visibility of where the city's money comes from the information is on the city's website. There are several financial documents on the website—City of Aiken Report, the CAFR, and budget are on line. He said no one likes to increase fees.

Councilwoman Price stated they could all abdicate their responsibility and just say people don't like it and just do nothing and let it continue. She said that is easy to do, and that is what has been done for many years—just pass it along. She pointed out about 8 months ago there was a hole in the street across from the theater on Newberry Street. Cones stayed around the hole for several months. Finally a contractor was called in to do the work. The contractor said to her that if a 18 wheeler truck had come down the road, it would have caved in. She asked if we want to wait until something happens and there is a cave in before something is done or be proactive. She said this is not an easy decision for Council. People don't like it. She does not like it. It is a tough decision, but decisions have to be made. She pointed out there will be more of this in Council sharing very honestly what is needed and what has been neglected in the community. She felt that finally Council has the courage to make these tough decisions so we can plan for the future of so many generations to come and not leave them saddled with the bill. She said it is not popular, but tough decisions that have to be made.

Councilman Homoki stated it is encouraging to see that everybody who spoke realizes there is a problem. He pointed out that nobody likes to pay fees or taxes, but everybody realizes we are not just grabbing money, but there is a definite purpose and those who spoke all realize that something has to be done.

Councilman Merry stated he wanted to compliment the City Manager in being proactive and addressing our responsibility for the roads. There is no question, but that as owners of the roads the city has a responsibility for the roads to maintain them and have a plan to keep them maintained. He stated he would suggest there is a tremendous amount of misunderstanding by some of Council and staff and a large part by the public. The vast majority of the citizens do not ride on a city road during the day. Almost 95% of the city-owned roads are neighborhood roads and not arterial or thoroughfares or connector roads. The city gets ownership through acceptance of deeds of dedications and residential development work. He said he would ask that the Aiken Standard print the color coded copy of the map that shows what are city-owned roads, state roads, county roads, or private roads. Barely one in four people who are city residents live on a city-owned and maintained road. When people drive down the street and find fault with the quality and condition of the roads, three out of four times that is not a city road. He said the vast majority of city-owned roads are neighborhood roads. He felt it is very important to recognize not only what the city has responsibility for, but also what the state and county have responsibility for and if we are concerned we need to hold them accountable as well. He said he was in favor of being proactive and being responsible, being forward thinking, planning ahead, setting money aside for the needs of tomorrow. He said he was, however, not convinced this fee is the right mechanism for it. The average homeowner in Aiken has two vehicles per household. On average that would be a \$40 fee per household. He felt the fee could be regressive for low income and senior citizens. He felt it is lopsided in how the benefit gets spread. Most of the city-owned roads are south of South Boundary and only about 1% to 2% would be on the north side of town. He said that part of town has a very high population of people many of whom \$20 to \$40 could be a significant impact. He said he was in favor of the goal, but not the mechanism. He said he would not vote to support it. He said he is very reluctant to pass new taxes and fees unless he feels they are the right thing for the right reason. He said he was not sure this is the right way to go about this.

Mayor Osbon stated he agrees that we need to continue to address and form a partnership with the state and county. He felt the citizens will not settle for anything less than the best, including the state, county and city roads. He pointed out that the only part that the city is responsible for is the city-owned roads. He said he would vote for the fee on first reading to move it forward so we can facilitate a public information meeting and talk with the citizens. He said he also would like for the list of roads to be publicized because he felt it is important that we all know what we are talking about.

Mayor Osbon called for a vote on the motion by Councilwoman Price, seconded by Councilman Dewar, that Council approve on first reading an ordinance establishing vehicle maintenance fees for the City of Aiken. The motion was approved by a vote of 6 in favor with Councilman Merry opposing the motion.

#### FRANCHISE AGREEMENT – ORDINANCE

##### Aiken Electric Cooperative

##### Transportation and Public Safety Improvements Program

Mayor Osbon stated an ordinance had been prepared for Council's consideration on first reading to amend the franchise agreement with Aiken Electric Cooperative.

Mayor Osbon read the title of the ordinance.

#### AN ORDINANCE AMENDING ORDINANCE 020899A TO INCREASE THE FRANCHISE FEE OWED BY AIKEN ELECTRIC COOPERATIVE.

Councilwoman Diggs moved, seconded by Councilman Homoki, that Council approve on first reading an ordinance to amend the franchise agreement with Aiken Electric Cooperative.

Mr. Klimm stated that the difference between the next two requests and the previous road fee is to build new infrastructure not to maintain what we already have. He said not only do we not have funds to maintain what we already have, we have no funding to ever do anything new. He said we regularly hear from neighborhoods that don't have sidewalks about when they will get sidewalks. He said we don't have a funding source to accomplish that. He said we know there are still opportunities for us to improve the situation on Whiskey Road. He said he was not talking about spending money on Whiskey Road, but alternatives to Whiskey Road that could significantly improve the traffic circulation. He pointed out that at certain times of the day Whiskey Road is problematic. He said we have the responsibility to look 20 to 30 years down the road. He pointed out that in a community where he used to live there were opportunities to fix the traffic situation and the city refused to act. By the time the attitude of Council changed to solve the problem, the ability to solve the problem had gone away because the land needed to solve the problem had been developed. Instead of fixing the problem the city was then in a situation where they needed to contemplate taking buildings and businesses by eminent domain to solve the problem which they did not do. He said consequently traffic is now as bad as ever. The Council is reminded frequently that they had the ability to solve the problem, and they did not do it.

Mr. Klimm stated the reason we are not doing anything is that we don't have the money. The overall plan is addressed to maintain the existing roads and infrastructure and to allow for solutions in the area of roads and in the area of public safety such as sidewalks. He pointed out this item was adopted some time ago by North Augusta and that is where they receive funding for their community for a wide variety of purposes. He said this is a tax as someone said, but we call it a fee. He said there may be questions as to how this might impact the average household. The answer to that question is a little over \$2 per month.

Mr. Klimm stated our current agreement with Aiken Electric Cooperative was last amended in 1999 to charge a franchise fee of 3%. Recently, we have discussed several capital projects which Council has expressed interest in pursuing including a Transportation and Public Safety Improvements Program. To pay for these improvements, we recommend that the City of Aiken increase the franchise fee for Aiken

Electric Cooperative from 3% to 5%. This 2% increase would raise approximately \$130,000 yearly. With this money, we can begin pursuing some of these long-anticipated projects. If approved by Council at second reading, this fee would go into effect immediately.

For City Council consideration is first reading and public hearing of an ordinance to amend the agreement with Aiken Electric Cooperative to charge a franchise fee of 5%.

A public hearing was held.

Mayor Osbon asked for comments from the audience and from Council.

Mr. Andrew Kocis stated he agreed with Mr. Klimm and that Councilman Dewar had explained things very well. He said Council has a tough job. He asked if a road maintenance group would be created with the income from the franchise fee.

Mr. Klimm stated the funding source would allow not only for us to solve the problem through cash, it would also allow us to borrow on a case by case basis. Then our ability to fix problems would be much more significant with this funding. Mr. Klimm pointed out that the City of Aiken has no debt which is a great thing to say, but if you are ultimately going to solve a problem and you can borrow money at less than 2% should we borrow money while we can get it less than 2% or wait until it is 16% again.

Councilman Homoki asked if we would be increasing the fee for Atlantic Broadband, Direct TV and others or is that not a city option. Mr. Gary Smith, City Attorney, stated those fees are set by state statute and the city is getting the max from them now.

Councilman Merry stated since there are two electric providers Aiken Electric Cooperative and South Carolina Electric & Gas, if Council could combine this into one discussion and one vote. Mr. Smith pointed out that the matters are two separate ordinances, and they would have to be voted on separately.

Councilman Merry stated in the email received from Scott Neely of SCE&G he said there would be a \$2.86 per month increase in their customers' electric bills. He said that would be about \$34 per year. He pointed out between this and the two cars per household for the road fee, that we would be raising fees for the citizens by about \$75 per year. He said it is not an insignificant thing. He said he supports the project, both the responsibility and the need for new infrastructure and new roads. He felt it would be worthwhile to take the time to look for other opportunities and other ways of accomplishing some of this. There are creative ways of doing it. Many other cities have the need for the same things, and they have accomplished it in different ways without a fee and tax increases. He said there are partnership agreements, TIF funding, and other things that can accomplish the same goal. He pointed out that borrowing money for the projects is not out of the question, but before he voted to borrow money and before raising taxes and fees he would like to see if there are other creative scenarios that would allow us to accomplish the same goals. He said as little as this may seem at \$2.86 per month per household, he felt he would rather not do this without first exploring and pursuing other options. He felt there are many options, but like the road maintenance fee he could not support the increase in the franchise fee for Aiken Cooperative.

Councilman Dewar pointed out that the email said the increase would be \$2.86 for electric bills on SCE&G, but also a 3% increase for gas. He said he assumed that would apply to Aiken Electric Cooperative. He said his comment is that we are in a position where we need a budget, and we need to create a budget that will last for a year. He said he shares Councilman Merry's concerns and no one likes to vote for a tax increase, he was not sure how we could do it without the program that the City Manager has laid out. He said Council hired him to do a job, and they knew he was going to have to give them some tough choices.

Councilwoman Price asked if the increase for the franchise fee from 3% to 5% would be charged 100% to the utility customers. Councilmembers pointed out that the fee is listed separately on their bills. Councilwoman Price asked if all the franchise fees that Aiken

Cooperative and SCE&G are charged are billed to their customers and not taken out of their profit. It is a direct pass through and not absorbed by the company.

Mr. Scott Neely, of SCE&G, stated the way they handle franchise fees is different from property taxes. Franchise fees are generally levied only by municipalities. Several years back the Public Service Commission issued a ruling that said that the electric utility companies could pass the franchise fee on to the customers that are within the municipality. Prior to that the franchise fees were paid just by the company. He pointed out the people who live in a rural or unincorporated area when the company absorbed the fee, were basically subsidizing the franchise fees to municipalities. With the new ruling from the Public Service Commission, the municipal residents and businesses are paying the franchise fees for the city where they are located. Usually property taxes and other fees are paid by the company.

Ms. Keyatta Priester stated Aiken Electric Cooperative follows in the same format as SCE&G. She said those franchise fees are passed on to the customers. She said previously Aiken Cooperative did absorb those fees. However, now we pass them on to the members.

Councilman Merry pointed out that not only is the average increase \$2.86 on electricity, but it is also a 2% increase for gas. Many times the gas component is more than the electric component. One could be looking at well over a \$5 increase per household per month.

Councilwoman Price pointed out that given the profit margin that SCE&G and Aiken Electric Cooperative have, she has concern that they pass along 100% of the fee and not absorb some of it.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Homoki, that Council approve on first reading an ordinance amending the franchise agreement with Aiken Electric Cooperative to increase the franchise fee from 3% to 5%. The motion was approved by a vote of six in favor with Councilman Merry opposing the motion.

#### FRANCHISE FEE – ORDINANCE

South Carolina Electric & Gas Company

SCE&G

Transportation and Public Safety Improvements Program

Mayor Osbon stated an ordinance had been prepared for Council's consideration on first reading to amend the franchise fee for South Carolina Electric & Gas Co.

Mayor Osbon read the title of the ordinance.

#### AN ORDINANCE AMENDING THE FRANCHISE FEE FOR SOUTH CAROLINA ELECTRIC & GAS COMPANY.

Mr. Klimm stated our current agreement with SCE&G allows us to increase the franchise fee to 5%. Recently, we have discussed several capital projects which Council has expressed interest in pursuing including a Transportation and Public Safety Improvements Program. It is anticipated that we will need to spend millions of dollars to reduce the traffic congestion on Whiskey Road alone. To pay for these improvements, we recommend that the City of Aiken increase the franchise fee for SCE&G from 3% to 5%. This 2% increase would raise approximately \$1,000,000 yearly. With this money, we can begin pursuing some of these long-anticipated projects. If approved by Council at second reading, this fee would go into effect immediately.

For City Council consideration is first reading and public hearing of an ordinance to set the franchise fee for SCE&G at 5%.

A public hearing was held.

Mayor Osbon asked for comments from the audience and from Council.

Dr. Robert Talbert, 828 Edisto Avenue, stated his house was the only house on Edisto in the City of Aiken. He said he annexed to the city 30 years ago by choice and he has no regrets. He said he was concerned about persons who are on fixed income and their being able to pay the increase. He said he was a working person, and he has the ability to work harder to increase his income. He said he realizes there are a lot of infrastructure issues, but probably the citizens felt that over time that some of those things were being taken care of, but obviously some have not been addressed. He said he understands the need for additional funding to take care of issues. He said his concern is that the 2% increase will ultimately be passed directly to the consumer. He pointed out that the cap for the franchise fee is 5% so with the 2% increase the maximum will be reached. He wondered what will happen in a few years when additional funding is needed and if the cap will be raised. He pointed out he knows there are a lot of needs and he is willing to pay his fair share. His concern is that the increases continue. He said at his house if they don't have the money to pay for it, you just do without. He said we have been talking about building new roads and annexing areas, etc. and he wondered if we just need to draw back and take care of what we have. He asked that Council be mindful of those on fixed income and think of our priorities.

Mayor Osbon called for a motion. Councilman Ebner moved, seconded by Councilman Homoki, that Council approve on first reading an ordinance amending the franchise fee for South Carolina Electric & Gas Co. from 3% to 5%. The motion was approved by a vote of 6 in favor with Councilman Merry opposing the motion. Second reading of the ordinance will be held on June 13, 2016.

Mayor Osbon stated he would like to have a public information session on the road maintenance fee and the increase in the franchise fees.

Councilman Merry pointed out that for business to remain successful, they do pass their expenses on to the customers.

### CAPITAL PROJECT SALES TAX

#### CPST III

#### Citizens Park Walking Trail Expansion

#### Paveway of Augusta, Inc.

Mayor Osbon stated Council needed to approve spending up to \$88,000 of CPST III funds for the Citizens Park Walking Trail Expansion.

Councilman Dewar moved, seconded by Councilwoman Diggs, that Council approve spending up to \$88,000 of CPST III funds for the Citizens Park Walking Trail Expansion.

Mr. Bedenbaugh stated as part of the CPST III program, we recently received sealed bids to provide additional walking trails and connectivity to the existing trails at Citizens Park.

The lowest responsible bid was submitted by Paveway of Augusta, Inc. of Aiken for \$80,045.68. This bid was below the CPST budgeted line item of \$100,000. We request that City Council approve the expenditure of up to \$88,000 to include potential contingency costs to complete this project. The CPST account line item is 017-5150-455.71-02 3CPWT. There is adequate CPST III funds on hand so an interfund loan will not be necessary.

For City Council approval is a request to spend up to \$88,000 from CPST III funds for the Citizens Park Walking Trail Expansion project.

A public hearing was held.

Ms. Ann Dicks, 314 Jehossee Drive, stated if Council approves this item, then Council does not need to have the approval in the previous item asking for approval of repurposing several projects in the CPST funds. She pointed out that was her question earlier in the meeting. She pointed out in the previous item under CPST III there was a line item for Citizens Park Walking Trail – increase funding from \$100,000 to \$125,000.

Mr. Bedenbaugh stated that was correct. He said the rationale is we are in the process of also applying for a grant from the SC Parks, Recreation and Tourism Department that has a match of up to \$25,000 that will allow us to do additional trails at Citizens Park. He said that is why we are requesting that Council consider reallocating some money so additional trails can be provided at Citizens Park.

Councilman Dewar asked how long the walking trail will be at Citizens Park after it is expanded. Ms. Campbell stated when the trail is fully completed the length will be a little over 2 miles. In answer to a question regarding the use of the trail, Ms. Campbell stated the trail would accommodate walkers, joggers, and bicycles.

Mayor Osbon called for a vote on the motion by Councilman Dewar, seconded by Councilwoman Diggs, that Council approve spending up to \$88,000 of CPST III funds for the Citizens Park Walking Trail Expansion. The motion was unanimously approved.

### TOURISM ORDINANCE

#### Motorized Tour Group Ordinance

#### Equine Committee

Mayor Osbon stated Council needed to approve a request to review the portion of the Tourism Ordinance dealing with motorized tour groups.

Councilman Dewar moved, seconded by Councilwoman Diggs, that Council approve a request that the Equine Committee review the portion of the Tourism Ordinance dealing with motorized tour groups.

Mr. Klimm stated as part of our review of various City ordinances, we have been approached by a number of our tourism partners in Aiken to take a look again at a portion of our tourism ordinance that addresses motorized tour groups. Staff would like this proposal to go before our Equine Committee for their review and comments then to Council's Development Committee before it comes back to the full Council for consideration. He said the effort is to get various interests together in one room to discuss the pros and cons of the existing ordinance and how it might be able to be improved. He said we did that with the holiday horse and buggy with a very positive result. It came out of the committee with a favorable change.

Mayor Osbon asked for comments from the audience and from Council.

Councilman Dewar stated he had received a comment reflecting concern about no large buses going into the historic area. He said he was not sure if that was part of the current regulations.

Mr. Bedenbaugh stated the Equine Committee is scheduled to meet May 26, 2016, in Room 204 at 5:30 p.m. to review the tourism ordinance that addresses motorized tour groups.

Mayor Osbon called for a vote on the motion by Councilman Dewar, seconded by Councilwoman Diggs, that Council approve a request that the Equine Committee review the portion of the Tourism Ordinance dealing with motorized tour groups. The motion was unanimously approved.

### SHAWS CREEK WATER TREATMENT PLANT

#### SC DHEC

#### Watershed Plan

#### Grant

#### Shaws Creek Water Treatment Plant

Mayor Osbon stated Council needed to approve a grant acceptance document from SC DHEC for a watershed plan to develop protection of the Shaws Creek Water Treatment Plant.

Councilwoman Diggs moved, seconded by Councilman Dewar, that Council approve a grant acceptance document from SC DHEC for a watershed plan to develop protection of the Shaws Creek Water Treatment Plant.

Mr. Klimm stated staff has been working with SCDHEC on a grant to protect the quality of water feeding our primary water plant at Shaws Creek. DHEC has awarded us the grant to develop a watershed protection plan and our share of the match will be \$16,000 which we propose to come from CPST II money for greenspace [016-3130-433.71-00 GWOS]. Once the plan is completed and approved by SCDHEC, we will then spend up to \$225,000 from CPST II money allocated from the same account to implement programs in support of the plan. We will come back to Council for approval of the program implementation once the protection plan has been approved by SCDHEC and the programmatic phase is ready to start.

For Council approval is acceptance of a grant from SCDHEC with a City match of \$16,000 for a watershed plan to develop protection of the Shaws Creek Water Treatment Plant.

A public hearing was held.

Mayor Osbon asked for comments from the audience and from Council.

Councilman Dewar asked if the matching funds were coming from the Green Space Account. He pointed out that was \$1 million for Greenways and Open Space and he wondered why we would be taking money out of that account for water.

Mr. George Grinton stated that Roger LeDuc, Interim City Manager, had identified the project as protecting the watershed for Shaws Creek. At that point in time he started pursuing means by which we could do that project. He said the grant allows us to develop a plan. We are leveraging state money, and our intention would be to leverage state money further through 319 grants. He said it will take several years to implement the plan. Some of them are inexpensive by having exclusion zones from the water at Shaws Creek that would have to be enacted by Aiken County and Edgefield County. He said his understanding from the City Manager at the time was that the money was specifically to be used for the protection of the Shaws Creek Water Treatment Plant and that a watershed plan be developed.

Councilman Dewar stated he was not sure he agrees. He said we are talking about a total of \$241,000 to be taken out of a \$1 million fund that was for Green Space and Open Space.

In response to a question if there was a deadline on the matter, Mr. Grinton responded there is a deadline. In response to another question, Mr. Grinton responded that the plan is to spend \$16,000 now for a watershed plan to develop protection of the Shaws Creek Water Treatment Plant. The plan would be to continue to use the Greenways and Open Space fund in CPST II of \$725,000 for the project. Councilmembers expressed concern about using money from Greenways and Open Space for the project. Mr. Grinton responded that is exactly what we would be doing. We would be preserving open space. It would also preserve the watershed quality for Shaws Creek. Mr. Grinton stated the methodology will be through conservation easements. There will be opportunities for ordinance changes so there is a setback requirement of 100 feet rather than 50 feet from the Shaws Creek Plant. He said this is the standard conservation methodology. He said the plan will define the appropriate ones to protect the Shaws Creek Water Plant which will be conservation easements, working with farmers to put up fences to keep cows from going into the area. Mr. Grinton stated we would spend \$56,000 with \$40,000 from DHEC. \$16,000 will be from the CPST project. Then we will have a plan to implement. He said the plan has to be implemented by multiple entities. That is one of the reasons why we reached out to Edgefield County, Aiken County, NCRS, the Lower and Upper Savannah Council of Governments to make sure they would support this project. He said he had requested \$28,000 which is about half of the cost of writing the project. DHEC liked the project so much they upped the grant to \$40,000.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Dewar, that Council approve a grant acceptance document from SC DHEC for a watershed plan to develop protection of the Shaws Creek Water Treatment Plant. The motion was unanimously approved.

#### FIREWORKS DISPLAY

The Reserve Club at Woodside Plantation

July 4, 2016

Woodside Plantation

Mayor Osbon stated Council needed to approve a fireworks display on July 4 at The Reserve Club at Woodside Plantation.

Councilwoman Diggs moved, seconded by Councilman Homoki, that Council approve a fireworks display on July 4 at The Reserve Club at Woodside Plantation.

Mr. Klimm stated Woodside Plantation's Reserve Club has held a fireworks show every July 4 since 2003. For many years this event was approved administratively and Council was notified in the Issues and Updates memorandum. However, with the State Fire Marshal regulations that went into effect in 2014 and to be in compliance with our City Code, we need official Council approval for this event. As in previous years, the Club will pay for Public Safety Officers and equipment to be present during the show and will follow all applicable State and local regulations and ordinances.

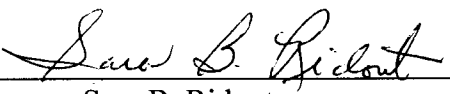
For Council approval is a request for a Fireworks Display on July 4 at The Reserve Club at Woodside Plantation.

Mayor Osbon asked for comments from the audience and from Council.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Homoki, that Council approve a Fireworks Display on July 4 at The Reserve Club at Woodside Plantation. The motion was unanimously approved.

#### ADJOURNMENT

There being no further business, Councilman Dewar moved that the meeting adjourn. The motion was seconded by Councilman Merry and unanimously approved. The meeting adjourned at 10:02 P.M.

  
Sara B. Ridout  
City Clerk