

Aiken City Council MinutesREGULAR MEETING

August 12, 2013

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

Others Present: Richard Pearce, Gary Smith, Stuart Bedenbaugh, George Grinton, Kim Abney, Ed Evans, Alicia Davis, Tim Coakley, Charles Barranco, Glenn Parker, Sara Ridout, Maayan Schechter, of the Aiken Standard, Andrew O'Byrne of the Aiken Leader, Channel 6 and 12, and about 150 citizens.

CALL TO ORDER

Mayor Cavanaugh called the meeting to order at 7:00 P.M. Mayor Cavanaugh led in prayer, which was followed by the pledge of allegiance to the flag.

GUIDELINES

Mayor Cavanaugh reviewed the guidelines for speaking at the Council meeting. He asked that those who would like to speak raise their hand and be recognized and limit their comments to five minutes.

MINUTES

The minutes of the regular meeting of July 8 and the work session of July 11, 2013, were considered for approval. Councilwoman Diggs moved, seconded by Councilman Ebner, that Council approve the July 8 and 11, 2013, minutes as submitted. The motion was unanimously approved.

PRESENTATIONSState ChampionsMead Hall Golf TeamMead Hall Tennis TeamGolf TeamTennis TeamProclamations

Mayor Cavanaugh stated Council would like to recognize the SCISA State Champion Mead Hall School Golf and Tennis Teams—the Mead Hall School Varsity Golf Team and the Mead Hall Varsity Tennis Team. Mayor Cavanaugh read the proclamation for the Tennis Team and recognized the team members and coaches. He then read the proclamation for the Golf Team and recognized the team members and coaches.

Girls Softball Teams12 and Under18 and UnderAll Star TournamentAmateur Softball Association

Mayor Cavanaugh stated Council would like to recognize two City of Aiken Girls Softball Teams—the 12 and Under and the 18 and Under. Mayor Cavanaugh read the proclamation for the 18 and Under Team and then the 12 and Under Team and recognized the team members.

Mr. Glenn Parker, Recreation Director, recognized the coaches and teams' members for their time and dedication. He pointed out there are several hundred volunteers that make up the youth sport programs without whom there would not be a program. He stated the

city had hosted this All Star Tournament at Citizens Park for several years. He pointed out that usually the host teams play two games and are out of the tournament. He said, however, this year both of the host teams won their age groups. He said the young people are doing a great job representing Aiken.

OVARIAN CANCER AWARENESS

Gail's Anatomy

Ovarian Cancer Awareness

Newberry Street Fountain

Teal

Mayor Cavanaugh stated Debbie Mills would like to make a presentation and request to City Council regarding Ovarian Cancer Awareness Month.

Mr. Pearce stated Debbie Mills is present. He said each year she comes to Council and asks for permission to dye the Newberry Street fountain teal and to place teal ribbons throughout the downtown in observance of Ovarian Cancer Awareness Month.

Ms. Mills stated she was before Council to request support of the Teal Awareness Campaign for Ovarian Cancer Awareness Month. She said they were requesting permission to place teal ribbons at the intersections in the downtown area and for permission to turn the Newberry Street fountain teal for the month of September. She said last year the teal fountain brought a lot of awareness to ovarian cancer. She pointed out that URS had agreed to financially support the campaign by dyeing the Newberry Street fountain teal. Ms. Mills stated Gail's Anatomy started out as a relay for life team. She said her daughter Gail was diagnosed with ovarian cancer at an annual check up. Three and one-half months later she passed away. She said Gail was her only child. She said she was blessed to have family and friends that encouraged her to do something to make a difference by bringing awareness to the symptoms of ovarian cancer. She said she had dedicated the last six years to getting the word out about ovarian cancer. She said this year they are asking for permission to place the teal ribbons downtown and to dye the Newberry Street fountain teal.

Ms. Alicia Owens stated it is very important to make people aware of ovarian cancer as it is a very deadly disease. She said the campaign is to make people aware of the signs of ovarian cancer.

Councilwoman Diggs moved, seconded by Councilman Merry, that Council approve the request to place teal ribbons in the downtown area and to dye the Newberry Street fountain teal for the month of September. The motion was unanimously approved.

BOARDS AND COMMISSIONS

Appointments

Anthony Coffaro

Senior Commission

Douglas Huffer

General Aviation Commission

Mayor Cavanaugh stated Council needed to consider appointments to the various boards, commissions, and committees.

Mr. Pearce stated Council has 17 pending appointments to fill vacancies on different City boards, commissions, and committees. Two appointments are presented for Council's consideration.

Councilmember Dewar has recommended that Anthony Coffaro, Jr. be appointed to the Senior Commission to fill the position vacated by Sheryl Phillips. If appointed Mr. Coffaro would be an at large appointment, and his term would expire March 14, 2015.

Councilmember Ebner has recommended that Douglas C. Huffer be appointed to the

General Aviation Commission to fill the position of Charles Hogan. If appointed Mr. Huffer's term would expire September 1, 2015.

For City Council consideration is approval of two appointments.

Councilman Dewar moved, seconded by Councilman Homoki, that Anthony Coffaro, Jr. be appointed to the Senior Commission with the term to expire March 14, 2015, and that Douglas C. Huffer be appointed to the General Aviation Commission with the term to expire September 1, 2015. The motion was unanimously approved.

Councilwoman Price stated she would like to nominate John Wallace for reappointment to the Recreation Commission for consideration at the next Council meeting.

HITCHCOCK PARKWAY WIDENING

SCDOT Proposal

SC Highway 118

ByPass

Mayor Cavanaugh stated members of SCDOT are present to present their current concepts for the S.C. 118 ByPass/Hitchcock Parkway widening project.

Mr. Pearce stated SCDOT Midlands Assistant Program Manager Bradley S. Reynolds has written to us requesting an opportunity to present the current version of their typical proposed sections for the Hitchcock Parkway (S.C. Highway 118) roadway widening project from Silver Bluff Road to U.S. Highway 1/Richland Avenue West. This request comes after their public information session that was held at South Aiken High School in November, 2012. He said Kevin Gantt of SCDOT was present to make the presentation regarding the work that has been done by SCDOT on the Hitchcock Parkway widening project.

Mr. Pearce stated the project has been talked about for several years. He pointed out Mayor Cavanaugh chairs the ARTS Subcommittee, of the Augusta Regional Transportation Committee. The project has been on the list for some time. It has been on the top of the list, moved to the bottom and back up. He said the City had received some State Transportation Improvement Program funding (STIP) in the amount of \$13 million for the project. In addition the citizens approved \$4 million in One Cent Capital Projects Sales Tax money for the Hitchcock widening project. In the fall of 2011, the city received a letter from the State Infrastructure Bank asking if the city would like to renew the application that had been filed in 2007 for funding by the State Infrastructure Bank for the project. Staff did meet with the group in the fall of 2011 and again in January, 2012. The State Infrastructure Bank approved a forgivable loan of \$9 million towards the project. At that point the city had \$26 million in committed funding, and the State Infrastructure Bank Board was very clear that as we progressed with the project that we could come back if additional funding was needed. He said it is our understanding that after the first of the year we should have a clearer idea of the additional funding that the Infrastructure Bank has available.

In November, 2012, a public information session was conducted at South Aiken High School. Mr. Gantt was there with several other staff members from SCDOT. They had long aerial photos with maps for the public to view and to comment on. The aerials had the existing Hitchcock Parkway and then a set of lines, with the yellow lines probably being the most memorable. SCDOT described those as being the worst scenario of additional right of way that would have to be taken in order to make the widening project happen. The yellow line went through houses, and the gas plant; it took out the bell tower at St. Paul's Church and encroached into several residential lots that are contiguous to the existing right of way. There was quite a reaction from the citizens. That meeting was covered very effectively by the media. DOT took those comments and began looking at what would be an appropriate concept for the project.

Since we received so much public input and comment about this project, the city hired Rick Toole, of W. R. Toole Engineering to do an independent evaluation of the project

and then determine if it would be possible to construct the project using only the existing right of way as much as possible and not have the yellow line worst case scenario. W. R. Toole Engineers subcontracted an independent traffic engineering firm, SRS Engineering from Columbia, SC. Their traffic study and traffic count used a more conservative approach than SCDOT does when evaluating traffic loads for roadways. The independent review showed that there was a roadway rated for 16,000 cars per day average which was carrying more like 17,000, 18,000 and 19,000 cars per day presently, depending on the section of right of way of Hitchcock Parkway. In addition to that Mr. Toole took the numbers and came up with some concept ideas for consideration by SCDOT in order to have the project remain within existing right of way and not have to go outside the existing lines. He said there are several considerations. He said the information was delivered to SCDOT on July 9, 2013, along with a copy of Mr. Toole's presentation. In addition to presenting it to the Chamber of Commerce, two sessions for public input were held. One was held on June 20, 2013, at the Weeks Center on Whiskey Road, and one held on July 2, 2013, at St. Paul's Church in their Family Life Center. Both were very well attended. Included in the agenda packet were copies of all the comment cards received from the sessions, a copy of Mr. Toole's power point presentation, and the additional materials that appeared in the media. There were also comments and emails from the Chamber of Commerce which were included in the agenda packet.

Having gone through the process and discussing the matter with staff who attended and discussing the matter with Mr. Toole, the overwhelming sentiment from the public sessions that were held was that the project really does need to stay within the existing right of way. A secondary, but equal consideration, is that Hitchcock Parkway be just a parkway, and not just a typical road widening project with nothing but hardscape.

The considerations that Mr. Toole had in his presentation were ideas that could enhance the parkway concept, and keep any expansion within the existing right-of-way as much as possible.

Ideas include:

1. A uniform speed limit over this entire stretch of road.
2. Elimination of the bikeway-pedestrian pathway from the right-of-way and finding another location for it.
3. Narrowing lanes.
4. Installing retaining and detaining walls at appropriate locations.
5. Having a landscaped median in appropriate sections.
6. Installing curb, gutter, storm drains, and green infrastructure where appropriate.
7. Having any guardrails as a timber design.
8. Adding acceleration and deceleration lanes where appropriate.

Mr. Pearce stated there was a lot of discussion about a landscape median. He said that was in DOT's original concept which they presented last fall. Mr. Toole included it in the presentation that he made. He pointed out the city did a project of landscaped medians on Richland Avenue W. from Robert M. Bell Parkway up to the Shoppes at Richland. That median has some grass, crepe myrtles, and other plantings and mulch. The city maintains that landscaping by agreement with SCDOT. He said that would give an idea of what the landscape median could look like. There was some concern because the concept from Mr. Toole's presentation had trees, and there were questions about whether that would be supported. He pointed out that the median on Richland Avenue W. is as narrow as 6 feet and as wide as 15 to 20 feet. That project has been in place for about 10 years.

Mr. Pearce stated Mr. Toole made suggestions about curb, gutter, storm drains and green infrastructure where appropriate and any guard rails that were placed in the project instead of just being like the regular guard rails like at the Laurens Street bridge to have a

timber design backed with metal. Mr. Toole suggested acceleration and deceleration lanes where appropriate.

Mr. Pearce stated Mr. Gantt is present to present SCDOT's concept. He said he understands that SCDOT's intention is to get some guidance from Council at this meeting about the project. He said the two overriding considerations heard from the public sessions which were held were that the project stay within the existing right of way and that it look like a parkway. Mr. Gantt would take any guidance back to their engineers who are working on an updated concept to take into consideration how the project could stay within the existing right of way and how it could look more like a parkway project as opposed to a typical road widening project. He said he understood they would take that information and later this year have an additional public information session at which we would have a revised concept for the public to view, provide comment, and ask questions. After that additional information session, there would be an opportunity for a public hearing on the project.

Mr. Pearce stated while SCDOT's latest proposed sections do not incorporate any of the comments or suggestions from our June 20 or July 2, 2013 public idea sharing sessions that featured a presentation by Rick Toole of W.R. Toole Engineering, SCDOT staff has these materials in their possession. These materials were delivered to SCDOT on July 9, 2013. They will review these materials, but first want to discuss the work they have completed so far, what the current typical sections represent, and what their path forward needs to be.

The Greater Aiken Chamber of Commerce, while not endorsing any particular section concept for this road, does support the widening of this road to a four-lane, limited access highway.

Mr. Pearce pointed out area residents are concerned about the impacts of this proposed widening on their adjacent property, and whether a four-lane road is even necessary. One thing to note; however, is that the \$26M in funding currently set aside is dedicated to this project and cannot be used for other purposes.

While SCDOT has yet to incorporate any of these suggestions, with input from City Council, they have expressed a willingness to incorporate into their concept those aspects that Council believes to be important to this project. With that input they will schedule a second public information session this fall.

For Council's hearing, therefore, is a presentation by SCDOT of current concepts for the S.C. 118 By-Pass and Council's further consideration of features it considers important for incorporation into this project.

Mr. Kevin Gantt, from SCDOT, stated Mr. Pearce had given a lot of the background that he was going to present so he would not go through that again. He said his purpose for being at this meeting was to give a project history and a status of the project and to let Council know where SCDOT is on the project. Mr. Gantt said he would present a matrix which shows how they arrived at the typical sections which he will show. He stated SCDOT had already met with Representative Wells and the city delegation, and they discussed what the city had summarized in its findings in hiring the W.R. Toole consultants and what SCDOT had developed. He said he would advance into his presentation and not go into the history, since Mr. Pearce had done that. Mr. Gantt showed the matrix that DOT compiled over the course of a couple of months. He said this was before the information meetings that the consultant held in Aiken. He said they tried to look at the matrix with the various agencies of the DOT—the traffic section, district office, support section, and design staff. He said he would review some of the issues that they looked at. He said they looked at the urban versus the rural section which is basically from Silver Bluff out to about Huntsman where the majority of the subdivisions are. He said the speed limit for that section is lower. They looked at the rural section which has limited access points and extends from Huntsman out to U.S. 1. He said they broke the project into sections to look at it. They also looked at bike and pedestrian accommodations. They looked at the median because there were sections that they presented at the first public information meeting that had a flush median where it

was painted. There is also the possibility of having a planted median which fits the environment more in Aiken to enhance the project. They also looked at lane widths and the use of curb and gutter to reduce the right of way impacts. He said they found out after the first public information meeting and sitting down with the city the first time, that right of way impacts would be critical to the project to reduce the footprint. They looked at the shoulder to shoulder width to give the consultant instructions on how wide the corridor needs to be so they can run the typicals and figure out where the total of the slopes would be in the final design. He said that is ultimately what they are looking for here. He said they met in two separate meetings and went through all the criteria and summarized it so they could have the chart to justify where they are in the process. He said it took several months to put the chart together.

Mr. Gantt showed a new typical section after direction from the city summarizing the public comments. He said the section was their effort in trying to reduce the typical section and still meet the purpose and need of the project. He pointed out Section A-B which would extend from Silver Bluff Road to about the mid-point of the project where the speed limit changes. That section is for a 45 mph speed limit. He pointed out some features which are different from what was presented at the first public information meeting. He said they minimized the median and left space for landscaping. He said they know that is something that the community in Aiken likes to see. It is very characteristic of what Aiken has along several areas in the Aiken community. He said they tried to provide that space and also reduce the standard 15 foot lane that they require in their design criteria to 12 feet. Because of the classification of the roadway, they were not able to reduce the lane widths so they have stuck with the 12 foot lanes because of the classification. He said that could be discussed in more detail later. Another thing that is different is that they reduced the bicycle accommodations and removed the green space that was behind the curb between the sidewalk. He said the district staff likes to see a buffer because it separates the pedestrians from the traffic, however, it is not required by the design. He said they like to see it that way for safety, but it is not required, so they took that space out and put the sidewalk adjacent to the curb.

Mr. Pearce stated his understanding is that the minimal existing right of way is about 100 feet with some areas being wider. He asked if the section he was showing was about 80 feet. Mr. Gantt stated there is a slight difference. He said what he was showing was a typical section that is about 80 feet. What was showed at the public information meeting for this section, which was enhanced and had more green space and wider lanes for the bicycle accommodations, was 96 feet. He said they have reduced what they showed at the initial public information meeting by 16 feet to reduce the footprint. He said the measurement of the section he is showing is from the outside edge of the shoulder. He said they still have to do the drainage calculations so they can figure where the slopes will fall. One of the constraints in the project is that the terrain rolls all the way through. He said the section could be put here, but if the slope falls off they have to go to the edge of the slope and build it out, which pushes out the width. The right of way could be a lot further than the standard typical section. Mayor Cavanaugh asked how much further he meant. Mr. Gantt stated if we can agree on a typical section, they could give the consultant instruction to go ahead and run that so he could show it. He said that is what they want to show at the second public information meeting. He said we have to agree on the section so they don't give a guesstimate but can tell what it will be within a few feet. He said that is the direction they are looking for so they can reconcile what the typical section would be. If the DOT and the city agree that they can use the section, they will give the consultant instructions to develop it. That is what they would present at the public information meeting. He said, as in any other project that SCDOT develops, they generally sit down with city staff prior to the public information meeting so staff has the information to review. Mayor Cavanaugh also asked if the section was DOT's best case as far as width. He asked if we have to have the sidewalks. Mr. Gantt stated the sidewalks are a consideration by the Federal Highway Administration. He said there was a recommendation in the report that the sidewalks be removed. He said, however, if the sidewalks are taken out they are still required to have the 6 feet to the back of the shoulder to the edge of the curb. He said they are required to have that because when you install the curb and gutter, they have to do a drainage system that has a pipe running along that space. It is also a recovery area from the curb to the back of the slope. He said if the sidewalk is taken out, the space still has to be there. It is a functional space. If it is

taken out, you will lose the enhancement and still have to have the space there. Councilman Homoki asked if there has to be a sidewalk on both sides of the road. Mr. Gantt stated you do not have to have the sidewalk on both sides of the road. He said as far as DOT we have to use the space there. He pointed out there are subdivisions on both sides of the road. If you accommodate pedestrians on one side of the road, and pedestrians want to get to the other side, you are forcing them to cross the road, whereas if there were a sidewalk on both sides it would not be necessary. He said those are conflict points that would be created for pedestrians to have to mingle with the traffic, and that usually does not work well. He said if we have to reserve the space, generally they make the consideration to do the sidewalks on both sides. Councilman Homoki asked if drainage would have to be on both sides of the 5 foot area and if both would be occupied with drainage regardless if there is a sidewalk or not. Mr. Gantt stated the use of curb and gutter requires them to put drainage at the low points and capture the water to get it off the right of way. If you don't use curb and gutter and just let water run off the edge, then it runs off naturally and goes through the grass and down the slope. However, by reducing that, if you let it go off the slope, you will have a wider typical section. He said that is why curb and gutter, even in the report the city got from the consultant, Mr. Toole recommends the use of curb and gutter to reduce the right of way footprint.

Councilman Dewar asked, given the intensity of the concern about the right of way that was presented in the public meeting in 2012, how much relief is DOT providing with what is being presented to Council at this time. He said he was hearing that we will still need a lot of right of way. He asked how much of the existing right of way that was presented in November will still be valid or how much will be reduced. Mr. Gantt stated the footprint is reduced by at least 16 feet, but they need to quantify that by running the typical and being able to quantify where the slopes fall. Once that is done, they will be able to show Council what the impact is. It would be greatly reduced from what DOT showed before. He said what they tried to show was the maximum impact so they did not leave anything out. He said they tried to capture the widest part possible and gather comments about impacts. He said now that they have gathered that information, they feel that by reducing the section to the minimal footprint, that they can show exactly where it will hit. Councilman Dewar asked if they had been able to determine how close they would be to St. Paul's Church. Mr. Gantt stated even from the beginning they estimated the contract and put quantities in for the consultant to design retaining walls. He said they tried to grab a figure to say they knew there would be certain impacts so that was estimated in their effort. He said there is probably 4,000 or 5,000 feet estimated in their effort to design those, but that is cost prohibitive. He said the information sent to him last week did not show all the locations where the walls are recommended. He said he had seen walls escalate a project cost by \$10 to \$15 million. They are cost prohibitive to use to keep within the right of way footprint. He said you could spend millions easily by adding additional walls to reduce the right of way footprint. He said they would like to look at point locations. He said they knew in doing the initial scope for the work on the project, when they were contracting with CTS, that the church was going to be an issue. He said they also knew there were other points on the project that would be issues. He said they tried to estimate a quantity for that in the design and then take care of that after public comment and direction from the city. He said they did make accommodations for it.

Councilman Merry asked if Mr. Gantt was saying that he could not answer a question about how much of the roadway you will use until you have a cross section of width to start with. Mr. Gantt said that is right. Councilman Merry asked if it was possible if DOT was told to use the 80 foot number as a first scenario, that DOT could calculate those things so they could actually see how much right of way it uses and what interference it causes outside the right of way, if at all, and come back to the city and revisit the cross section. Mr. Gantt stated the intent is to agree on a typical section, and then move forward in that manner. He said what they would present at the next public information meeting would be that end result. Councilman Merry pointed out that we are at a little bit of impasse because Council is being asked to agree on a cross section when they don't know what the impact to the cross section would be. He said Mr. Gantt is telling Council that SCDOT can't tell us the impact until you have the cross section. He said it is a catch 22. He said it seems to him that the only logical way to handle it would be to come up with a scenario one, run the numbers to see what the slopes are, the width

of the grade, etc. and then come back and revisit the cross section, and if you have to come up with scenario two.

Mr. Gantt stated he would like to express that is not the end of the process. He said if we make a determination to use the reduced cross section, a typical section, and run that through, that still is not the final design. He said they would be taking the information presented to the public for comment, and if there are specific areas where we want to try to mitigate other options, we would still have that open. He said what closes the process is a public hearing. He said we would be having our second public information meeting which means that the process is still dynamic in the fact that we are still trying to change it and tweak it to make sure we are delivering a project that we all can live with. He said as an engineer, he is trying to meet design criteria, but the project affects the Aiken community; it is infrastructure for businesses. It is a way to and from home for a lot of people who live in the corridor. A lot of people in the community go back and forth. A lot of people are involved in different ways. He said they are trying to move forward through a process so everyone has the opportunity to have their voice heard. He said they have to deliver the project by specific criteria, but they are held by standards by the Federal Highway Administration which provides a lot of the funding for the project. He said if we agree on the section, it does not make it final. There are still other means to be able to mitigate and reduce the right of way. He said DOT can't give Council the number until we agree on a section. Councilman Merry pointed out Council can't give an agreement, until they have the numbers. Mr. Gantt said they want to move forward and be on one accord. He said they can't give the answers until we have agreed to work together and move forward. He said they can't produce that until we reconcile what the typical will be.

Mayor Cavanaugh stated his question was is this typical the best case. Mr. Gantt stated yes. He said they had met at two different times, reduced it, sat down again with the group and reduced it again. He said the district was adamant about certain features. Then they would go back to support and traffic to see if something was a requirement. He said they knew the gravity of the situation. He said the support staff does not like 12 foot medians, but they understand that this project is context sensitive, and we need to try to reduce the footprint to be able to move forward. He said normally the project would go through one to three public information meetings, and they would gather that information from the public. However, what they did they pressed their staff to give a bare bones minimum, and that is why it took so long to get through developing the chart and coming up with new typicals that reduce the right of way.

Councilman Homoki asked the minimum width of the current right of way. He said he assumed it is not always consistent. Mr. Gantt responded that it is consistently 100 feet through this area. Councilman Homoki stated if they started building or designing and if they in fact are jeopardizing some property, would they be able to "S" the road around or move it to one edge of the right of way away from another threat. Mr. Gantt said they do look at curving the roadway where possible if they are trying to avoid an impact. It is an option. He said it is hard to do in this situation, especially on the end where the subdivisions are. They are already established, so if they swerve to the left, it would be like redistributing that impact unfairly to the residents on that side. He said if you stay the course and go about the center line of the roadway, you minimize the total and kind of share the impact. That is usually the fairer way to build it. He pointed out the structure, like the church and the bell tower, which is right adjacent to the right of way. He said they knew initially because of how close it sits to the existing edge of the right of way, that they would have to mitigate, more than likely, by using a wall. It will probably cost more to swerve the entire roadway because that generally takes thousands of feet to put a curb in the road and then maintain the site distance as you approach and go through the corridor. It is easier to try to mitigate at the point than to "S" the road.

Councilman Merry stated that Mr. Gantt is talking about the biggest problems being in areas where the road is elevated above the adjacent property to the left and right of the road. He asked about lowering the grade of the roadbed itself so you don't have as much slope to deal with.

Mr. Gantt stated the reason they probably would not do that is because it becomes cost prohibitive. If they were to lower the grade of the road, they also have to be concerned with maintaining the existing traffic. Then we would be dealing with traffic control issues that are in addition to the work that we would be trying to accomplish. It is easier to be able to phase the work, building an additional lane out at the existing grade and then bring it up with a layer of resurfacing at the end.

Councilman Merry stated the roadbed is built up, and in some areas it is pretty high. He said that was because in some areas it is too steep. He said it just seems that we are now trying to accommodate the fact that we built it so high in the first place.

Mr. Gantt stated when he rode through the project the first time there are areas, especially on the more rural end where there are not as many access points, such as the backside of Hitchcock Woods, where you can see the slopes fall off for a great distance. He said those are areas that they are concerned about, but they need to run the typical section and see how those sections look with a reduced typical and see where the impacts lie. If they need to reduce those by using a guardrail and a steeper slope, they have many options, a lot of which were recommended in the study. He said they reviewed that initially and will respond to it. He said a lot of those things are recommended in the study. He said they will look at those points and see what can be done to reduce and mediate that impact.

Councilman Dewar asked where B was on his chart. He said A is Silver Bluff. Mr. Gantt stated it is about Huntsman, but there is another small road. He said Huntsman has always been the break point that they were using. When you drive through Huntsman there is another few hundred feet and then it reduces. It increases to 55 mph after U.S. 1.

Councilman Dewar pointed out Mr. Gantt was talking about the section from Silver Bluff to the entrance to Aiken Elementary School. He asked if he would come back and talk about the section from there to Highway 1.

Mr. Gantt stated that was the next slide. He said the next section was B to C and for the 55 mph speed limit. He said the road breaks just after Huntsman and it goes up to 55 mph. When you get to Dibble Road, it drops back to 45 mph and that goes all the way up to the intersection at U.S. 1 at the end of the project.

Councilman Dewar stated he was sensing that we are in a frustrating point because he thought the public is expecting to get enough information to make a decision as to whether they will like the road or not. He said based on what they have seen so far, a lot do not like the road and are not happy with the right of way. He said it seems that Mr. Gantt is asking Council tonight to give some direction and okay going forward. He said he was not sure anyone would be comfortable saying that because they want to know the information that DOT can't tell us until you hear Council say this is okay. He said he did not think there was a rush. He said he would not be upset if we don't have the public meeting in November. He said we need to have a public meeting that is going to have the right information for the people to make up their minds as to what they think of the road and for Council to make up their mind. He said he hoped there was no sense of urgency for the November public meeting for this year.

Mr. Gantt responded he does understand, but he wanted to express to Council that by saying to run the typical sections, is not a final decision. There is no finality to the process. We need to move forward so we can present this information to the public. He said if we have a stalemate at this meeting, and no decision is made, he said they have a consultant that has an active contract signed with SCDOT that would be idle. He said this is money that was dedicated to this project by the MBO with the direction of developing the project. He said we are all partners in this. He said he did not want Council to think by saying we will do this typical section and run it through that you are saying to the public that you commit to this and this is all we are going to do.

Councilman Dewar stated his most negative comment of the night, is that he was not sure we are as much partners as you think we are. He said we tried to get contact with

SCDOT early in this process so we could try to get up front and address some of the concerns and participate in the process, but we were not able to do that. He said we still need to have the right information to make the decision. He said he can't imagine Council or the residents being happy with anything that isn't final. He said they are going to want to know this is the way the road is going to look.

Mr. Gantt stated he understood that, but the plans would not be final until we have a public hearing and accepted them from that point. Having the next public information meeting is just another outreach to the public and the community for us to agree on what that is. He said a public information meeting is similar to what they did in November. He said at the end of the process before any right of way is acquired for the project, he would be back before Council for approval of the project in the form of a Municipal Agreement. He said they would not advance the project until Council agrees on what we had gotten to at the end of the public comment. He said before the public hearing he would come back and make a presentation to City Council with a Municipal Agreement, as the road is within Aiken's jurisdiction. He said that is a courtesy that DOT extends to every municipality where they develop a project.

Councilman Dewar stated his question was how much the public input in the November, 2012, meeting has affected what DOT now wants to do.

Mr. Gantt stated the presentation is a result of the public information meeting and several meetings with the City staff.

Councilwoman Price stated her point is that we have had information meetings with the community. Mr. Gantt is bringing section designs and proposed information to Council. She said Mr. Gantt had mentioned that the A-B typical section which he had shown was 80 feet. She said if Council asks DOT to come to Council and show the A-B-B-C plan, could Mr. Gantt bring that to Council at the next public information meeting for the community to review and have input on something real that the citizens can look at and see the impact of the A-B-B-C plan. Mr. Gantt said yes, he could. Councilwoman Price stated the question she has to Council is what is wrong with Council requesting the details on the plan, to get the project moving forward.

Councilman Dewar stated the issue thus far has been quite emotional on the part of the community. He said he would be more comfortable with Council getting something they could agree on and go to the public.

Councilwoman Price stated she did not think Mr. Gantt would have an objection to that as long as we tell him what we want. She said Mr. Gantt wants to move forward. She said if Council would give him some direction he could give Council something and Council could hash it out.

Councilman Dewar stated perhaps Mr. Gantt could come back to the next meeting with numbers based on this so Council can see it. He said Council is not seeing the right of way. He said that was the major concern in the November, 2012, presentation. He said people were unhappy with the right of way. There were a couple of buildings destroyed and the road was too close to the church. He said he was not sensing based on what Mr. Gantt was presenting at this time, how much the right of way has been reduced. He said he thought that was what we all want to know.

Councilwoman Price stated that is why it is important for Mr. Gantt to bring that information to Council so they can see how the impact is with the citizens in the community. Councilman Dewar stated the public meeting is confusing. He asked if he was talking about coming back to City Council or talking about a public meeting at another location.

Mr. Pearce stated he thought what Mr. Gantt is asking is for Council to provide the direction. He pointed out the B-C section goes from Huntsman to U.S. Highway 1. If this was the way to go, the B-C section is what would be adjacent to Hitchcock Woods. He pointed out the two overwhelming concerns from the public information meeting and idea sessions that were held, are that the road stay within the existing right of way as

much as possible and to make sure the roadway looks like a parkway and not a typical road widening project. He pointed out to clarify, the A-B section was reduced from 96 to 80 feet. He said the understanding in the B-C section is that there is about a mile to a mile and a half that is 55 mph. It was pointed out that the A-B section is 45 mph. In order to go with the 80 feet, would SCDOT want to see a corresponding reduction in the speed limit for that section.

Mr. Gantt responded they would. He said in their technical meeting with city staff, they discussed the possibility of using the 80 foot section throughout the project. He said that does pull the footprint in, but you have to reduce the speed limit from 55 mph to 45 mph.

Mr. Pearce stated if there is a consensus about a consistent speed limit through the whole project and you know you are dealing with a typical section of a total width of about 80 feet, then you can get the additional information which is to take the 80 foot typical section and see how that sits down on the aerial photo.

Mr. Gantt stated DOT in general does not like to develop a project where we are reducing the speed limit in a corridor. He said if the city requests that we use that in writing, then basically we go through the director for approval on that and staff, and we can run the typical and show it at the public information meeting.

Mayor Cavanaugh asked if DOT could have both typicals at the public meeting to get response. He said he was not sure the public would not be satisfied with 45 mph if they knew it would reduce the width and mean you would not have to take more right of way.

Mr. Gantt stated in reading the comments that city staff summarized, he did see comments that people wanted to maintain the 55 mph speed limit. He said there was a voice from the public in those comments. Mr. Gantt stated if it is the city's intent for DOT to run numbers on both the typicals, they could do that and show the impact and take comments. He said that would not be a problem.

Mayor Cavanaugh stated Council needed to decide whether they want to make that decision at this meeting or whether they want more information and want it to be presented at the public meeting.

Mr. Gantt stated DOT tries to make sure that before every information meeting that the information be transmitted electronically, or at a meeting, to communicate where they are. He said normally before they have a meeting they transmit information to the city so when they come to the meeting they don't come in cold to see something brand new. He said if Council gives DOT direction, he said they can sit down again with staff to review what DOT will present. He said that had been their policy in the past, and he did not see changing that. He said they do understand the gravity of the situation as far as the public being involved about the impact. He said if DOT gets the direction tonight, and we can reconcile how to move forward, DOT will make sure they come back and sit down and review the plans.

Mayor Cavanaugh pointed out it could be changed back at the public meeting by the citizens saying that they do not want to reduce the speed. Mayor Cavanaugh stated he felt we should have both typicals shown at the public meeting. He said it looked like, based on what Mr. Gantt was saying, that we would not lose anything by saying let's look at a typical with the 45 mph to see what it looks like. He said he likes the idea of presenting both the 45 mph and the 55 mph and the difference and taking comments on that from the public. He said Council and DOT had promised the public that there would be another meeting. He said he did not think it would be fair for Council to be making decisions at this point unless they could be changed. He said it could be changed based on comments from the public at the meeting. He said it would still have to come back to Council eventually for a final decision.

Councilman Ebner pointed out that we were talking about seconds between 45 mph and 55 mph sections. He said it could be 15 seconds between 45 mph and 55 mph going up

hill. He said for semantics we have to be careful, we are talking about 15 to 20 seconds maximum extra travel time. It might be as low as 12 seconds for the 1 1/2 mile area.

Councilman Homoki stated he did some calculations. He said if it was 45 mph from beginning to end for a 7 mile stretch, it would take about 9 1/2 minutes to get there. If you were 55 mph throughout the whole stretch, not just certain places, it would still take you almost 7 minutes 40 seconds. He said we are only talking about a minute and half or two minute's difference.

Councilman Ebner pointed out you have to consider the traffic signals. He said we are talking about the one section being a few seconds. He said the time is 22 seconds.

Councilman Dewar asked that Council not get distracted with the speed. He said the objections on the part of the community were the right of way and how the road was going to look. He said he was not prepared to vote tonight on one of the typicals without his knowing what the right of way is going to be. He said that would be voting with the unknown.

Councilman Homoki stated if we go back to the B-C typical what would the consequences be if we had the sidewalk adjoining the travel lanes on both sides and have the two foot of gutter and have the sidewalk and eliminate the 8 1/2 shoulder from the left side and add it onto the shoulder on the right side outside the sidewalk, almost like a parallel road.

Mr. Gantt stated the reason for the 8 1/2 feet is that we are required at 55 mph to maintain a clear space between the nearest obstruction and the edge of the travel lane. The increase in speed limit from 45 mph to 55 mph requires the additional 10 feet. He said we are actually using 1 1/2 to 2 feet for the curb and gutter and using that space added to the 8 1/2 feet to give us the 10 foot of clear space outside the edge of the lane. By increasing to 55 mph we have to have that space. If the speed was 45 mph that would not be a factor. He said that is the difference between the two sections.

Councilman Homoki stated if the sidewalk were moved in and we eliminated the 8 1/2 feet on either side, you could almost build a bike trail or something adjoining, and it really would not interfere but would be a lot safer. Mr. Gantt responded the only way to do that is to reduce the speed limit.

Councilman Dewar stated in the agenda packet there is a 10 year collision data. The report reflects 462 accidents since 2004. He asked from a traffic engineer perspective if there was more detail on the accidents such as what kind of accidents, would that have any impact on the design. He said the locations are on the report, but not the kinds of accidents.

Mr. Gantt stated if we were to increase the capacity of the road, the accidents would decrease because you have more mobility for the traffic to go around people at those conflict points. He said by widening to accommodate for capacity, generally the number of accidents would go down. He said because traffic is restricted to two lanes with high volume going through the corridor, one of the first things you look at in a project is increasing capacity. When you accommodate for the capacity, it makes passes through the corridor safer, and it also makes conflict points at the intersections safer. The capacity that is trying to be added to the project would make it safer. If someone is stopping to turn and they have a dedicated or left turn lane and you are going to turn right you signal and you still have the through movement as uninhibited.

Mayor Cavanaugh stated he was concerned about the accident figures. He asked if we have a median with trees or bushes and someone has a problem on a lane with nowhere to go off to the side either way, how much concern is that to DOT.

Mr. Gantt stated when they laid the project out initially, they had wider shoulders that would accommodate for people to be able to pull off into those areas. He said basically it

is a compromise. He said if we reduce the footprint, then we also reduce other facilities that accommodate for some of those safety issues.

Mayor Cavanaugh stated one thing we could do is do away with any growth on the median and just make it flat.

Mr. Gantt stated we are at a point in the process that we have looked at the public comment and summarized that, not just from the first information meeting, but also from meetings with city staff. One of the things they wanted to see that was somewhat different from what DOT presented was the planted median. He said what DOT presented is a summary of not only the comments from the first meeting, but it responds to some of the voices that the city gave them in the independent study. He said there was an outcry for the planted medians to be there because of the character of the community, and they wanted to see that.

Mayor Cavanaugh stated that was good, and he thought that would be beautiful. He said he would like to see the planted median himself. He said he travels the road almost every day and has for the past 30 years. He said he was just asking the question about the safety aspect of the planted median if there is an accident in any lane and there is no place to pull over. He asked how they look at that kind of matter.

Mr. Gantt stated he would like to see a shoulder that was paved out and then grass and no curb. He said curb is high maintenance. He said a pipe would be buried under the curb to handle the water instead of it draining off the slopes naturally. Using the curbs allows us to move the footprint in. He said having a shoulder and no curb is easier to maintain and the maintenance cost over the life of the project would be a lot cheaper because you are not maintaining a pipe that is buried under the ground, nor are you replacing curb and gutter from accidents where people run up on them. Mr. Gantt stated if we were to do that it makes us go backwards in the matrix to much wider footprints. He said you end up with a wider typical section because you go out on the shoulders and you have to establish a recoverable area of the shoulder, which makes the road much wider. That was not the direction that was received from the first public information meeting, nor the meeting with city staff.

Councilman Merry stated he understands Mr. Gantt is asking Council for guidance in terms as to what section DOT can use for calculations, but it is not committal nor the final say. Council would be giving guidance on how to do the calculations so DOT could give Council the answers needed to share with the public so we can see if we are happy or unhappy with the roadway. He said Mr. Gantt is looking for guidance for DOT to give Council answers so they can make an informed decision. Presently it would be an under informed decision.

Mr. Gantt stated DOT does not know, and Council does not know until some calculations are run on the typicals.

Mr. Pearce stated the point would not just be the typical section, but the typical sections and how they would look on the 5.5 miles.

Mr. Gantt stated his main purpose was to show the typical sections to Council, discuss those, and get direction from Council so DOT could get the information to the consultant.

Mayor Cavanaugh stated he would like to have some comments from the citizens present.

Councilman Ebner stated he would like to go back to Silver Bluff Road. He said we had almost the same situation we have now. He said there are some other hurdles that you have to take care of such as environmental study, stormwater study, etc. He said there was a time chart on what was needed and when it was needed. He said he felt it would be good to give Council a schedule with time frames for the project. He pointed out when the environmental study was done on Silver Bluff, additional work had to be done. He said that would help people to know what is going on. He pointed out the last public hearing is it, and the project moves forward. He felt there needs to be a listing of check

points so we would know what DOT will be doing and when. He said some of the check points such as environmental study and stormwater get to be important when doing the slopes, etc. He said that was an issue on Silver Bluff at Hartwell, and at the entrance to Woodside and Silver Bluff and that was minimal slope compared to the bypass. He felt a check point summary is needed on each step that has to be done.

Mr. Gantt stated if Council does agree tonight or in a couple of weeks, DOT will need two months to develop the impact of the typical section being run through the whole corridor. He said they should be prepared for the second public information meeting in approximately two months. He said they will get to the next public information meeting, and that will show us the impacts of the slopes being put in. Councilman Ebner stated that cost two or three years on Silver Bluff, and we don't want to go down that path again. Mr. Gantt stated once we agree on the typical and get comments at the second public information meeting, and once we agree on those we will go back and do the drainage calculations. We will perform the noise study before we present the next set of information at the public information meeting. He said if we have to do any kind of abatement for noise, that needs to be included on what we show on the next set of plans. We will still be working on the environmental document and developing the hydro. That will show how far the slopes will be pushed out and if we have to make any additional accommodations like was done on Silver Bluff for detention ponds to hold the water within the right of way without dumping the water into the stream.

Councilman Ebner stated they have enough information that the amount of water that is going to fall on the surface area is the same. He said if it is 80 feet or 96 feet wide there is very little difference, so it is a 20 inch pipe versus 24 inch. He said that needs to be done before we get there as it will change the slope of the roads.

Mr. Gantt stated what is important about what Councilman Ebner is saying is that we cannot determine what the impact will be until we move forward deciding the typical, as we are asking at this meeting, figuring out where the slopes will hit, and then we run the drainage calculations through the projects. If we have to do any detention areas, those require additional right of way. He said that was an issue on Silver Bluff and several projects. He said they can't know that until we keep moving forward in the process. He said if we don't get that out of the way, it holds up other stages in the design.

Councilman Ebner stated it took about three years on Silver Bluff back and forth. He said we have experience and a lot of the people here were also at the Silver Bluff meetings. He said as we go through this there are many fingers that come back and bite.

Mr. Gantt stated as far as the schedule when DOT comes for the next public information meeting, the consultant will give us a new schedule, as we are behind in trying to figure out what the typical will be. He said there will be a new schedule which takes us through the public hearing. He said that is the point when we finish the project development process and move into right of way.

Mr. Bob Horning stated he has lived in Aiken over 20 years and been up and down the bypass several times a day over the years. He said a week ago he and some friends obtained a petition containing 362 names of people that are not interested in widening the Hitchcock Parkway at all. He said in a couple of weeks a group will be involved with a concerned citizens group about tax dollars being wasted on this project. He said we don't know what it is going to cost. He said last week at the ARTS meeting, the gentleman from the Highway Department had to say that they were about 300% low on their estimates on the right of way purchasing. He said every project that he reviewed all were a minimum of 100% low. He said that means we are millions of dollars low in this project. It seems we are on a locomotive heading through this and the project has to go. He said he had not heard a reason yet why it has to go through. He said they were going to work on this very closely and have the committee meet several times and find out why we need the road. He said it would be good to have the information on the wrecks and what type wrecks were involved on the bypass. He said he lives on the bypass and has not seen any wrecks. He said it would be nice to have all that information available for the public so they can be informed as to what is happening.

Mr. Bob Gilbert, of Huntsman Drive, stated he would not be directly affected by what happens to the parkway. He said his interest is purely as a citizen observing the events of the project. He said he noted five matters that have not been addressed. The first is that in addition to the two factors that were predominant in the surveys that have been collected, there was a third one. The two that have been mentioned are that the roadway stay within the right of way and that it look like a parkway. The third item is that there are a lot of people who do not see the need for four and five lanes. He said the road would be five lanes at intersections. It is four lanes in other places and five lanes in intersections. He said the third item on the surveys that people don't like is that people don't see the need for four and five lanes. The second item is related to the first one. He said he was glad Silver Bluff Road was mentioned as he felt it was a good prototype for Hitchcock Parkway. It is a much simpler design, construction and much less costly per mile, at least in theory. He said the second matter is that Hitchcock Parkway could follow the same model that Silver Bluff Road did; that is after seven or eight years of agony, the purpose and need statement for the project was changed from capacity to corridor improvements and operational improvements. That change can be directed by the South Carolina ARTS Policy Subcommittee with approval from the higher level committee. He said that is what happened on Silver Bluff Road and got that roadway reduced from five lanes to the current three lanes. He said that terminology is well understood by the Department of Transportation, and if that change were to be made, we would immediately be backing off from the insistence on four and five lanes. The third matter is that the official cost estimate in the two latest official planning documents for this project show an estimated cost of \$41.3 million. He said he had heard other numbers floating around by DOT, and by Toole. He said as far as he was concerned they don't mean anything. He said there is one official number that currently exists which is pretty current. He said it is updated every year by ARTS. It is \$41.3 million. The amount of money in the bank account as mentioned by Richard Pearce is \$26.5. He said we are talking about a \$15 million shortfall for the project, and we don't even have a design for the project. He said as Bob Horning had mentioned, it seems like the pattern is that we have multiple of hundreds of percent increases in these projects when we get started down the road doing detail design. The facts are on Silver Bluff Road the right of way acquisition costs, a simple project, have gone from \$500,000 to \$1.5 million. The cost tripled. He said we are starting out with a \$15 million shortfall. He said Mr. Pearce mentioned that we have a good relationship with the Transportation Infrastructure Bank in Columbia, and that they are amenable to increases in funding. He pointed out this is all tax money however you look at it, whether it is federal, state, or local. He said the fourth matter is that the proposal that was submitted in 2007 to the South Carolina Transportation Infrastructure Bank to get money for this project was entitled I-20/SRS Access Improvements. He said this was a proposal to provide four and five lanes all the way from the intersection of SC 19 and I-20 all the way to the Savannah River Site. He said that was in 2007 when the Savannah River Site was already in a serious state of decline. That justification was reinforced in December 2011, and again in April, 2012. He said that is all documented. He said very recently that same justification is being used for this project to get money. He said that makes no sense for three reasons. First of all the Savannah River Site workforce has declined by over 60%. He said 14,000 employees times two people in a family on the average, that is 30,000 people that are no longer employed or associated with Savannah River Site. The second reason it makes no sense is that the taxpayers in the past few years have spent \$260 million building the Palmetto Parkway which provides a wonderful, lightly traveled access almost directly from I-20 to Atomic Road SC 125 which goes right to the front door of the Savannah River Site. The third reason it makes no sense is that the taxpayers within the past number of years have spent tens of millions of dollars to four lane US 1 from the intersection with I-20 and then we spent tens of millions more for five laning East Pine Log Road. The fifth matter is additional traffic signals. To the extent there is any congestion problem on Hitchcock Parkway now, it is traffic signals. People stop when there is a red light generally and traffic tends to back up behind the traffic light. The biggest issue is at the intersection of U.S. 1 turning left at afternoon rush hours. Traffic backs up at that red light. Of course, the solution to that is very simple and inexpensive, you add another left turn lane. He said his background is engineering so he knows a little bit about this, but he sees at least three additional traffic signals being needed to be added to Hitchcock Parkway. DOT says the lights are not justified and Toole says the traffic count does not justify the lights.

He said, however, if you are exiting Dibble Road and making a left hand turn onto five lanes at that point, which it would be, as there would be two through lanes in each direction and then a turning lane, and then you would go up a steep incline. He asked if there was anyone here who believes you don't need a traffic signal under those circumstances. He said a lot of traffic at that point is massive pickup trucks hauling massive horse trailers. He said he heard Toole say you kind of inch out into the near lanes, and get in the median, then you wait for traffic to clear. He said it sounds crazy. He said there are two other places, with one being at the school, Rhinehart Drive, and the third one is at Oriole which are already problem areas. He said a couple more points and he will stop, although much more could be said. He said section B-C which was shown for roughly from Huntsman Drive to US 1, looks like East Pine Log Road to him which is, as far as he is concerned, a highway waste land. He said it doesn't look too much different than I-20 except you don't have the benefit of a nice median. He asked if anybody is serious about this. He said at the November meeting with DOT, they had just the opposite arrangement. They had this cross section shown for A-B and then the current A-B was B-C. He said they had just turned the tables upside down. He said in the two Toole meetings which he attended, they presented miles of retaining walls. He said his observations about that were threefold. He said he was not necessarily against retaining walls in the right places like I-20 going through Augusta. He said for Hitchcock Parkway that is supposed to look like a parkway, he did not think so. He said there were three things which he mentioned. First of all, that is a megaphone for noise. This is miles of retaining wall. Second, it is a beautiful concrete canvass for graffiti artists. The third thing is cost. He said the cost has to be through the roof. He said he was assured by the president of Toole Engineering in both of those meetings that not only was it not more expensive than running the toe of the slopes out, but probably be less expensive than all the earth work. He said this evening we heard just the opposite from DOT. Mr. Gantt said we can't have retaining walls as they are too expensive. He said as far as the 55 mph speed limit, 22 seconds is the correct figure. There is 22 seconds difference between traveling 55 mph and 45 mph over a 1 1/2 mile. It is probably less than that because you don't instantaneously reach 55 mph and you don't instantaneously slow down to 45 mph. It is probably 15 seconds. He said Toole's plan called for 45 mph throughout. One of the reasons is that it would be a uniform speed limit and people would not have to worry about knowing what the speed limit is in a particular section. He said in a meeting with the Public Safety Director, he said 45 mph should be done from a safety point of view.

Mr. Larry Beyers, of Hillsdale, said he was not going to say anything until he saw this section. He said the section is for the 1.9 miles that goes by Hitchcock Woods. He said one thing that calms drivers down and helps to return to a normal attitude of driving, is going by Aiken's crown jewel, which is Hitchcock Woods. To desecrate or have the attitude of desecrating the beauty and bucolic drive by Hitchcock Woods by putting down East Pine Log is indicative of an attitude that says we could care less about you people in Aiken. He said the attitude of most of the people in this room and in other rooms going back to November, 2012, was probably very succinctly synthesized by the Aiken County Legislative Delegation when they wrote to the secretary of DOT and asked that this plan be reconsidered and that a more targeted approach rather than a blanket approach be proposed, working within the current right of way with passing lanes in strategic places. He said that was sent by Don Wells. They received an answer to that from the secretary of DOT who said they could accommodate those things. All you have to do is have the ARTS change it from a capacity driven project to a road improvements project. He said that is what the residents are asking to be done.

Ms. Ann Willbrand stated he is a 28 year resident of Dibble Road. She said many of those present do not support the project, but she has seen the traffic increase steadily over the 28 years on the parkway. She said she does support four laning it. She said Mr. Pearce had mentioned that the plan has been an on again – off again thing for years. She said she felt it was time to get it done. She said we know that the traffic is going to steadily increase, particularly now that there is major commercial construction at U.S. 1. We know there will be more construction in that area. She pointed out that another area on US 1 had been cleared between the parkway and Walmart. She said she felt it is very wise to proceed with the project. She said after hearing the presentation, she felt she tends to feel that keeping the speed limit to 45 mph all the way is probably a more

reasonable option. She said she would rather be driving 45 than 25 behind a dump truck. She said she has had to do that many times going up the steep hill to the church. She said she also knows that Dibble Road is an area where there have been a lot of accidents over the years. She said a few years ago she got information from DOT about the accident rate because of some issues that were going on on Dibble Road. She said she agreed with Mr. Gilbert that it is absolutely critical that Dibble Road have a traffic signal with a left turn signal heading east onto Dibble just because of the horse trailers. She pointed out that on Saturdays and Sundays anyone would see dozens of horse trailers parked at the first entrance to Hitchcock Woods. She said there is no way those heavy trucks and trailers will be able to safely make left turns across two lanes of traffic. She said a traffic signal has been needed for a long time. She said it is difficult now to make a left turn from Dibble onto the parkway. She said engineers might look at the traffic numbers and say Dibble does not justify a light or say it is too close to the light at Hwy 421 for another light. She said no other intersection on the parkway has the horse trailer traffic that is at Dibble Road. She said she strongly supports a signal at Dibble and hopes that the project does move through so we are preparing for the increases in traffic in the future on this major artery. She said we have to be looking forward.

Councilwoman Price pointed out that the Collision Report for accidents on Hitchcock Parkway shows that there have been 94 accidents at Dibble Road over the past few years, with 7 accidents so far this year. It was pointed out that Dibble Road has the highest number of accidents of the intersections on Hitchcock Parkway.

Councilman Dewar asked Mr. Pearce if he had seen a copy of the letter that the Aiken Delegation sent to SCDOT. Mr. Pearce responded that he does have a copy and had received it just before coming to the meeting. Councilman Dewar stated he would have appreciated the courtesy of a copy of the letter sooner.

Ms. Sherry Norton, of Surrey Woods, stated she had been asking her neighbors about signing the petition against the widening of Hitchcock Parkway. She said she got a lot of signatures, but many people said there was no reason for them to sign it because the city was going to do it anyway and no one was listening to them. She pointed out one of the things that had been ignored tonight was all the comments that had been given by people who do not want the road widened at all or just want to pinpoint the areas where there have been accidents. She said just because there have been accidents at Dibble Road does not mean you have to widen the whole road; something could just be done at Dibble Road. She said safety had been given as a reason to widen the road. They mentioned ambulance travels to the hospital and back. She said presently the ambulances have access to two lanes and people move over for them to get by. She said they would only have access to two lanes in either direction with the widening of the road because there will be curbs and medians. She said with no shoulders to pull off on the A-B section, if someone has a flat tire that will be a safety issue. She said she had also heard that if we don't use the money that is available now, they will give it to somebody else. She said she did not think that was a reason to do a project. It does not seem ethical to her. She said there is a possibility the money could be reprogrammed to some minor changes. She said the people on the southside want their area to be beautiful like the downtown section. The people who don't want the road widened should be listened to or at least acknowledged when they are presenting their comments. She said comments had been made that a lot of people don't want the road widened, but just some minor changes.

Mr. Gerald Edmunds stated his backyard backs up to Hitchcock Parkway. He said he agrees with a lot of the comments made earlier about the concept of building a freeway. He said he did not see the need for the project and felt that the taxpayers money would not be well spent supporting the widening of Hitchcock Parkway. He said he wanted his voice to be heard as being against the widening of the road. He said he felt it was not needed or necessary for a lot of the reasons that Mr. Gilbert mentioned. He said he wanted to go on the record as being against the widening of Hitchcock Parkway.

Ms. Peggy Harrison stated the thing not mentioned at this meeting that was brought up at one of the other meetings is that this project, however, it is voted would take three to four years to complete and done in phases to Huntsman and then Huntsman to US 1. She

wondered about the traffic flow while work is being done on the project for three to four years.

Mr. Larry Milner stated his house backs up to Hitchcock Parkway. He said he had lived there over 29 years. He said he had had over 100,000 trips on Hitchcock Parkway between work, school, church, three kids, and to all kind of activities. He said one time in all that 100,000 trips has traffic on Hitchcock Parkway caused him to be late. That was a license check on Hitchcock Parkway. He said he hoped common sense would prevail and that we take the targeted approach. He said Dibble Road is an issue. Even when Hitchcock was widened for a turning lane there, the accident rate did not decrease because the speed limit is still 55 mph. He said slow the traffic down, do the turn lanes at US 1 between there and 421, do the turn lanes at Silver Bluff, and the capacity will be fine. The reason there is so much objection to the project is capacity is not a problem. He said he was an engineer for 30 years. He said he had worked on thousands of projects. He said his question to Mr. Gantt is if the noise abatement requires sound barriers as the road is coming close to the houses. He said if common sense prevails, and they just do three lanes, target the turning lanes.

Mr. Carl Henson stated he was a resident around the A-B section. He said he had lived in Aiken for 18 years. He said he travels Hitchcock Parkway every day to and from work. He said he knows a lot of people are against the four lane traffic, but he hits congestion every day. He said he leaves in the mornings at 7 a.m. and gets home around 6 p.m. and hits congestion. He said a four lane road would be great for him personally. He pointed out more importantly Aiken is growing. He said if we don't do this widening project, we will face issues later. He said he likes the proposal. He said he personally likes the 45 mph option all the way through. He said he wanted to say this is important to Aiken, and it needs to be done.

Mr. Larry Commage, 1618 Huntsman Drive, stated he knows what it is like for an organization or an entity to be between a rock and hard place. He said Council certainly is. He said Mr. Henson had said that Aiken is growing and that is very important. He said that is the case, but the proposals that we have seen from DOT and the very iterations along the way need to take into account that if you accommodate growth, you need to reflect what makes Aiken special. He said growth in Aiken has been done in a way that reflects it environment and the attractiveness of the community. He said the A-B sections and the B-C sections don't do that. He said he felt it was essential for City Council to direct DOT to go back to the drawing board. He pointed out that reference to the letter from the Legislative Delegation that points to other solutions is the right way to go. You can have growth, but you can also have attractive growth. He said there is little in terms of the bypass around Aiken that he felt anyone would want to replicate in the stretch from Silver Bluff Road to US 1.

Mr. Gantt spoke regarding the question as to how existing traffic would be handled while the project is in progress for three to four years. He said they estimate schedules by similar projects. He said there is no schedule until the contract is awarded for the project. He said the project timing depends on the team that is awarded the contract. If they feel they can pursue the contract with an aggressive schedule, it is advantageous to them. If they have a team that can do that, and DOT approves the traffic control plan that they can execute safely without putting the public in danger and still get the project delivered, we may save money just on the time saved. He said if we estimate three years for the project, that could vary 6 or 8 months depending on the team that is awarded the contract. He said every project is different. It depends on how good the team is.

Mayor Cavanaugh asked Mr. Gantt to comment on the capacity of the bypass and whether it is over burdened as far as SCDOT is concerned. Mr. Gantt stated when DOT did the initial advance project planning report, they measured the average daily traffic, ADT, in the corridor and then projected that with the growth rate in the community. He said what they saw was that they were at the threshold at the time of the initial study in 2006. He said they went back at the beginning of 2012 and updated those numbers. The numbers in the corridor were 18,200 vehicles per day. That is significant because what they consider a threshold for a four lane facility is 16,000 cars per day. He said right now

the vehicles per day is above DOT's threshold which warrants the corridor to be widened. He pointed out that access points are limited throughout the corridor so it operates more efficiently just due to the fact that there are limited access points, meaning that there are no driveways to the corridor and the access points are at intersections so the traffic can funnel into the corridor so there are less conflict points and it operates more efficiently. He said that still does not negate the fact that there are 18,200 vehicles traveling through the corridor currently. He said when the information was presented initially, he thought a lot of people doubted what was presented. He said there was a lot of public comment that they did not think there were that many cars there. He pointed out the City hired their own consultant, and the vehicles per day was validated by the consultant. He said Mr. Toole told him that their study measured over 18,000 vehicles per day, validating DOT's information which had been presented to the city and the MBO as a reason to move forward with the project.

Mr. Pearce stated that was the SRS Engineering group from Columbia that he had mentioned in his initial remarks. He said we had a discussion with them about the capacity analysis versus safety and road improvements. Their response was that if you change the methodology and bid safety improvements approach as opposed to a capacity approach, the best that would buy would be a year or two as the roadway is already over the threshold level of 16,000 vehicles per day, more like 18,000 and 19,000. He said SRS was more conservative in their future trips per day than DOT, particularly looking 20 years down the road. It still bore out a rational basis on their data for the four lane road.

Mayor Cavanaugh stated there had been a lot of comments about we don't need this, the road is not overburdened, and they haven't seen any accidents. He said he had seen a number of accidents in his travels over 30 years. He said one thing he is concerned about is what is going on in the north part of Aiken and around University Parkway. He pointed out the Aiken County government building is going up on the bypass with most of their offices in that building. He said he can envision people coming from the east and south going to that building for business. He said presently at the County Offices on Richland there are always many cars in the parking lot. He also pointed out Sam's on Richland Avenue. He said people will be coming from the east and south down Hitchcock Parkway to get to Sam's. He said he had been told there will be perhaps six other businesses that will go in the area near Sam's. He felt that if that is true, there will certainly be an impact on traffic in the area. He said Aiken is growing and grew 16 1/2% over the last 10 years. He said there is no sign that Aiken will not continue to grow. He said SRS is reducing its employees, but Aiken is still growing. He pointed out because Aiken is growing is one reason, along with the One Cent Sales Tax, that we have been able to not have an increase in our tax millage rate for 25 years. He said Aiken is going to grow. He said all of us have to decide what is factual and what is emotional. He said we have to look ahead, and that is one thing that government is supposed to do, look into the future and decide what needs to be done to make our community better. He said we have to consider the traffic situation. He said many cities have congestion. He pointed out Council had received two additional emails from people who travel Hitchcock Parkway and who talk about the congestion on the parkway. He said this will be a tough decision for Council to make on what to do. He said the future has to be a big part of the consideration. He pointed out Hitchcock Parkway is the only road from the west to the east going to the southside and coming back. He said if we don't do something with the road to take more traffic, he felt we will see more traffic going down Whiskey Road and through town. He said he felt it was not a case where people may not agree, but a case where we all have to look at facts and what we believe the facts to be going forward 20 years from now. He stated when Mr. Penland put the road in he had the vision and for a good reason. He wanted to sell property, but he wanted to be able to get from point A to B. He said he wonders at times if we didn't have that road what would be happening. He said he realizes all the problems that it will mean for people who live close by, concerns for construction, etc. He said, however, in the long run we have to look at all the facts and decide what is actual fact and make a decision. He said of course there will be some unhappy people and some that are happy. He pointed out there are 16,000 to 18,000 people who travel that road every day, and they are not sitting in this room. Some of them might say something needs to be done to the road.

Councilwoman Price pointed out Mayor Cavanaugh had made a statement regarding Bob Penland and widening Hitchcock Parkway to four lanes. She said people said many years ago that we will never get to the place where we will discuss a four lane highway in this community for Hitchcock Parkway. She pointed out we are at that junction where we are discussing that. She said it shows the growth of Aiken has taken place, and we are here talking about it, but many years ago we said we would never get to that point.

Councilman Dewar stated he had some questions. He said he had been to one ARTS Committee meeting. He asked if the bureaucracy within ARTS permits us to segment a project. For example, it is probably the universal consensus that both intersections desperately need upgrading—the bypass at Silver Bluff and the bypass and US 1. He said he had not heard too many comments against doing that. He said the focus is between the two intersections. He asked the significance of approving a project that would do the intersections first and then consider the rest of it or is that just not done within your operation.

Mr. Gantt asked if Councilman Dewar was saying improve the intersections without adding capacity to the corridor. Councilman Dewar stated he was not saying just do the intersections and forget about the rest. He was just saying in terms of segmenting the project. It relates more to the question of how difficult it would be to use the road while you are expanding it if you expand it to four lanes. He asked if you would do the intersections first or would you let a contract and the contractor determine what they do first on the project. He said there are segments such as Silver Bluff and the bypass, from Silver Bluff to Rhinehart, Rhinehart to US 1, and the US 1 intersection. He wondered if the project could be laid out that way.

Mr. Gantt stated if he were staging the project he would widen for the capacity, and then come back and do the intersections. He said if you make the improvements to the intersections and add the additional lanes what happens is that they funnel down to the existing two lane section that you have so they would not be able to function. He said if you do an intersection improvement for a capacity project, you will basically dump five lanes into two and it won't function. What you end up doing is closing that off until you have the capacity throughout the corridor for it to be able to function.

Councilman Dewar asked who has the details on the accidents that are noted in the Hitchcock Parkway Collisions chart. Mr. Pearce responded the City would have the collision reports on file at Public Safety. Mr. Gantt stated that the independent information was in the packet, but DOT's consultant has also compiled the information. Councilman Dewar asked if it would be difficult to get specific data for the last three years. Mr. Pearce stated that would be about 150 collision reports. He said staff could see what we have on file. Mr. Pearce stated we are seeing an increase. There used to be about 30 wrecks a year. Councilman Dewar stated he knew there had been some very severe accidents on the bypass. He said the numbers are almost meaningless except that they reflect a traffic issue on the road. He said the significance of the nature of the accidents would be more important. He asked if there had been a lot of problems with horse trailers coming out of Dibble. He pointed out Dibble Road was the worst collision area. Mr. Pearce stated the collision reports would have the type vehicles involved, location, etc. Councilman Dewar stated he would like to see the reports. He also asked that Council be given a copy of the letter from the Delegation. Mr. Pearce stated all he had was the letter that Mr. Wells wrote. He said he did not have the letter where SCDOT responded. Mr. Gantt stated he could get that letter.

Councilman Dewar said to summarize what Mr. Gantt is asking Council to do tonight is to essentially agree with the approach for the A-B and B-C typicals without knowing how that would lay out on the right of way, without knowing any details about retaining walls, and without knowing the cost. He pointed out that we all know the cost will change. He said if we say the road is going to cost \$40 million today, we know that by the time we get around to building it, the cost will increase. He said if Council does give approval, then DOT will do the design work, and then have a public information meeting. That public meeting will solidify the design.

Mr. Pearce stated that would be one approach and another thing he heard was that there would be a concept design with one section at 45 mph, one with a design based on 55 mph. He said that would be the A-B and B-C typical. There was another discussion amongst Council about an alternative concept from DOT that would incorporate a consistent speed throughout the entire 5.5 mile section as well as potentially incorporate several of the features that were presented by Mr. Toole in his power point. He said Council had yet to go through that in detail. He said since the Toole ideas for inclusion were based on a consistent speed of 45 mph through the 5.5 mile section that would help as far as the overlay over the aerial photos we saw in November.

Councilman Dewar pointed out that what was presented tonight did not take into consideration the Toole study. Mr. Pearce responded that it does not, but Council could provide the direction of having DOT superimpose this presentation over the entire 5.5 miles so Council could see the typical cross section and how it would play out through the 5.5 miles. Then there could be an alternate concept that would be based on a consistent speed for the entire 5.5 miles superimposed over the existing road. Councilman Dewar stated he was looking for acceptance of some of the concepts that were in the Toole study which were more favorably received by some members of the public after they saw it. He said he was reluctant to make any kind of binding commitment on the road without more information. Councilman Merry pointed out that he had heard Mr. Gantt say that it would not be binding.

Mr. Pearce stated it would be concepts to take to the public information session to allow the public to provide individual comment. Councilman Dewar stated we went through that with Silver Bluff, and it didn't work. He said for Silver Bluff they came with a design, the public made comment, and SCDOT came back with the same design.

Mr. Gantt stated he was not in the position with the first public information meeting on Silver Bluff, but the next public information meeting he thought they went from 5 lanes down to 3 lanes. They looked at "S'ing the alignment at the city's request. Then they came up with a final presentation and reconciled that. He said there were four public information meetings, but all those were a direct result of public comment and making sure we were satisfied before we moved on. He said that is the purpose of the public information process. He said nothing is final until we reach the end of the process.

Councilman Dewar pointed out that twice DOT came to the community and said it had to be five lanes. He said when the people in Gem Lakes realized they were facing a potential of all the trees being cut, the community really raised up. He said that is when we got rid of the five lanes and went to something that might not be totally acceptable from the SCDOT perspective, but it was more acceptable from the community perspective. He said his concern is if Council does something tonight and says it looks okay, how binding is it.

Mr. Gantt said it is not binding. He said they are trying to agree on a typical to move forward. He said if Council agrees, that allows him to develop the information and give it to the city so it can be presented to the public. He said it is not binding, and the process is not finished until we go to a hearing. The next meeting would be an additional public information meeting so we can get additional comment from the public. He said what we agree on would not be final until we close.

Councilman Dewar stated if Council approves this tonight, DOT would come back to Council in another meeting. It would be discussed again, and then DOT would have a public information meeting. Mr. Gantt stated if Council requires him to come back for another meeting with Council, he can do that. He said normally what they do is meet with staff and have an open meeting. He said usually they come to Aiken and the engineer, design staff, and program manager sit with city staff and review the plans prior to going to the public for comment. He said if Council requires them to come back to Council to present it, that can be done. Basically that stretches out the process. Councilman Dewar stated dialog with SCDOT on the project is quite important. He said he would like to see DOT come back before the public meeting.

Councilman Merry stated a motion could be made that would have a condition that would require that DOT come back to Council. He said if Council is inclined to give DOT guidance tonight, it could be done with the condition that it come back to Council for another look to see if they have the answers Council needs.

Councilman Homoki stated if Council is going to give them guidance, the City Manager feels that they could come up with two designs—one with the A-B and a B-C and see what that look like with the overlay. He said that is what upset a lot of people, as they were infringing outside of the right of way. He asked if Council could ask DOT to do a A-B, a B-C, the way the City Manager described the different lanes, with one being 55 mph and one 45 mph. Then ask them to do the same thing—do an A-B all the way from US 1 to Silver Bluff. He said there are traffic engineers who could figure out exactly where the acceleration climb lanes should be and possibly do a design incorporating the “climb” corridors and those kind of things to see what kind of impact that would have on the right of way.

Mr. Gantt stated they could offer the multiple options discussed as far as from A-B and B-C showing two different options. He said that can be developed as all those options fit the matrix and meet the purpose and need of the project. He said if they were to look at doing the acceleration lanes for hills and specific portions of the project, that would not meet the purpose and need which is capacity for the project. He said basically they would be inserting lanes into the project that would not meet or increase the capacity for the entire corridor which would not meet the purpose and need that was identified by the MBO.

Mr. Pearce stated that was what he was remarking earlier. He said we had posed that question to the independent traffic engineers, and they said at best that approach would buy a year or two. The road is beyond capacity now according to their study.

Councilman Merry asked if anyone was desirous of the 96 foot wide cross section with the 55 mph zone. He asked why we would put them through that effort if we know ahead of time that none are really in favor of that. He said look at an 80 foot cross section for the whole corridor and the 45 mph speed for the whole corridor and get some real concrete numbers to be able to make an educated decision at that point.

Mayor Cavanaugh stated he thought that was a good idea. He said he did not think anyone wanted a wider one. He said we want to get it as reduced as much as we can. Mr. Gantt said when DOT develops these projects, they follow the process which adheres to public involvement. The more options we offer, the more solid the environmental document will be at the close of the process. He said they want to consider as many options as possible to document in the environmental document which is ultimately approved. He said if we limit or constrain ourselves to looking at just certain options and we close the doors, that document isn't as strong. He said they don't have a problem showing different alternates to the public. The purpose is to get the comments because that is what drives the process. He said if they say they want it to look a certain way, within their design criteria they will try to develop those things if they are feasible and meet the design standards. He said several people mentioned that 55 mph was desirable. If you are driving faster, it is a little safer to be able to pull over to the side. He said it is his job to offer options and receive comments on it to help drive the design process.

Councilman Merry stated regarding the Dibble Road intersection, he agrees there is a safety concern, and he has had trouble getting out of Dibble Road and was not pulling a horse trailer. He asked if it was conceivable that a traffic signal could be built into the design. Mr. Gantt stated it could. He said as far as intersections what they do is look at certain warrants to see if a signal is needed at a particular intersection. He said every intersection along the project would be interviewed for a light. If it does not meet the warrant at the time of the construction of the project, we design the intersection so that a light can be installed with no additional improvements to the intersection in the future. He said by the number of accidents that have occurred at Dibble Road, it could possibly warrant a light for safety reasons, but it would have to be reviewed by the district office and approved. If it were not approved initially, we could come back and request that if

we see a spike in the number of accidents. We would go back to the district office and look at the warrants and it could be installed. Geometrically it would fit there because they would design for that to be improved.

Councilwoman Price asked Mr. Gantt when he comes back would he have a design that shows aesthetically more charm than what he has shown tonight. Mr. Gantt stated they are not the best at enhancement, but they do want to allow for the green space which can be planted by the City and maintained by the City as alluded to by Mr. Pearce. He said they want to make sure they leave the space so it can be enhanced.

Councilwoman Price stated if we are going to show a plan, we should show how it can look aesthetically with the enhancement.

Mr. Pearce stated the city could work with DOT. He said the city has the existing installation on Richland Avenue W that he had mentioned earlier.

Mr. Gantt stated regarding the comment wherever you have curb and gutter if those are at low points there may be pipe in there to collect the water and distribute it back out. He said it would be a green space, but you would not want to plant trees over the drainage system. Mr. Pearce stated that was not done on Richland Avenue W. He said if you look on Richland, you will see there is a storm drain in the center.

Councilman Merry asked Mr. Gantt if he was talking about a vertical curb or a California curb which is one you can roll over, the turtle friendly curb. He said some people had expressed concern about being able to pull off in the event of a breakdown. If there is a vertical curb you can't pull over. The vertical curb is safer for people on the sidewalk. He said the California curb has a softer roll to it. He asked what kind of curb would be used. Mr. Gantt stated DOT uses its standard curb, and it does come up. He said if you hit the curb, it will keep you in the traffic lane. Councilman Merry stated studies have shown that the higher the curb, the safer the people on the sidewalk are, but also the less ability for cars to be able pull off and get out of the way if there is trouble with the car.

Mr. Gantt stated the section as recommended has an additional two feet added on to the length of the shared bike use. There is also the distance on the gutter so if a tire pulls up to the gutter, there is an additional 3 1/2 feet. He said if a car is stalled, it would be better to pull to the outside lane and then the rest of the traffic could go to the inside lane next to the median so you would have the full 12 foot lane and another 5 feet from the centerline over toward the sidewalk, which is better than the existing condition because if you can't pull all the way off the road, you still have this lane in each direction. It would not be optimal, as you want an open shoulder to be able to pull off.

Councilman Dewar asked if the project could be done without bike lanes. Mr. Gantt stated it is required that they consider bike and pedestrian accommodations. If you remove them here, what you end up with is a 12 foot lane. He said their support staff generally would like to see them do that. He said because they pinched it in and because we have curb and gutter, that additional space gives a recovery area that DOT looks at safety as a plus for the project.

Councilman Dewar stated his last question has to do with retaining walls. He wondered at what point in the process will we know exactly where the retaining walls need to be and high they will be. Mr. Gantt responded when they run the typical section through, if we agree. He said the slopes will not go out as far so the retaining walls they were going to use initially will be smaller because they will be bringing them closer in and away from where they were originally. He said they will know where to place them because they already have comments from the first meeting and have talked to the residents. He said they know the hot points along the project. There are some houses along the end adjacent to Silver Bluff that will be affected. He said he had talked to the owner of the properties in that area. The slopes fall off right down to the back of those houses. He said there are a few properties at the beginning near Silver Bluff that they will have to look at to mitigate. Those were sections that they estimated in the original contract and put in quantities. Also, there is a business and a day care very close to the right of way

that they will probably have to protect because they don't want to have to buy businesses and move buildings, so they would mitigate with a wall there. He said they would be able to tell how high the walls will have to be when they run the typical and see where the toe of the slopes fall. He pointed out they are reducing it greatly by taking 16 feet out and running the section through. He said once they do that they can place the walls the distance from the edge of the road and show where they will be.

Councilman Dewar stated, assuming Council approves this tonight, then when DOT does calculations, and it is clearly a temporary approval, DOT would come back to Council and Council would get to see what it looks like and see where the retaining walls would probably be. Mr. Gantt responded they would come back with the latest iteration getting us toward a final, and we would be able to show that in more detail.

Councilman Dewar stated then DOT would plan to have a November meeting. Mr. Gantt stated that depends as they need two months from the approval. It could possibly be late October or November before they come back for the information meeting. He said at this point it looks like they could come back to Council to present it and could schedule a meeting for November. He said it takes about a month to get prepared for a public information meeting because of the advertising. Councilman Dewar pointed out once it gets to November, it is probably better to wait until January because of the holidays. Mr. Gantt responded they try to avoid the holidays, as they want to get maximum participation. He said they always coordinate with city staff before setting the meetings. Councilman Dewar stated when the information comes back to Council, Council would still have the option to say it is not acceptable. Mr. Gantt stated they want the comments. He said he wanted to make sure Council understands that it would not be final. He said his job is not to promote one thing and bring it to Council. He said the process is a dynamic process, and it changes from month to month. He said they are nowhere close to being finished. However, if we can agree, then we have a starting point to show something much more finite and illustrate the impacts. He said they want to be able to do that so they can have good discussion and gather these comments and see where they will be able to go with the project.

Councilman Dewar stated if everything goes smoothly, as you would like it to go, then you would be talking about a final approval some time after the next public meeting. Mr. Gantt stated that would not be the end. He said the public hearing is the end of the public involvement process and gives a signed environmental document. That will probably be another 10 to 12 months from now. He said after they finalize the plans, they come back and do the drainage and much more detailed engineering. That refines the project, and we show you plans then, not a concept. That takes time.

Councilman Ebner stated it becomes final when you have the environmental impact and stormwater impact statements done. He said some residents may disagree with him, but depending on the type material used for the walls, sound probably will not be an issue, but the sound test still has to be done.

Mr. Gantt stated, as he alluded to earlier, they will do the initial noise study to be able to capture that at the next meeting. They will be able to show that to the public.

Councilman Dewar stated he wanted to compliment the City Manager for his July 9, 2013, letter to SCDOT. This is a difficult process. The City has the Toole study. It is a very delicate situation. He said we are not trying to do SCDOT's job, but are trying to represent the community. He said he felt the City Manager's letter was superb in outlining the issues. He said he hoped it was well received by DOT.

Councilman Homoki asked if we are foreclosing any kind of change of heart by the ARTS as to capacity versus operation.

Mayor Cavanaugh stated he felt Council still needs to see the final version before that decision is made. He said the decision will have to be made after we see the final information from DOT in the next public meeting. He said it could be made now by Council if Council decides to change it. He said it would go to ARTS, and he did not

think ARTS would disagree with anything that City Council agrees to. He said he felt we need to take the process on further until we do see more information after calculations and get more comments from the public.

Councilwoman Price stated she is understanding from discussions that Council is asking DOT to bring something back to Council to review. Mayor Cavanaugh stated Mr. Gantt is asking Council for something so he can go back and then bring something back to Council.

Mr. Gantt stated he does need direction from City Council.

Councilman Homoki stated are we suggesting the A-C plan all the way through as a concept plan that DOT will come back with calculations.

Councilman Merry stated it could be called the 80 foot plan as the 80 foot wide plan has to be 45 mph.

Mr. Bob Gilbert stated Councilman Homoki's comment about are we foreclosing the possibility of changing the purpose and need through ARTS ties in with something that Councilman Dewar mentioned earlier. He said he wanted to make sure this is clear to everybody. He said comparing this with Silver Bluff Road, and he felt it was a good analogy, you mentioned the give and take and the years required to reach an accommodation and an agreement on Silver Bluff Road. He said that was only reached changing from five lanes to three after ARTS took the action of changing the purpose and need. He said if that had not been done DOT would still be working on five lanes. Mr. Gilbert stated he wanted to make it clear that the change to Silver Bluff did not happen just by talking to SCDOT and exchanging ideas. It happened when the trigger was pulled. The trigger was ARTS changing the purpose and need for the project.

Councilman Ebner stated his understanding is that ARTS has the final say. He said if you read the rules concerning the loan that we got and the \$4 million in Capital Projects Sales Tax, we agreed to the loan and that agreement also agreed that SCDOT would do the design per the specifications. He said going back to Silver Bluff, he did not know if Council decided to ask ARTS to change it. He said something has to get ARTS to move. Mr. Gilbert stated it was a City Council vote. Councilman Ebner stated then the recommendation goes from Council to ARTS and ARTS changes. He said it takes about two years to do that. Councilman Ebner pointed out Council is not changing the purpose at this meeting. We are talking about using A-B on the whole project, which does not violate the original purpose.

Mayor Cavanaugh pointed out that Silver Bluff was an eight year project. He said we didn't want all the lanes to start with. We wanted one lane. He pointed out imagine having that short space with five lanes and all the other stuff going out into the County to two lanes which may never be widened. He stated it was ridiculous in his view to start with the project as five lanes. He said there were many, many meetings on the project.

Mr. Gilbert pointed out that some of the residents who are looking at the vision for Hitchcock Parkway see exactly the same kind of problem that was mention on Silver Bluff, with five lanes which necks down to two lanes. He said many residents don't see a capacity problem on Hitchcock Parkway now or in the foreseeable future. What they see right now are problems at either end of Hitchcock Parkway which will be exacerbated by four or five lanes.

Mayor Cavanaugh pointed out that going east there are already four lanes so widening Hitchcock would lead into what is already there.

Mr. Gilbert stated that is not nearly enough. He said his experience in going to the November 8, 2013, public information meeting is the following. He said at 5 pm, rush hour he pulls out of Foxchase, and turns left on Hitchcock Parkway and drives on Hitchcock Parkway towards South Aiken High School with no problem. He said he met the 45 mph speed limit and stopped at the traffic signals with no problem until he gets to

the intersection of Silver Bluff Road. From there to the intersection of Whiskey Road, it is bumper to bumper. He said what he is saying is that four and five lanes on Hitchcock Parkway does nothing to solve what many see as the real problem, which is both ends.

Councilman Dewar stated he wanted to make clear that the reason he voted for the change in need for Silver Bluff was that the only alternative was that they were going to tear down all the trees in Gem Lakes, similar to what potentially may happen at Whitemarsh with the widening of Hitchcock Parkway. He said that was totally unacceptable. He said no one on Council was willing to do that. He said that was what drove the purpose and need more than anything else was the impact on that neighborhood. He said it may drive this decision, depending on what we see at Whitemarsh.

Mr. Gilbert pointed out there are a lot of old growth trees all along Hitchcock Parkway.

Councilman Homoki pointed out that talking about Silver Bluff, that somehow traffic studies are a little bit suspect, because they say the Town Creek intersection with Silver Bluff does not warrant a light. He pointed out the people in Gem Lakes figured out they could not get onto Silver Bluff from Town Creek so they started going out on Pine Log Road. He said it was very difficult to enter Silver Bluff from Town Creek so people found another route. He said sometimes traffic studies are a little suspect. He said there had been two fatalities at Silver Bluff and Town Creek.

Councilman Dewar stated there was a traffic study that showed that they took into account the people that avoided the use of Town Creek. Even in evaluating the other intersections, they still did not project enough traffic out of Town Creek to justify a traffic signal.

Mayor Cavanaugh asked if Council had reached some kind of agreement for a plan going 45 mph, knowing that it is not binding and won't be binding until Council agrees, so DOT can start working on calculations.

Councilman Dewar stated he thought DOT was going to give Council both 45 mph and 55 mph calculations. Mr. Gantt stated if that is Council's direction, he needs a vote.

Councilman Dewar asked what is wrong with the 55 mph. Councilman Ebner pointed out there is no median and there were comments about that typical looking like East Pine Log Road, and it would be going by the Hitchcock Woods area.

Councilman Merry stated he was the one that advocated just doing one study, the 80 foot wide 45 mph speed limit. He pointed out Mr. Gantt has stated their directive is to provide as many options as possible so they can receive comments on the plans. He said he was inclined to prefer the 80 foot wide plan because it would take up less of the right of way.

Councilman Homoki stated if we are going to have a parkway, we need to make it look like a parkway with vegetation down the middle.

Mayor Cavanaugh stated we had said all along that we don't want to make the road as big as we can, but want to make it as small a width as possible to achieve the purpose. He said if the 45 mph does it, then why do the 55 mph typical. He said he had not heard a lot of people say they don't want to just go 45 mph, but want to go 55 mph.

Councilman Dewar stated he did not have a feeling one way or the other. He said he just thought it was not that much difficulty for DOT to do the 45 mph and the 55 mph calculations and have two concepts.

Mr. Pearce stated then Council could get two concepts and have them brought back to Council to see how they would look on the existing roadway.

Councilwoman Diggs stated we don't want a freeway, we just want a parkway.

Councilwoman Price moved that Council approve SCDOT providing calculations for the A-B typical section with the 45 mph speed limit and 80 foot wide footprint and the 55 mph speed limit typical calculations with the overlay so Council can see how the plans fit into the right of way and include the vegetation in the plans. The motion was seconded by Councilwoman Diggs.

Councilman Merry pointed out what Mr. Gantt originally brought to Council was part of the parkway at 45 mph and part at 55 mph typical. He said Council had talked about all of the parkway at the 45 mph typical. He asked if that was what Council was talking about with one being the 45 mph and the 55 mph being an alternate.

Mr. Pearce stated they were talking about the A-B and B-C typicals and the alternate would be the A-C plan.

Councilman Ebner asked that Mr. Gantt be sure the guy does a decent job on the slopes and where the walls will be. He pointed out in the past on a project some of the numbers did not match. He asked that they be sure they do a good job. He said let's be sure we get it right the first time. He said that was why he said to have the public meeting the first of the year.

Councilman Dewar stated this is not final approval of design. Councilwoman Price stated it is on record that this is not final approval.

Councilman Homoki stated he understands the capacity and understands what Mr. Gilbert said about capacity. He said he could see where US 1 and Silver Bluff and Whiskey could be a bottleneck regardless of how much width there is on the bypass. He asked without ARTS approval could DOT actually do a study and look at acceleration lanes. Mr. Gantt stated that would not meet the purpose and need. Councilman Homoki asked if ARTS says to look at road improvements would DOT be doing a design similar to that. He asked if ARTS sets the parameters on what DOT can make their study on. Mr. Gantt stated yes they do. He said once ARTS defines the purpose and need of the project and identifies funds in the Transportation and Improvement Plan, TIF, and that is approved by the Commission, then DOT can apply funds for that and he can work on it. He said until the purpose and need is defined, and it is funded through ARTS, there is nothing he can do. Councilman Homoki pointed out that presently the criteria is capacity.

Mayor Cavanaugh called for a vote on the motion made by Councilwoman Price and seconded by Councilwoman Diggs, that Council approve SCDOT providing calculations for the A-B typical section with the 45 mph speed limit and 80 foot wide footprint and the 55 mph speed limit typical calculations with the overlay so Council can see how the plans fit into the right of way and include vegetation in the plans. The motion was unanimously approved.

BUDGET

Reconciliation

Close Out

FY 2012-2013

Mayor Cavanaugh stated Council needed to consider the reconciliation of the city budget for Fiscal Year 2012-2013.

Mr. Pearce stated as mentioned to Council previously in August Council would need to consider the reconciliation of the city budget books for Fiscal Year (FY) 2012-2013, which are now closed. As a result, it is time to determine our relative financial position and prepare all necessary materials for our annual audit, which began this month.

Mr. Pearce stated we experienced better than expected revenue collection rates for the General Fund portion of our budget, with the total revenues being \$28,550,982. Actual money spent was \$27,865,850. That means we had \$685,132 in unspent funds. He said

he and staff had looked at carryover for projects. They also considered Council's concern about employees' compensation, as well as looked at an opportunity to replenish several of our special holding accounts which include Workers Compensation, health insurance and budget carry forward. He said we have not taken depreciation on our buildings since 2008. He provided Council with a document showing the building depreciation. He said he is proposing that a little over \$200,000 be put in building depreciation, since we have not taken depreciation for several years.

Mr. Pearce stated these additional General Fund revenues allow us several opportunities. They include an additional 1% salary adjustment for our employees, replenishing money previously spent out of our Special Holding accounts, reinstating facility depreciation--which we have not taken since 2008--and carrying over departmental funds for projects that were not completed in FY 2012-13. He pointed out in the budget is a 1/2% salary increase for all employees, and for employees earning \$24,000 a year or less there is an additional \$500 for each employee. In the General Fund we found the opportunity to add an additional 1% salary adjustment. If that is approved by Council, employees would experience a 1 1/2% salary adjustment. For those earning \$24,000 a year or less this means an additional \$500 in their salary. He pointed out the listing for Carryover Requests for several purchases that we were not able to complete last fiscal year. He said we would need Council's approval for the carryover funds.

Specifically, these general funds would be applied as follows:

Employee Salaries

Additional 1% salary increase	\$120,000
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Special Holding Funds Replenishment

Workers Compensation Deductible	75,000
Health Insurance Deductible	75,000
Budget Carry Forward	81,908

Depreciation

ADPS, buildings	75,000
PRT, buildings	95,000
City Hall/Administration, buildings	25,000
Public Services, buildings	25,000

Departmental Carryover Requests

IT Software	4,367
Human Resources, salary survey	2,000
Human Resources, training	4,500
Planning, S.C. Hwy 19 corridor study,	14,000
Planning, Dougherty Road study completion	9,000
City Clerk, Municipal Code update	10,000
Public Safety, weapons/radios	12,857
Public Services, rollcarts	46,500
PRT, Hopelands doll house work	<u>10,000</u>

TOTAL	\$685,132
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Mr. Pearce stated our Utility Enterprise Fund had a more difficult time in FY 2012-13. Unspent funds total just \$26,425. The main reason for this result is that the 12.43+ inches of rainfall surplus this past season has caused a 4% reduction in our water utility revenue account (a \$315,008 decrease). While we have met expenses for our water utility fund, we will fund \$580,000 towards system depreciation instead of the

\$1,200,000 that was budgeted. Our review with Finance Department and Utility and Engineering Department staff shows we will be able to continue with our major projects-- Silver Bluff water plant, water line replacements, water meter replacements, Shiloh Springs filter installation, and pump/lift station installations--this 2013-2014 FY.

The \$26,425 in unspent funds will allow us to also pay an additional 1% salary increase to our utility department employees.

Our Stormwater Fund realized \$111,853 in unspent funds due to projects not being completed by June 30, 2013. These projects are in this budget year. Also, we will use \$1,500 to fund an additional 1% salary increase for our Stormwater utility employees.

One final bit of bookkeeping also needs Council approval for our audit. In the past Council was informed by the prior City Manager in 2006 and in 2010 that there were funds to apply to the Pawnee-Neilson roadway project. In 2006, there were unspent budget funds that were applied to the project by the City Manager with notice to City Council in the amount of \$325,000. In 2010 an additional \$716,829 in Capital Projects Sales Tax I was carried over, and those funds were designated for the Pawnee-Neilson roadway project. Those funds were put in Special Holding by the City Manager. He said to reconcile the Capital Projects Sales Tax list, we need Council to vote to ratify the actual transfer of the money from Special Holding to the Capital Projects Sales Tax list in order to help cover the cost overruns for that project. While Council designated these funds, for accounting purposes, we need Council to ratify the actual transfer of the money from Special Holding to the Capital Projects Sales Tax (CPST) Round II account.

For City Council approval is the expenditure of the funds for the particular uses since they were not spent last year and the transfer for budgeting funds in reconciliation of the FY 2012-2013 budget.

Councilman Homoki stated in the FY 2013-14 budget there is a 1/2% salary increase for all employees and a 1/2% plus \$500 for employees making less than \$24,000. He said he understands another 1% increase is recommended for all employees, including the Utility and Stormwater fund employees. Mr. Pearce responded that is correct.

Councilwoman Price moved, seconded by Councilman Homoki, that Council approve the adjustments to the budget as outlined by the City Manager.

Councilman Dewar stated regarding the Pawnee-Neilson project, he was hoping he could find out how we got from an approval of \$700,000 to the final number of \$2,356,420 for the project. He said he was not on Council in 2006. He said when the project started we had \$700,000 in the initial funding. He said he recalls that he was on Council when he was told that DHEC required us to dig the big hole. He asked how much that cost.

Mr. Pearce stated he thought that was the reason for the \$325,000 and the \$716,829 designation. Councilman Dewar pointed out that the \$716,829 was in 2010. Mr. Pearce stated that was when we closed out CPST I, Fund 015.

Councilman Ebner pointed out there are two \$700,000 numbers. One is \$716,829 and one is \$720,000. He said the one from CPST I carryover was \$722,000 or \$721,000. He said that is not what we are talking about. He said the \$716,829 in 2010 was from the budget carryover.

Mr. Pearce stated we carried from Fund 015 funds in the amount of \$713,462.75 for the Pawnee-Neilson project.

Councilman Ebner stated on some of the cost reports, which he thinks was April, 2013, we show that carryover from CPST I on the line item for the connector road from Dougherty to Walmart. He said that covers part of the overrun. However, the \$716,829 is in addition to that. He said the total cost for Pawnee-Neilson is Line 2 on the handout. He said the \$716,829 plus the \$325,000 would add to the \$2,356,000. He said the total cost was almost \$3.5 million for Pawnee-Neilson. He said actually the \$325,000 and the \$716,829 are not on the cost report given to Council. Councilman Ebner stated the

money is not in Fund 016 now. It was taken out on the April cost report and put at the bottom of the page. He noted the report given to Council on March 31, 2013. He said the money from the carryover from CPST I was on cost code 3130-433-10-1. That was put specifically on the Dougherty Road.

Mr. Pearce pointed out Finance did not prepare the timeline. Engineering and Utilities prepared that report, and they used the \$700,000 figure. He said he would not use the timeline to verify the figures. He said the report prepared by Finance is the one page report that he had given to Council. He said the Finance report shows the \$700,000 plus the \$713,462.75. He said back in 2004 there was a memo from the City Manager that said \$325,000 from surplus funds would be used toward the project. He said he had the \$325,000 figure and the \$716,829 in the Fund 015 assignment number. He said it may be confusing because in the memo from September, 2006, the City Manager said "remaining funds should be used to supplement the One Cent Sales Tax fund of \$700,000 for Pawnee-Neilson." That \$700,000 was the original One Cent Sales Tax listed amount in Fund 016. He said that in 2006 the cost estimate for the project was over \$1.2 million. That was before any of the slope failures and the remedial work.

Councilman Dewar stated if the \$325,000 came from surplus funds, it is paid. He wondered why the matter was before Council. Mr. Pearce responded that the City Manager said he was going to put the money in Special Holding. He said that money did go in Special Holding. He said we need to transfer it over to the Capital Projects Sales Tax Fund. He said it is just a bookkeeping entry that they are asking Council to approve. Councilman Ebner pointed out he had the last cost report, and the two reports don't match. He said they are not communicating. Councilman Ebner and Mr. Pearce looked at the April 30, and March, 2013 reports to verify the figures. Mr. Pearce stated 2010 shows a surplus for the General Fund of \$716,829. The recommendation was to apply that to the Pawnee-Neilson project. Councilman Ebner stated for a while we carried the Pawnee-Neilson project at almost \$3.5 million. Now it is down to \$2.3 million. Mr. Pearce said that was because of the offset of the funds we are talking about tonight. Mr. Pearce stated there are three numbers. There is the original listed amount, the transfer from Fund 015, the 2006 money and then the 2010 money.

Ms. Kim Abney, Finance Director, said she would like to clarify. She said it is very confusing, as there are three different amounts. The original budget of that project was \$700,000. Then, when we closed Fund 015, which was the first Capital Projects Sales Tax funds, there was \$713,462.75 left over. That was designated to go towards the Pawnee-Neilson project because it was already known that it would be over budget. In 2006 unspent funds of \$325,000 were set aside in the General Fund to be used for the Pawnee-Neilson project. It stayed in the General Fund until just a couple months ago. Then in 2010 a third \$716,829 of unspent funds in the General Fund was set aside at the end of 2010. Those funds stayed in the General Fund until just a couple of months ago.

Councilman Ebner stated he was sorry, but he could not get the figures to add up. He said he had asked for this information before the meeting. He said he did not disagree with what Ms. Abney said, but at one time we were carrying Pawnee-Neilson at \$3.2 million. Ms. Abney pointed out that at the bottom of the cost report it has the \$325,000 plus \$716,829, for a total of \$1,041,829. That shows at the bottom of the report as information. This was subtracted from the cost in the total cost column. She said that is why he might say the cost at one point was \$3.2 million, but now it is less. Mr. Pearce pointed out since that report we have had the settlement payment of an additional \$200,000.

Councilman Ebner stated the total number does not match if he adds \$1.4 million and \$1.04 million. He said he does not get the figure on the cost report. He said it is only \$100,000 off, but it is important to him, and he would like to verify the figures. It was pointed out they could itemize the figures and give him a total, accounting for the \$200,000 settlement also. Councilman Ebner asked where the legal cost stays. He asked if that stayed in the budget, or where it was charged. Mr. Pearce stated the cost was charged against the settlement. Councilman Ebner stated we need to start with the \$700,000 in 2004 and account for the funds up to 2013. Mr. Pearce stated staff will bring it forward with all the money that was paid in and the total cost of the project with the

litigation. Councilman Ebner stated we were carrying the cost at \$3.5 for a couple of years, and it is not \$3.5 million obviously. He said he wanted a list of money in and money out from 2004 to include the total cost and legal costs and settlement.

Councilman Dewar stated in his mind there is still a lot of money missing. He said he did not know the final cost for the project. He said we started with \$700,000. We had to dig the big hole. We had the legal problems. He said at that point to get the road completely built, does anybody know what the final figure is. Mr. Pearce stated what we are showing on the cost sheet that was given to Council is \$2,356,420. He said staff will verify that number.

Councilman Homoki asked if the project is supposed to be incomplete until it actually hits the Publix Shopping Center. It was pointed out that is separate. Mr. Pearce stated that is \$350,000 set aside for a connector road from Dougherty Road to Aiken Mall. He said the project we have been talking about is strictly the Pawnee-Neilson project to Dougherty.

After discussion the City Manager stated there were two reports so staff would verify the numbers. Councilman Ebner stated he wanted money in and money out from 2004, including the money that was required because of the soil problem. He said he wanted the total cost including legal and settlement.

Councilman Dewar asked about the total cost because of legal problems. Mr. Pearce stated the cost was expensed against the Capital Projects Sales item, as it was all related to that project. Councilman Dewar asked if that was legal. He said the voters did not approve the legal expenses. Mr. Pearce stated the voters approved \$700,000 for the project. The previous City Manager came to Council a few times informing Council the project cost was beginning to exceed the money allocated and informing Council about the supplemental money being designated for the project. Instead of paying out of two different accounts that reserve money sat in reserve. The city had the expenses and paid them out of the 016 money. He said we are trying to replenish that fund with money that was designated for the expenses.

Councilman Dewar stated he was not okay with the money we had to spend because of the soil problem. He said he did not feel that was money that should affect the Capital Projects Sales Tax. He said the voters did not vote for that money.

Mr. Pearce stated that was why the additional money was earmarked for the project to cover the additional costs. He said that was money from the Capital Projects Sales Tax I, and the budget surplus money that was designated for the project.

Councilman Dewar stated Mr. Pearce was throwing curves at him. He said the \$325,000 and the \$716,829 were related to the big hole. Mr. Pearce stated it was as there was the memo from the City Manager saying that the cost of the project was no longer \$700,000, but a \$1.2 million and then an additional \$800,000. Councilman Dewar stated that covers the \$325,000 and one of the \$700,000. He said he wanted to focus on how much extra it was because of the soil problem. Mr. Pearce stated staff will break that out for Council. Ms. Abney stated we have kept all the costs for the Pawnee-Neilson project from the first shovel full to the last legal expenses in that account. She said it is all there. She said the \$200,000 settlement that Mr. Pearce referred to, which just came in, will go against the account also in Fund 016, which is Capital Projects Sales Tax and is not Capital Projects Sales Tax money, but we will show it as a reduction in cost like we did the \$325,000 and the \$716, 829 as a reduction of those costs. She said we have kept the total cost in that account.

Councilman Dewar stated staff will be able to show the initial \$700,000 authorized by the voters all the way through the added money for the large hole, the added money for the slope project that caused a law suit, along with the settlement money that has come in. Mr. Pearce responded all that could be given to Council.

Councilman Dewar asked to go back to the \$325,000 as he was confused. He said when there is a memo saying there is extra money, and we are going to spend it as we did with

the \$325,000 and the \$716,829, that came to Council and Council approved putting that money against the project. Mr. Pearce pointed out he had given Council a copy of the memos from the former City Manager regarding the funds, and he informed Council what he intended to do with the funds, and unless Council wanted to discuss it further there was no further discussion. We can't find an affirmative vote. We found where the City Manager notified Council. That is where the money went, and it sat in a special holding. At the present we have the additional expenses to get the road open. The only thing that Council would be approving tonight is the actual bookkeeping entry to show that the money has been spent and that it is time to not hold it in Special Holding but show it as expensed out.

Ms. Abney said the ratification of the fact that they spent the money that had been designated years ago, the effect that had is that we show a transfer which looks like an expense out of the General Fund into Capital Projects Sales Tax Fund 016. That would look like our budget was overspent in the fiscal year ended June 30, 2013, when in fact it is just moving money that had been designated years ago. She said we are asking Council's approval to move the money that had been set aside years ago. She said we need to do this as a budget adjustment.

Mr. Pearce stated we need to do this so we show the money as actually spent. He said we need to do this, otherwise the CPST II money will come up short.

Councilman Dewar stated he thought it was already done. He said he thought he remembered voting to do that.

Mr. Pearce stated the money went to Special Holding so it was like it was in savings, but it did not get released.

Ms. Abney stated the money sat in the designated state. She said they had no idea how everything would turn out as far as total cost or litigation settlement, so there was no reason to move it until that was settled. When it became apparent that it was not going to be settled and the city fully reimbursed for all the extra costs, then we had to move the money.

Mr. Pearce stated coinciding with that was the fact that we were looking at CPS II, and Council expressed concern that the projects were going to come up short, and we could not do all the projects on the list. At that time we did not have the surplus check either. He pointed out we got an additional check from the County of \$1,113,000. He said we are trying to settle out what the previous Manager told Council would be done. We are just trying to get that bookkeeping entry in to satisfy the auditors.

Councilman Dewar pointed out that in the memo Mr. Pearce had stated we had \$315,008 less revenue from water utility revenue, and we are going to reduce our depreciation by \$620,000. He wondered what happened.

Mr. Pearce pointed out the figures are for last year's budget. He said we estimated revenue in the Water Utility account and part of the shortfall is the \$315,008 we did not collect on the water bills because water usage was down with all the rain we have had.

Councilman Dewar asked why we are reducing the depreciation \$315,008 instead of reducing it by \$620,000. Mr. Pearce responded that we looked at all the expenditures in the Utility Fund, and to fund the depreciation we had \$580,000 after looking at all the other expenditures.

Councilman Dewar asked where the \$620,000 went. Mr. Pearce responded that the revenue was not collected to cover the expense item when we paid all the other expenses. He said we had \$580,000. Councilman Dewar stated the revenue was down \$315,008, not \$620,000. Mr. Pearce pointed out the \$315,008 was one contributor, the main reason. There were other revenue shortfalls in the Utility budget. Councilman Dewar stated sometimes Council does not get enough information for those who want to dig into it. Mr. Pearce stated he would be happy to give an itemization as that would not be a problem.

Councilman Dewar stated the last item in the memo was regarding the Stormwater Fund which had \$111,853 in unspent funds. He said those funds are still in the budget, so that means that \$111,853 was carried forward into the 2013-14 budget to take care of the items. Mr. Pearce stated it was carried forward except for \$1,500 to cover the 1% salary increase.

Councilman Dewar stated he was still concerned with the city's salaries. He said he had been talking to a lot of the Fire Apparatus Drivers. He said the increase is not much for them. He said he had talked to a guy who has been with the city for six years, and he is making something like \$10.14 an hour. He has no career path. They can't go forward. There are no automatic raises for the guys if they have been in line for five years or if they have been through the Fire Academy. He said he did not want to deal with it tonight, but he felt we need to deal with that at some point in the future. He said these people are doing unbelievable work in getting the very expensive equipment to the scene of a fire and maintaining the equipment. He said one employee brings his trailer to work and uses his own stuff to mow a lawn. Another employee is a retired auto worker, and he is repairing a vehicle for us. He said he just wanted to convey that these employees are by and large good people. He said he felt we need to somehow look at treating them better. They are not eligible for tuition assistance in some cases. He said some time in the future we need to look at this. He said he thought there was a rumor going around that they are going to be replaced which he has mentioned a couple of times. He said he understands that the Chief has said that they are all going to be replaced by January.

Mr. Pearce stated he was not aware of replacement. He said staff is looking at the hours and their schedule, and we are looking at potentially lining up the schedule for the Driver Operators to reflect the 12 hour shifts that the Patrol Officers work. He said he was not aware of any plan to replace anyone.

Councilman Dewar stated many of those he had talked to, the city will end up replacing because their life revolves around the 24 hour shift, and when you cut it down to 12 hours some of them will leave. He said he thinks staff is undermanned already.

Mr. Pearce stated he knew that the Chief had spoken with those employees and provided them an opportunity to give input. He said it is something they are looking at. He said it was part of the Chief's effort to get us back to a true Public Safety operation. In the past we have had Patrol Officers in the station and actually work a shift in the station. It is a question of the total manpower that we have and how we utilize it. He said that is what the Chief has been looking at. He said if Councilman Dewar could give him a list of the concerns, he would address them.

Councilman Dewar stated one concern is that a lot of them are going to leave if they go to 12 hour shifts. He said he did not know the number. He said he was still going around talking to people. He said he had not gotten to all of them. He said a 1 1/2% increase for someone who makes \$10.25 per hour is only about 15 cents per hour.

Mr. Pearce stated for several years the City paid a 1% increase and other cities were reducing their forces or laying people off or furloughing them for a period of time. He said the federal government had done that; however, the City kept everybody on the payroll and actually gave them a salary increase through the worst economy that he could remember. He said there are different perspectives.

Councilman Dewar stated he understands, but he would hope that if we are going to make a significant change in the manning of the apparatus drivers that we take into consideration how many we will lose in the process. He said it is more effective to the city to have someone on 24 hour shift making \$10 an hour than it is to have a police officer who is making close to \$40,000 or \$20 an hour. He said cost-wise these people are saving us money.

Mr. Pearce stated that was the original approach for having the Driver Operators. He said when the program was presented to Council and the program was put in place, the estimate was that the pay would be about \$9 per hour. He said staff is always willing to

look at staffing to make sure we operate any department as efficiently as we can. He said to the extent that a Driver Operator is going to earn \$24,000 or less per year, they will qualify for the additional \$500. He said it would not just be the 1 1/2%, but with the \$500 it would actually be over 2%.

Councilman Dewar asked what it would take to get a consideration for an increase depending on some of the training that some of the people have. He said he knows that happens for Public Safety Officers.

Mr. Pearce stated we do have a tuition reimbursement program for full time employees. He said we may need to look at the eligibility. He said in the carryover funds under Human Resources there are funds for a salary study. That money is particularly being earmarked for the Public Safety operations which will include the Driver Operators.

Councilman Dewar stated he did not think there were many Driver Operators who are getting tuition assistance. Mr. Pearce stated staff would look at it.

Councilwoman Price asked Councilman Dewar what number he was considering for Driver Operators. Councilman Dewar stated he did not have a number, but felt it was something that we should look at because there are some benefits that the Driver Operators are not getting. He said they don't get comp time. If they work over time, they are forced to take a day off. They lost their Kelly Day. He said he was concerned about the Driver Operators, as they do a lot for the city. He said he had been impressed by those he had talked to. They have positive attitudes. They are good people, and they save us a lot of money. He said he would hate to lose some of them who have been with the city for a long time just because we want to put them on a 12 hour shift.

Mr. Pearce stated that is something we are looking at. That has not been implemented.

Councilman Dewar stated he was still confused on the water meters. He asked where in the budget is the expense for the water meters. Mr. Pearce responded there is \$600,000 in the 2013-14 budget, and the funds are in the Utility Fund. In last year's budget there was \$1.2 million for meters, and we only spent about \$200,000.

Councilman Dewar stated in last year's budget there was \$1.2 million, but we only spent \$200,000, leaving \$1 million. He wondered where that \$1 million went. Mr. Pearce stated those funds were unspent and there was depreciation money set aside so we did not spend that money, and it would be in the depreciation account.

Councilman Dewar stated that was confusing to him. He did not understand that. He said the memo lists the unspent funds, but he said he did not see the \$1 million unspent for the water meters. Mr. Pearce stated that money was rebudgeted for this year's budget. He said the unspent money is revenue over and above the expenses.

Councilwoman Price asked the number of employees that are making under \$20,000 per year. Mr. Pearce stated the number of employees making under \$24,000 per year is about 50 employees. He said he did not know the number making under \$20,000. He said the count was based on the number under \$24,000.

Councilman Dewar asked after Council approves the budget reconciliation memo would Council then get a new budget printed with the final 2012-13 expenditures. Mr. Pearce responded that he had given that to Council in the agenda packet. Councilman Dewar stated that is not what he asked for. Mr. Pearce stated what had been asked for was the 2012-13 actual expenditures through June 30, 2013, the approved budget figure for 2012-13, and what Council actually adopted. Councilman Dewar stated Council always gets that. He said the column that says 2012-13 Year to Date Actual in the printed budget is expenses and revenues for only about 9 months as of when the budget was printed. He said he was asking for the final figure for that column for the year. Mr. Pearce responded that the budget pages that he had given to Council was figures for the entire year. He said staff could bind it if Council would like.

Councilman Ebner asked questions about the timeline sheets on CPST II and III. He wondered if the figures had come from Finance. Mr. Pearce responded the figures came from Engineering and Utilities. Councilman Ebner stated he felt that was a problem. He said when we issue it to Council, he felt it needed to go through Finance. He said he had been on Council only three years, but he had been working on the Capital Projects for almost 5 years. He said the numbers don't match up. He said this causes confusion. He said the numbers that Ms. Abney was saying don't add up to what's on the Engineering Report. He said he would not expect them to because she is probably looking at a different cost report than Engineering. He pointed out on CPST II at the bottom of the page in red, it says we have a shortfall of \$598,000 on Capital Project II for closeout. He said he had reviewed the list to see where we could make up \$600,000 in the projects that are left. He reviewed the list and pointed out he did not see anywhere that amount could be made up.

Mr. Pearce stated the \$600,000 was actually reimposed in CPST III. Councilman Ebner stated we would have to argue that. He said he knew what the City Attorney said. He said they did not state that. He said you had to designate that as reimposed. He said you can't just take \$600,000 from Capital Projects Sales Tax II and move it forward. Mr. Pearce stated he was not moving it forward. He said it was replaced by the \$900,000 figure. Councilman Ebner asked if he said he had taken Capital Projects Sales Tax III money and moved it backwards to CPST II.

Mr. Pearce stated no, he was not saying that. He said Councilman Ebner was looking at individual projects. He said we have to remember that under the prior City Manager there were two items—the headquarters rehabilitation and the training grounds and training center where funds were over spent. Councilman Ebner asked where the \$600,000 was going to be spent—out of CPST II or CPST III. Mr. Pearce responded out of CPST III. He said the money was spent on the Training Center and there was an item in CPST III. He said there were two items—the fire headquarters station for \$1.5 million. Councilman Ebner stated we are shifting money from one Capital Project to another. Mr. Pearce responded that we are not, that we overspent in CPST II on the Training Grounds which was done before he was City Manager. Councilman Ebner stated for CPST III Council did not reimpose any items. He said his impression from what the City Attorney said was that Council had to reimpose it.

Mr. Smith asked Councilman Ebner if he could help us understand what he thought the \$617,000 went to in CPST III. Mr. Pearce stated the CPST III item 19 is \$900,000 for renovations to the Department of Public Safety Headquarters. He said the reason the \$900,000 is there is that there was an overage in money that was spent on the Training Grounds that used up the improvements to the Public Safety Building.

Councilman Dewar stated he thought there was no comment when Council discussed the CPST III about the word reimpose being mentioned in the discussion at all. Mr. Pearce stated that in effect was what the prior City Manager did because the money was spent on the Training Grounds. It was supposed to be \$100,000 for the Training Grounds, and they actually spent \$937,988. They went over \$837,988. He said that used up the Headquarters Renovation money. That is why in CPST III there should be \$900,000 for the Headquarters Renovation.

Councilman Dewar stated legally he did not see how you do that.

Mr. Smith asked what Councilman Dewar thought the \$900,000 was earmarked for in CPST III. Councilman Dewar stated he could say what it was not earmarked for. He said it was not earmarked as a reimposition. He said the City Manager gave them a project and said they wanted to do it for Public Safety. Mr. Smith stated the line item tells us what it was earmarked for. Councilman Ebner stated the ballot for CPST II stated there was \$600,000 and \$900,000. He said he was looking for \$1.5 million to spend for Public Safety. Mr. Pearce stated that was never the intent. He said there was never an intent to spend \$1.5 million.

Councilman Ebner stated he wanted to go on down the list. He said for Eustis Park there is \$1 million. Mr. Pearce stated that was to purchase land and begin development of a

Senior/Youth Center. He said we had been using the money for that. It was pointed out that money will all get spent on that project, as we still have to do the development and design.

Councilman Ebner pointed out item 23 Northside Recreation Park. He said the \$2.6 million would all go for the northside park. He said he was asking where the \$600,000 is going to come from.

Mr. Pearce stated he thought Councilman Ebner had made a good point. The timeline was Engineering and Utilities preparation. He said they would take this to Finance and go through the numbers.

Councilman Ebner stated he sees the number \$598,000. He said he thought it should be covered in the 2013-14 budget, not a future budget. He said we have all the money accounted for now. By reimposing the money technically we could have an overage. He asked if he would keep bringing money back to cover stuff or move money. Mr. Pearce stated we are just trying to deal with the practicality of a listed project where a lot more money was spent for it. He said if you don't have the money to do the other project that was there with it, then when do you do it. Councilman Ebner pointed out it is two different buildings, not the same building. Mr. Pearce stated he knew it was two different buildings, but in effect what happened is that the Headquarters money got spent on the Training Grounds. Councilman Ebner stated there was no Council record that shows that. He asked if Council voted to spend the money. Mr. Pearce stated he was just saying that is where it got spent. Councilman Ebner stated that is why on CPTS III several Councilmembers have been very specific on how we spend that money. He said if he is on Council four more years, he did not want us to spend double the money because we have two items for the same thing. Mr. Pearce stated that was the discussion he had with the Engineering and Utilities Director. Councilman Ebner stated with the cost reports coming out, if you need a motion, they need to come out of the cost department.

Councilman Merry stated he had a question because he was learning. He asked how it could be on the Training Grounds if the line item is \$100,000 and the budget is \$100,000 in CPST II that \$937,000 could be spent without Council approval. He asked if Council approved that. Mr. Pearce stated we would check the Council minutes on the matter. Councilman Merry asked if that was possible to do without Council approval. Mr. Pearce stated that had not been his practice. He said he had brought it to Council.

Councilman Ebner stated that Mr. LeDuc never could justify any of the numbers. He said when he came on Council he asked for Council backup on all of the overruns. He said there is not any. He said that is the reason he had been so specific on Capital Project III. He said Mr. Pearce had been nice enough to bring them to Council each time. He said we are actually \$5 million over on that. He said we had a lot more money to come in which saved us.

Councilman Dewar stated he questions the legal authority to reimpose money from CPST II to CPST III. He said those are separate projects approved separate times by the voters. He said he understands the Attorney General has opined, but you might not agree with it, that you do CPST II before you start CPST III. He said the City of Aiken has not done that. He pointed out we have already loaned money out for CPST III before we started collecting the money. He said the Attorney General says you do one Capital Sales Tax and then you do the next one. He said when you start talking about reimposing that is when you get to the end of CPST II and you are either short or over and then you deal with it. If you are over, you take it forward. If you are short, that is the basis on which you add that to the next item. He said he would not object given the vagaries of the wording of the law to reimpose that into CPST III, but it has to be after CPST II is done. He pointed out CPST II is not done yet. He said we should not have put money for Open Space in CPST II because it is not listed as an authorized item. He said we will live and die with CPST II, and it will never close until we spend the \$1 million on open space unless it is the last item and we vote to bring it forward. He said he did not think there was the authority to reimpose as is shown as being done.

Mr. Pearce stated by the reimposition what we would do is when it comes time to renovate the Public Safety Headquarters, and there is a timeline in the report, we would spend it out of CPST III not spend it out of CPST II. He said we would not spend the \$600,000, but would spend the \$900,000. Councilman Ebner stated he would take that under advisement.

Councilman Dewar stated he would like to know specifically how Mr. Pearce applied the \$1.1 million extra allotment from Aiken County. Mr. Pearce stated that had been asked before and the answer is still the same, which is on the projects listed. He said some projects ran over, but we had surplus money. So the money applies to the rest of the list for the unfinished projects. Councilman Dewar asked how it was applied. Mr. Pearce stated it goes to the CPST II projects. He said for the projects that are not finished yet, the money could be used for those projects so we don't come up short.

Mr. Pearce stated staff will review the figures for the projects on the timeline. Councilman Ebner stated Finance would have to do it as it has to pass audit as of June 30, 2013.

Councilman Dewar asked if there was a difficulty in getting the top of the page \$1.1 million and just listing what the rest of the money applied to. He said it had to go against something. He said Finance does not just throw money away, it is precise. Mr. Pearce stated it is all part of CPST II. Councilman Dewar stated all he is asking is where it went. Mr. Pearce stated he would give him an answer to that.

Councilman Ebner stated he had some questions on the water system for Ms. Abney. He said he had sent about 30 pages of information to Mr. Pearce. He said he had a lot of numbers to go through. He said he guess he got hoodwinked when he asked the previous City Manager if he was depreciating the General Fund money. He said he reviewed that when we went over the zero based budgeting. He said it shows on the Depreciation Schedule that was given to Council today that there was no Utility System depreciation in 2010. Mr. Pearce stated there was none in 2010. He said 2009 and 2010 were Mr. LeDuc's budgets. He did inform Council that every year we try to set aside the \$1.2 which was done in 2007 and 2008, but with the reverse of the economy and the reduction in revenues, we would not be able to do things like the Utility Depreciation and the Building Depreciation. The other thing was equipment with depreciation, and we funded the depreciation at 125%. What he was doing was suspending the additional 25%. He did depreciation on equipment replacement at 100%. Councilman Ebner stated what bothers him is that when we did the budget in 2010, he gave him a chart. He said as part of that he asked for a projected capital expense and debt service. He showed there was depreciation in that year and also implied it was in the year before when it was not there. He said we need to go through that. He said the schedule he gave us was off by \$4 million. Mr. Pearce stated that was the water plant. Councilman Ebner stated we have to account for that money better than we did, at least for him. He said he needs the Depreciation Schedule showing all the different things, showing the water tanks, Shiloh Springs, and the water meters. He said we are supposed to be depreciating money for the water line replacement. He said that needs to be up to date starting at least in 2009 and go through the depreciation schedule both for equipment and buildings. Mr. Pearce asked if the projections for 2013-14 would be helpful. Councilman Ebner asked for the information through June 30, 2013, where it is closed out and real money, actual expenditures. He said that needs to be done through Finance and be sure it will pass audit as he is going to ask the auditor to check it.

Councilman Ebner stated we don't show on the Capital Expense and Debt Service the \$1.5 million loan and the service to the loan. Mr. Pearce stated it is shown on the Special Holding accounts, listed as a debt. Councilman Ebner stated when we ask to do an expense thing for the whole account, this is his problem. He said this doesn't pass audit. He said he had asked the auditors to check it. He asked how you can not have a \$1.5 million loan showing as a debt service. He said it is a debt to the Utilities Fund. Mr. Pearce stated that it is to the Water Utility Equipment Replacement Fund. Councilman Ebner stated we have to show where the interest service is coming from which is about \$20,000 to \$25,000 a year. Mr. Pearce stated that is shown in the budget. Councilman Ebner stated it is shown in the budget, but it is not shown on the Debt Service. He said

by doing that we can trace the \$1.2 million that you put in there for water meters. We can chase the 6% dedicated to water leak services. He said the reason he is bringing this up is that when we had a shortfall of money this year that \$600,000 which was not depreciated of the \$1.2 million is 4% of our Water and Sewer Fund. He said that is a lot. He asked where we make this up. He said his understanding is that the Water Fund is supposed to be self-funded. Mr. Pearce responded that it is as it is an enterprise fund. Councilman Ebner stated the depreciation is part of the fund, and we are using that to cover our loss. He asked where we ever make up the depreciation. He said unless we raise the water rates we never get there. He said where are we going to make up next year's \$600,000. He said we would have to raise the water rates. Mr. Pearce stated that is something we could look at. Councilman Ebner stated if he adds it up from 2009 forward, we are \$6 or \$8 million in the hole on depreciation and in funding the water and sewer fund. Mr. Pearce stated there were two years when the depreciation was not funded. Then in 2011 and 2012 it was not fully funded nor for this immediate past year would it be fully funded. He said there is a shortfall. Councilman Ebner stated his question to Council is do we just forget about the past and one day raise the water rates. He said it is not self funded if we are not using depreciation. He said depreciation pays for our projects. Mr. Pearce pointed out that the 6% money was for crews and equipment and 2% went to inflation. Councilman Ebner stated as part of the expense and debt service we need to show that money coming in because we had money in 2011 and 2012 also. He said he needs to see the whole series of numbers to be sure we are not 10% or 15% down on our water rates. Mr. Pearce stated we will do the analysis and present it to Council.

Councilman Dewar stated this is difficult for some. He said he did not want to be critical, but he had to be. He said he thought staff needs to somehow do a better job of educating Council. He said they are not accountants. He said it needs to be phrased in a way that it is very clear. He said we get all these overages, but they are not by account numbers. He said the questions that Councilmember Ebner has addressed, if we are living on depreciation, that is a bad thing because it means that our budget really is not a budget, but it is a bunch of numbers and when we need extra money we just take it out of depreciation. He said he did not think that was the way depreciation was supposed to work. He said you need to give Council the information considering their accounting expertise which is quite low for him. He said it is confusing to him.

Mr. Pearce stated staff had given Council the budgeted amount and what we actually had for revenue and expenditures. He said Council has that report, and it is by account number.

Councilman Ebner stated with what he has, he cannot vote for what Council needs to do tonight until he sees the numbers. He said he felt it is several million dollars off. He said he hoped he was wrong. He said his position is that we can go ahead, but until he can see the numbers he will have to vote against it or we could continue the matter until we get the numbers.

Mr. Pearce asked if he meant the Utility Fund numbers. He said the only thing we are doing with the Utility Fund with what he presented at this meeting, is about \$26,000 for salary increases. He said that is the only thing he talked about other than depreciation.

Councilman Ebner stated when they approved the budget, and it is in the minutes, we could go back and take a look at the issues from 2012 and 2013 in the water fund. Mr. Pearce stated he would meet with Mr. Grinton and Ms. Abney and make sure we have the accurate money figures as well as have the timeline show how the money will be spent out for the Capital Projects Sales Tax funds. Councilman Ebner stated the Debt Service needs to be there and the money coming in. He said the information needs to be in a typical spread chart. He said he understands a financial spread chart. Mr. Pearce stated staff will get the information.

Mayor Cavanaugh stated a motion had been made.

Councilwoman Price moved, seconded by Councilman Homoki, that Council approve the adjustments to the budget as outlined by the City Manager.

Councilwoman Price stated the motion is approving the additional 1% salary increase for the employees.

Mr. Pearce stated the approval would include the additional 1% for a salary increase for the employees, as well as replenishing the Special Holding funds, the depreciation for facilities for the first time in about 5 years, and then the carryover requests listed in the memo.

Councilman Ebner stated as a package he could not vote on it as there is too much stuff moving around in the Water Fund that is supposed to be self funded. He said it is not clear to him and the numbers he has been given over the last four years don't pan out. He said the rest of the stuff is good. He said he may be in the minority, but he needs to see the right numbers.

Mr. Pearce stated to be clear for the record, the only thing regarding the Utility Fund that Council would be voting on would be the \$26,000 to be used for a salary increase for Utility employees. Councilman Ebner stated he was questioning things that were done in 2012 and 2013. Mr. Pearce stated as City Manager, he was assuring Councilman Ebner that staff would get him a report and show the money in, the depreciation taken, and money out, paying the debt service and what projects we have done.

Councilman Ebner stated we would have to add that to the motion because he had been working on this for a couple of years, and we need to bring it to a head. He said he hopes he is wrong, and if he is he will apologize to Council. He said this year it showed we needed a 4% increase in the water budget to cover our costs. Mr. Pearce said that was because we had a revenue shortfall. Councilman Ebner stated there was no way we would make up 4% next year on the water budget. Councilwoman Price stated she had no objections to adding that to the motion. Councilman Ebner stated he thought we may be violating state law if the Utility Fund is not being self funded.

Councilman Homoki stated he did not have a problem adding that to the motion. He said to review some of the history, when we raised the water rates about three or four years ago, we were not just 7% in the hole then. That had been going on for several years so he would expect that the water fund would have been in the hole. Councilman Ebner stated he was adding fuel to his fire that we are living off depreciation, and we are supposed to have depreciation to pay for the projects, otherwise we have to borrow the money.

Mr. Pearce pointed out we have Capital Projects Sales Tax money also. Councilman Ebner stated we do not have money in CPST for the water plant and Shiloh Springs. Mr. Pearce stated for the Shiloh Springs filter we have a \$1 million grant from the State. Councilman Ebner stated he still sees \$5 or \$6 million that we owe. He said what Councilman Homoki said is true the Utility Fund is lagging from three or four years ago. He said with the amendment he can support it.

Councilman Dewar asked for clarification. He said the difference in the budget of \$685,132 for carryover funds, Mr. Pearce is not telling us where that came from, but is telling Council where the money is going. Mr. Pearce stated the money came from revenues exceeding the expenditures total. He said Council has the breakout in the report he had given Council on the final revenues and expenditures for fiscal year 2012-13. He said he could look down the revenues and see what was over budget. He said it was several different sources.

Councilman Dewar stated that was more work than he thought Council ought to have to do. Mr. Pearce responded the numbers are side by side. He pointed out, for example, the first item is Real Property Taxes. Staff estimated \$7,500,000 revenue. The actual revenue was \$7,648,857. He said the information was in the budget reconciliation document that Councilman Dewar had asked staff to do.

Councilman Ebner stated when we don't do depreciation that is 9.5% of the budget. In the year he had referred to \$1.2 million and the budget was just under \$13 million. He

said that is 9% that we made up in the budget by not depreciating. He said we are 18% to 20% behind on depreciation.

Councilman Dewar stated to figure the overages he would have to look at each figure. Mr. Pearce responded that staff would give him an itemized list if that would help. Councilman Dewar stated he would appreciate that.

Mayor Cavanaugh called for a vote on the motion by Councilwoman Price, seconded by Councilman Homoki, that Council approve the budget reconciliation, including the additional 1% for a salary increase for all employees, as well as replenishing the Special Holding funds, the depreciation for facilities for the first time in about 5 years, and the carryover requests listed in the City Manager's memo. The approval is with the understanding that the City Manager will provide accurate money figures as well as have the timeline show how the money will be spent out for the Capital Projects Sales Tax funds and provide the figures requested by Councilman Ebner regarding the Utility Fund Debt Service and Depreciation. The motion was approved by a vote of 6 to 1, with Councilman Dewar opposing the motion.

AIKEN'S MAKIN'

Parkways

Park Avenue

Chesterfield Street

Union Street

Chamber of Commerce

Mayor Cavanaugh stated a request had been received from the Chamber of Commerce for use of the parkways for the 37th Annual Aiken's Makin'.

Mr. Pearce stated as part of the 37th Annual Aiken's Makin' event in our city, the Greater Aiken Chamber of Commerce is once again requesting use of the west-bound lane of Park Avenue, and appropriate parkways in the area between Chesterfield and Union Streets, as well as utilizing York, Fairfield, and Union Streets for other vendors. Our Public Safety, Parks, Recreation & Tourism, and Public Services Departments have met continuously over the past several weeks with Chamber representatives to make sure we will have another successful event on Friday, September 6 from 9:00 a.m. to 6:00 p.m. and Saturday, September 7 from 9:00 a.m. to 5:00 p.m.

For Council approval is the Chamber's request to set up in these areas for the annual Aiken's Makin' event.

Councilwoman Diggs moved, seconded by Councilman Merry, that Council approve the use of the west-bound lane of Park Avenue, and the parkways in the area between Chesterfield and Union Streets, as well as York, Fairfield, and Union Streets for the 37th Annual Aiken's Makin' event on Friday, September 6 and Saturday, September 7. The motion was unanimously approved.

BANNER

USCAiken

Municipal Building

Mayor Cavanaugh stated a request had been received from USCAiken for permission to place a banner on the Municipal Building on Park Avenue.

Mr. Pearce stated Chancellor Sandra Jordan has requested the placement of a banner downtown calling attention to USCAiken with University students coming back for the fall semester. A copy of the design of the banner was given to City Council. The banner is proposed to be placed on the Municipal Building on Park Avenue at the back of the building in The Alley. Another possible location would be on the Administration and Finance Building on Laurens Street.

For Council consideration is a banner display for USC Aiken.

Mayor Cavanaugh asked if we would be ready for others to make similar requests for their events.

Mr. Pearce stated normally we do not allow such requests, but we do have in the Strategic Plan that Council unanimously adopted, to promote opportunities to partner with Aiken Tech and USCAiken. He said that was the reason for presenting the request to Council. He said the banner could either be on the upper part of the Municipal Building in The Alley or it could be on the Administration and Finance Building on Laurens Street.

Mayor Cavanaugh stated it would probably be more visible on the Laurens Street building.

Councilman Ebner expressed concern about where we would stop such requests. He was concerned about other requests for banners. He said other than displaying the flag on a public building, he has a concern about placing signs and banners on public buildings. He said he felt having banners on public buildings does not add value to the ambience, either on the Park Avenue or the Laurens Street buildings. He was concerned about the request. He suggested perhaps the banner could be on one of the traffic light poles such as where the flags are placed. He said he has a concern about the request.

Mayor Cavanaugh stated he has the same concern. He asked how big the banner would be and how long it would be up. Mr. Pearce stated he did not have the dimensions, and he thought the banner would be up the first month of the semester, September.

Mr. Pearce stated he would not have brought the request, except the Strategic Plan specifically says that the city needed to look for ways to connect the campus to our downtown and look for opportunities to partner with the academic community.

Councilman Ebner suggested that Council approve the banner being placed somewhere else other than on the public buildings with the Mayor and staff deciding where the banner could be placed.

Councilwoman Price stated she felt Chancellor Jordon would not have an objection if the banner was not placed on a city building, but was allowed to be displayed somewhere. She said one of the concerns she has with USCAiken is that the students never come downtown Aiken. She said we want them to come to the downtown to the stores and to eat.

Mayor Cavanaugh suggested perhaps the banner could be placed at the intersection of Laurens and Richland.

Councilwoman Price moved that Council approve the placement of the USCAiken banner at a different location other than on the city buildings. The motion was seconded by Councilman Ebner and unanimously approved.

Mr. Pearce stated staff will work out a location with USCAiken.

INFORMATION

Mr. Pearce introduced Emory Langston who is the new Special Projects Coordinator. She will be working on the Northside Revitalization Program and other special events.

ELECTION

Councilman Ebner stated some Councilmembers have an interest in the upcoming election. He wondered if Jim Holly could answer some questions.

Councilman Dewar stated he wanted to clarify that we all understand and that we are all on the same page. He said he hoped Mr. Holly could help. He said there are four

Councilmembers running for reelection. There are no primary opponents. He said if we make two assumptions, one that we have no petition opponents, and second that after 10 days after the petition close out, that there is nobody that announces that they want to be a write in candidate, it is his understanding that we will not have an election and that those who registered to file are declared the winners.

Mr. Pearce stated he thought Mr. Smith, City Attorney, had worked on that as he had met with the Election Commission.

Councilman Ebner stated he got us part of the way, up through today. He said he was a little concerned that the future is not as defined as September 10.

Mr. Smith stated he did not understand the cryptic nature of the question.

Councilman Ebner stated he had read Mr. Smith's memo several times. He said his concern is that he does not want Mr. Holly and himself to be in front of the Supreme Court because he gets kicked off the ballot or he does not get elected.

Mr. Smith asked why Councilman Ebner was concerned about getting kicked off the ballot.

Councilman Ebner asked why 276 people got kicked off the ballot last year. He said his next question concerns the filing of the Economic Statement. He said he wants to feel sure that the four candidates will not be on the front page of the paper that four candidates did not qualify.

Mr. Smith stated he did not understand why the concern.

Councilman Dewar asked Mr. Holly about his understanding of the law.

Mr. Jim Holly stated he was going to bail out. He said first of all he has to respect Mr. Smith's attorney-client privilege with Council. He said as an attorney to be ethical he has to respect that and not get in a debate with the public on something like this. Secondly, he said he had not looked at that recently. He said he would want to look at that before making any comments. He said he would be glad to talk to Mr. Smith about the matter as a courtesy if he wants his advice and input. He said it was not proper for him to comment.

Councilman Ebner stated he just wanted to be sure they are not on the front page of the paper—four City Councilmembers don't make it because XYZ.

Mr. Smith stated he did not think that anybody foresaw the events of last summer.

Councilman Homoki stated it was his understanding that municipal elections were not addressed in the legislation. Councilman Dewar stated it was not. Councilman Homoki asked then where are we. He asked if we can find out where we are.

Councilman Ebner stated the other question he has is that Mr. Smith did not address the SEI. He said the County Election Board does not address that. He said he gave them a copy of his Economic Statement anyway.

Mr. Smith pointed out that Councilman Ebner had previously filed an Economic statement anyway.

Councilman Ebner stated he had filed this year's Economic Statement in February. He asked if he needed to file it again.

Councilman Dewar stated you have to file again once you are a candidate. He said Councilman Ebner would have to file again as a candidate.

There was discussion on the filing of the economic statement. Some Councilmembers pointed out that the statement would be for the same position and the computer will not let you file another form. You have to file an amendment; it won't let you file another form.

Councilman Dewar stated when he ran for reelection he called the Ethics Commission, which he felt all those filing for reelection should do. He said he told them he was a candidate for reelection and asked what he should do. He said they told him you have to file another form as a candidate.

Mr. Smith stated he apologizes for his candor to Council. He said he had no idea that Council was going to talk about this tonight. He pointed out it is not on the agenda. He said we have had numerous discussions about what proper agenda items are. He said this was not an agenda item for discussion.

Councilman Ebner asked why Mr. Holly was present at the meeting. Mr. Smith responded he had no idea why Mr. Holly was present. He said he did not invite him. He did not know why he was present.

Mr. Holly responded that he was the attorney for the State Infrastructure Bank and has been for 13 years.

Councilman Ebner asked that the matter be placed on the September 9, 2013, agenda for discussion. He said he would write an email requesting the matter be on the agenda.

Mr. Smith stated he needs some specifics as to what Council's concerns are and what he should address. Councilman Ebner stated he would list the concerns.

Councilwoman Price stated Councilman Dewar is right on the filing of the State Ethics form. She said she went to the Ethics Commission office and that is what she was told.

Councilman Dewar stated you have to file an SEI as a candidate. He said he had talked to the Elections Commission and his understanding of what they said is that there is no primary, and if there is no petition and no one announces within 10 days of the close of the petition and if nobody announces within 10 days of the closing petition that they are going to be a write in candidate, that there is no need to have the election.

Mr. Smith stated he had no idea this was going to be a discussion tonight. He said he would be happy to discuss the matter with Council after review of the matter. He said he would like to have a list of what Council would specifically like for him to answer. Councilman Ebner stated he would let him know the questions to answer.

Mr. Smith stated he did want Council to understand that he is not Council's election law advisor. He said Council has to get their advice for how they run for Council from their appropriate legal counsel. He said it was not his job to advise Council on running for office.

Councilman Merry stated he understood that he had to file a new SEI. He said he tried to do it on line which is the way you do it. He said it will not let you file if you have already filed one. He said he changed it to an amended SEI and filed it again. He said he did not know if Mr. Smith would investigate that or not.

Councilman Dewar stated it is up to the individual to check it. If you are not sure, you should call the Ethics Commission. Councilman Merry stated the Ethics Commission stated he did not have to file. He said Councilman Dewar had said he did need to file so he did it anyway. Councilwoman Price stated she was told she did not have to file, but she checked with the state and filed anyway. Councilman Homoki stated he was told as long as you are filing for the same position, you don't have to file again.

Councilman Dewar stated that was interesting. He said he talked to three different people from the Elections Commission and got three different interpretations.

Councilman Homoki stated he asked the people when he filed what he was supposed to do, but they did not know.

Daughters of American Revolution

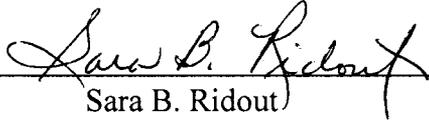
Mr. Pearce stated that on September 9, 2013, at 6 P.M. the local Chapter of the Daughters of the American Revolution want to sponsor a light meal in Room 204 for City Council. They wanted to know how many Councilmembers would be able to attend. All members said they would attend.

Joint Council and Planning Commission Action Agenda Meeting

It was pointed out that Council will be meeting with the Planning Commission at 4 P.M. on Tuesday, August 13, 2013, in the Council Chambers for discussion of the Planning Commission Action Agenda.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:16 P.M.



Sara B. Ridout
City Clerk