

Aiken City Council MinutesJanuary 13, 2020WORK SESSION

Present: Mayor Osbon, Councilmembers Brohl, Diggs, Girardeau, Gregory, Price, and Woltz.

Others Present: Stuart Bedenbaugh, Gary Smith, Sara Ridout, Kim Abney, Tim O'Briant, Ryan Bland, Kym Wheat, Lex Kirkland, Angela Hales, Charles Barranco, Mike Przybylowicz, Colin Demarest, and Shiann Sivell of the Aiken Standard, and 9 citizens

CALL TO ORDER

Mayor Osbon called the work session of January 13, 2020, to order at 4:35 P.M. He stated there were three items on the agenda for the work session – request from Jane Page Thompson to discuss concerns regarding Holiday Market, single-use plastic bags from the Energy & Environmental Committee, and 107 Chesterfield Street building plans.

HOLIDAY MARKETJane Page Thompson

Mayor Osbon stated the first item is a presentation to Council and discussion regarding the concerns of the Holiday Market by Jane Page Thompson.

Ms. Thompson distributed a booklet of information regarding the time line and documents she had received from the City of Aiken from a Freedom of Information request that she made to the City of Aiken on December 18, 2019, regarding communication between her and the City of Aiken staff or information obtained from public records such as state law, Municipal Code, and the Zoning Ordinance. She noted at the back of the booklet there were four pages of a typed written, front and back, statement. She said it takes about 26 minutes to read, but she was not going to read it, but invited Council to look at it.

Ms. Thompson noted that on December 15, 2019, Council received blind copies of several emails from Stuart Bedenbaugh, City Manager, relating to a Holiday Open House Market at 122 Dupree Place, known as Red Top. She pointed out that the cease and desist that was sent to her was sent to Council with some erroneous statements in it. She pointed out that she would never do something in the City of Aiken without calling a city office to ask if it was okay first. The event started on December 14, 2019. It was conveyed to Council in the email that she had not conversed with staff prior to the kickoff of the event about the event. She pointed out the first document in the booklet is an email dated November 14, 2019, confirming a phone call she made to Ryan Bland's office with a voice mail message. She had two questions she posed to him. The answer to one question was a no. The answer to the other was it would not run afoul of the Zoning Ordinance to "go for it." She said the idea was to have a trunk show type holiday market, estate sale type event at Red Top estates. She pointed out that Red Top is a vacant home in the City of Aiken. The owner is one of the largest personal property residential taxpayers in the city. The owner lives in Scotland and would like to sell the home which has been on the market for almost 8 years. She said she was trying to be creative and reached out to Kati Lipscomb who has an interior design business. Interior design businesses that have retail often have a mix of goods like antiques or vintage products. She said she knew that Ms. Lipscomb had a lot of people in her coterie that could come into Red Top and energize the home for the holidays. She said she also knows that the Hopelands lights have a huge captive audience. With people having to wait for the bus and people coming in from out of town to go to that event, she thought she might capture one person that would buy that property or tell someone about it which is what happened.

Ms. Thompson stated that on November 14, 2019, the idea popped into her head and she immediately called the city office and was referred to the business license office. She

talked to Al Cothran and told him what she was planning to do. She noted that she wanted to do a single gross vendor license as that would give the city the most revenue. She said her next call was to Ryan Bland on November 14, and she noted the email regarding that call. She noted that a phone call the next few days suggested talking to Public Safety to avoid a parking problem which she did. She was also reminded that with parking along the street we need to be sure they were safe. Because of the safety concerns she got insurance. She spoke to David Turno at Public Safety, and he issued a letter dated November 21, 2019, saying she had the right to bag the "no parking" signs on the Dupree side of the street for the event December 14 – 22, 2019. She noted that she did not know how it could be said she did not talk to staff ahead of time. She pointed out when she applied for the insurance she had to get the proper name for the city and made another phone call to the City Manager's Office. She said she had to list the City of Aiken as an additional insured on her insurance policy because people would be parking on the right of way. She pointed out a copy of the insurance policy that she got on November 26 was included in the booklet that she distributed to Council. She pointed out there was no way that she would not have communicated to a department in the City of Aiken prior to the event. She pointed out that it became very clear to her that it was not a problem with the idea of the event, it was a fact that a certain group of people that are staff did not like that their determination was overruled and someone else's determination was upheld.

Ms. Thompson stated that Mr. Bland, Planning Director, has the purview of the Zoning Ordinance. The Zoning Ordinance has A-G requirements that have to be met in order to do a home type occupation event. Because the City of Aiken Business License Office does not offer a trunk show permit like they do a garage sale permit, they don't offer a longer term temporary sale permit like other cities do such as Greenwood, SC. She said they had to look at the regulations under home occupation even though she was only going to be renting Red Top for a month in order to get the insurance policy. She said she complied with A-G in the Zoning Ordinance for a home occupation event.

Ms. Thompson then reviewed emails from staff members including Lex Kirkland, Jim Blalock, Nathan Campbell, Kim Abney, Al Cothran and Stuart Bedenbaugh. She noted when she saw the emails and text messages after the event occurred and after she had been issued a cease and desist letter from the City Manager threatening a \$500 fine and 30 days in jail, that she was really upset that an employee, especially a department head of the city didn't immediately text back to Mr. Blalock and say that his comments were out of line. She pointed out that threatening her with being someone who does not follow the rules is defamation. She continued to review the emails from Nathan Campbell, Kim Abney, Al Cothran and Stuart Bedenbaugh. She said she was harassed; her business was impacted. She and Kati were told they were not in compliance. Kati Lipscomb's business professionalism was in question as well as hers. She pointed out this was inexcusable behavior that went on December 13, 15, and 18. She pointed out that she went to Mr. Bedenbaugh's office with the Mayor as her witness and put \$100 on the table with the comment that it was not about the money. She said they had told her that she was violating the Zoning Ordinance, yet they were asking her to get a business license that further violates the Zoning Ordinance. She pointed out that Stuart Bedenbaugh, Kim Abney, Nathan Campbell, Al Cothran, and Lex Kirkland were stirring up the fact that she needed to get a group temporary business license for the temporary market. They refused to accept Ryan Bland's decision on the matter. Mr. Bland is the Planning Director, and he had done an investigation. He collected the facts; he had her lease; and he knew about the insurance. She noted that Nathan Campbell, Al Cothran and Kim Abney tried to prove to Mr. Bedenbaugh that they were right and Mr. Bland was wrong. She felt this was a power play between city departments of which she and Kati Lipscomb became victims. She said the two of them were harassed to the point that they are not sleeping and are upset at what happened and they can't figure out why it happened to them.

Ms. Thompson pointed out that Kati Lipscomb has a gross business license. She is an interior designer, and she had the right to go into a house and stage it just like any other property for sale in Aiken that gets staged if the seller wants that. She noted that she is a real estate agent, and she has the right to have an open house and have guests come in and look at a house. She pointed out that we all have heard of trunk shows, and trunk

shows happen in Aiken every day. She asked why the City of Aiken does not have a temporary trunk show license to capture that revenue. She pointed out that if the City had had a trunk show license like Greenwood does, she would not have been stressed with this situation nor would Ms. Lipscomb have been. Her reputation as a business person would never have been called into question, nor would Kati Lipscomb's. She encouraged Council to go through and look at the emails that she had obtained regarding the matter. She pointed out the goal of Kim Abney, Al Cothran, Lex Kirkland, Nathan Campbell and Stuart Bedenbaugh was to force her and Ms. Lipscomb into getting a group sales business license. They were focused on it. She reviewed the exchange of some emails. She asked if the matter was really about \$100 or about something deeper. She wondered if this was about a deeper problem in the city that Council needed to be made aware of.

Ms. Thompson stated Mr. Bedenbaugh called her, Chief Barranco, Ryan Bland, and Tim O'Briant into his office on December 16. She pointed out she had to change a listing appointment twice to accommodate that meeting and lost the listing. She said she went to that meeting and came out of the meeting with an agreement, and Council was sent an email from Mr. Bedenbaugh saying there was an agreement. Yet two days later because of Al Cothran, Nathan Campbell, and Kim Abney not accepting Ryan Bland's decision or Stuart Bedenbaugh's decision, she and Kati Lipscomb were called back by Tim O'Briant on December 18 and told that they needed to come in and get a group license or they could not proceed. They had to pay \$200 for a group license one for each week. She pointed out the group license, because she was already under a cease and desist notice from the City Manager, put her in conflict with the Zoning Ordinance and she could have been arrested. She pointed out the Code says Mr. Bland was right, but the business office and Kim Abney could not accept that. Ms. Thompson continued to review the events that occurred regarding a business license for the holiday sale at Red Top, including the parking along the street, and another event being held at an adjacent house.

Ms. Thompson stated she and Ms. Lipscomb are upset by the way they were harassed by city staff unnecessarily, that due process was ignored, and she was threatened with a \$500 fine and 30 days in jail. She pointed out she was entrapped into getting a license that she did not need to get. She said no citizen could have done more to try to comply with the rules than what she and Kati Lipscomb did. She pointed out an email from Mr. Bedenbaugh to Council regarding the matter. She said their intentions were not shaded. The problem is the city did not know how to deal with what they were doing. They don't have a trunk show permit.

Ms. Thompson stated Ryan Bland did the right thing. Charles Barranco's staff was fantastic. They did the right thing. She pointed out that Rasheka Gaines at Parks & Recreation when she saw what was happening, was proactive. However, Jessica Campbell, Nathan Campbell, Al Cothran, and Kim Abney were sending Mr. Bedenbaugh emails trying to get her in trouble. She said there needs to be cooperation with business, but it was a "get them." She felt that is a culture that is engrained in the departments of the city that needs to be cut out. She pointed out that in looking at the text messages and emails one can't help but see that some of the department heads that lead the city aren't familiar with the Zoning Ordinance and the Code of laws. They were so obsessed with being right and proving Ryan Bland wrong. She pointed out there were text messages and emails that went back and forth among Kim Abney, Stuart Bedenbaugh, Al Cothran, Nathan Campbell, Lex Kirkland, Jessica Campbell, and Jim Blalock that should never have happened.

Ms. Thompson stated she was glad that it was she and Kati Lipscomb that got the target because she felt no other business person or citizen would have tolerated this to the extent they had. She said she had not called the press or others because she wanted to come to Council and tell them of the problem that she had experienced. We should be working together to encourage business and all work together to make Aiken great rather than harass someone.

Council then briefly discussed the issue asking how much money Ms. Thompson had paid out. Ms. Thompson stated she would have to get the receipts together, but it would be around \$9,000.

Councilwoman Gregory asked if there was a phone call the day of the event or during the event. Ms. Thompson stated on the day before they were to open, on December 14, Nathan Campbell called Kati Lipscomb and told her she could not have the market. She pointed out that he did that based on a Facebook post. She pointed out that a lot was based on a Facebook post. She pointed out that the city impeded on their first amendment rights by using Facebook as a basis to come after her and Kati Lipscomb and defame their reputation among Council and the public based on a Facebook post. She pointed out that Mr. Bedenbaugh had said in an email no phone calls are given to warn someone that they are violating the Zoning Ordinance. She said the proper procedure is for staff to call Public Safety on a weekend if they believe someone is violating the regulations. She said they should have opened an investigation. If the question was about parking, the email from Turno addressed that. If the question was about a business license, they had Kati Lipscomb's business license. If the question was whether multiple vendors were collecting money in the building or one, there was only one person collecting the money. She said there was a question as to whether they had more than 20 customers in a week. She said they only did 19 transactions the first week; they did 20 the second week; and did 18 the third week. The concern about their having too many customers was addressed. She said the percentage of the building being used was about 3,000 sq. ft. of a 13,000 sq. ft. building. She said if they had opened an investigation, she could have shown her insurance, her emails, etc. to prove that they were not violating the Zoning Ordinance, and we would have let them look at Kati's books to prove that Kati was collecting the money from the others who brought in furniture, etc. Going through Kati's business license, all sales were captured, including cash and check sales. She pointed out that Public Safety did get some phone calls about the parking issue on December 15, and those calls came from her. She asked Public Safety for some traffic cones and a no parking sign so she could make sure that the new trolley had enough space to turn.

Councilwoman Gregory asked about the car issue along the street, and when it was apparent there was an engagement party in the area. Ms. Thompson stated at about 2:15 p.m. She said it did not register with her until about 2:15. She said staff was worried about parking. Nobody else was worried about parking. She said one reason no one in the neighborhood was worried about parking was because they are used to the inconvenience for parking with events at Hopelands. She pointed out also that she had called the neighbors to let them know that the event would be going on. She said if staff had called Public Safety regarding a parking problem, they would have known that she had permission for the sign and was not trying to get away with anything. She pointed out that no one bothered to call her or to call Public Safety and open an investigation so she could answer those allegations. She pointed out, instead, she got an email on Sunday threatening her with a \$500 fine and 30 days in jail. Regarding the parking, she said there were only three cars on the street for the engagement party. She pointed out that for the parking she only bagged one "no parking" sign of the four signs.

Councilwoman Price stated she does not have a question, but has some comments. She pointed out that Ms. Thompson had presented Council with some documents with facts about some issues she had. She said her personal comment is that every business is important to us. She said she did not know what Ms. Thompson and Ms. Lipscomb have encountered. She said she had not talked to the people she had named in her comments, but she felt we should pursue what we have learned from Ms. Thompson. She stated she wanted to extend her personal apologies to Ms. Thompson and Ms. Lipscomb for what they have experienced. She said they will gather other information beyond this.

Councilwoman Gregory stated she resonates what Councilwoman Price stated. Councilwoman Diggs stated she agreed with Councilwoman Price also.

Councilwoman Diggs stated she had been talking to Ms. Lipscomb a lot. She said she knows that a lot of businesses think that the City is not listening to them and that the City does not care. She said she had spoken to Mr. Bedenbaugh about the possibility of having a town hall for small businesses to come and express some of their feelings and let us know what we can do differently because we do want to be business friendly. She said

we need to hear from the businesses to find out what we are doing wrong and what we are doing right. She said she hopes we have a meeting scheduled in the near future.

Councilwoman Gregory stated she would like to have a meeting to discuss Ms. Thompson's issue in more detail.

ENERGY AND ENVIRONMENTAL COMMITTEE

Plastic Bags

Single-Use

Mayor Osbon stated the next item on the work session agenda is a report from the Energy and Environmental Committee regarding single-use plastic bags.

Mr. Bedenbaugh stated a couple of years ago, the Energy and Environmental Committee gave a presentation in the Council Chambers to Council about a proposed ban of single-use plastic bags. At the time Council did not believe the time was right and received the presentation as information. Last year, City Council tasked the Energy and Environmental Committee with reviewing a potential ban on single-use plastic bags. Since 2016, a number of South Carolina communities [cities and counties] have initiated various types of bans on single-use bags and containers. He stated that Councilman Woltz and Councilwoman Price have expressed they would like additional information on the banning of single-use plastic bags. Mr. John Carman, Chairman of the Energy and Environmental Committee, is present to discuss their review with Council.

Mr. Carman stated the Energy and Environmental Committee members are almost all new members, but they are an enthusiastic group and willing to work. He introduced Mr. Andy Hallen, a past member of the Energy and Environmental Committee, to give the presentation.

Mr. Hallen gave a presentation on single-use plastic shopping bags. He noted that he had given the same presentation to the 2016 Council, and they agreed that something should and could be done, but were unable to act at the time. He said he would recycle his 2016 presentation to point out to the 2020 Council why bags are problems, what can be done about them, what is being done elsewhere, and a course of action for Aiken. He explained the problem of using plastic bags. They litter our streets, and end up in landfills and bodies of water. Plastic bag pollution is particularly dangerous as animals ingest the bags and die. He stated it is a big problem. Between five hundred million and one trillion single-use plastic bags are used worldwide every year. Breaking it down to the City of Aiken, the citizens use over 30 million bags per year. About 90% of those end up in the landfill. About three million of them are litter. It is very labor intensive and costly to recycle the bags. There is almost no market for these bags, or plastic of any kind. Mr. Dunagan stated that a 30 yard container per day of plastic bags goes to the landfill from the City. He said the plastic bags have to be pulled out manually before the automation in the recycling center. He said it is very labor intensive and there is no market for them.

Mr. Hallen reviewed ways to reduce the problem. He pointed out the three R symbol which stands for reduce, reuse and recycle. There was a question about what happens to the plastic bags that are placed in bins at the big grocery stores. Mr. Dunagan stated the stores have a contract for the ones collected at the stores. Those are cleaned and freed of debris. Those are made into a material called trex. Mr. Hallen stated that consumers can be taught to use reusable bags, ban single-use bags, place a mandatory advanced recovery fee on plastic bags, and/or an advanced recovery fee on all disposable shopping bags. He reviewed legislation that has been put in place regarding plastic bags. He stated that more than 90 countries have banned the use of plastic bags. More than 300 municipalities have banned them as well, with 17 jurisdictions of them being in South Carolina. Mr. Bedenbaugh stated that Richland County is having a comment period on this and Lexington County has discussed this issue as well.

Mr. Hallen reviewed some highlights regarding plastic bags. He pointed out that China banned the manufacture or use of thin plastic bags in 2008. The Isle of Palms initiated a bag ban in 2016, the first in South Carolina.

Mr. Hallen stated by his count plastic bags are the enemy. There are several approaches to attack them. He noted, however, that not everyone sees plastic bags as the enemy. He pointed out that powerful special interest groups are campaigning against the ban. He said the battle takes place every year in our State House. He said the issue is not going away and is brought up every year by the State Legislature. He pointed out that he had talked about the problem, what can be done about it, what is being done elsewhere and that there are well funded special interest groups supporting the status quo.

Mr. Hallen stated the City of Aiken has a proud tradition of being on the forefront of environmental action. The City of Aiken was the first municipality in the region to commence recycling. Eliminating disposable plastic shopping bags is the next frontier. He proposed that the City take a stand by adopting legislation similar to the bag ban passed by the City of Camden. Mr. Bedenbaugh stated Camden only banned the single-use plastic bags. Other jurisdictions have banned straws, one time containers, Styrofoam containers, etc. Based on Council's comments he has heard, they only wanted a presentation about single-use plastic bags. He stated typically a jurisdiction will pass a ban, but there is a six month to one year window for compliance.

Mr. Halen stated the Energy and Environmental Committee is suggesting that the City look at the Camden law and make one similar to it. He stated they would suggest after Earth Day would be a good time to make it effective. Earth Day could be used to supply people with reusable bags. Councilwoman Diggs suggested there be some way to make reusable bags available to all of the residents. Councilwoman Price stated this year will be the 50th anniversary of Earth Day, and she agrees there would be vendors at the event to hand out bags. Councilwoman Diggs stated that large families will need a lot of bags. Councilwoman Price stated you get accustomed to what you are exposed to. Councilwoman Gregory agreed that Earth Day is a perfect time to educate and launch the initiative.

Mr. Carman stated they are in the process of gathering sponsors for Earth Day, and in addition to cash donations, several sponsors have indicated an interest in some type of item that would bare their logo. The number one item would be reusable bags.

Mr. Bedenbaugh stated the City is putting some costs together, if Council wants to pursue this, for providing a bag per residential garbage account household. It was a little more expensive than initially thought, but he feels they can reduce it. Councilwoman Diggs stated the number of bags should be based on household size. Mr. Hallen stated that marketing dollars could be used to provide bags, and the E & E Committee could put up a tent in the BI-LO parking lot on the Northside. They feel that would be effective. They would do that for several weekends. It was felt that the City did not need to give a bag to every household. It was felt that well over half of the households are already using reusable bags. Mr. Bedenbaugh stated he could not guess the percentage. Councilwoman Diggs stated she feels it should be based on the household size as to how many bags they can get. A family of eight would need more than one bag. Councilman Woltz stated we are paying to pick the plastic bags up as litter.

Mayor Osbon stated there is clearly an interest on Council to pursue this issue, but he would be interested in what some of the other communities found when they started this program. He would expect the Energy and Environmental Committee to support this and a lot of people in the community will as well. He feels there will be stakeholders that will need to be educated and will buy into the program. He hopes Council will be considerate of that. There needs to be a path forward and this is a great start.

Mr. Bedenbaugh stated he agrees and stated he has mentioned this item to David Jameson, of the Chamber of Commerce, and he brought up the issue that Councilman Woltz brought up. The big box businesses are used to this in other jurisdictions, but the City needs to get input from the small businesses. He feels the timing of implementing the program on the 50th anniversary of Earth Day is worthy, but the time is compressed. In speaking with Mr. Dellamora and Mr. Carman, if the program was initiated, it would be either the end of the calendar year to give time for people to adjust, or by January 1, 2021. The legislature can pass state-wide legislation to ban the bans, so the City is trying to stay ahead of that.

Councilman Woltz stated at Edisto Beach, they not only do plastic bags, but they also do Styrofoam. He stated he spoke with a restaurant owner and was told that if they have to change items, then they raise their price to absorb it. Councilwoman Brohl stated at the grocery store they have a stronger type plastic bag that is reusable. Ms. Jenne Stoker was present and had an example of a bag she had from the coast. She stated the guidelines are in their City's ordinance, and they state the bags have to hold 22 pounds and have to be able to be reused. Councilwoman Diggs asked if the businesses charge for the bag. Ms. Stoker said to her knowledge they do not charge.

Councilwoman Gregory stated based on the Camden ordinance, it appears to be for single-use plastic bags and nothing else. She asked if this is what the Energy and Environmental Committee was proposing. They stated it was. She stated as far as the stakeholders are concerned, she asked how it was done in other areas. She asked if it was done in phases such as the big boxes and then other business, or all at one time.

Mr. Hallen stated that Kroger was going to do it without an ordinance. They will phase it out over a number of years. Mr. Carman stated that Walmart is not active in the local scene, but as soon as it's implemented they implement their plan which includes the type of material that Ms. Stoker's bag is made of. He stated in the Camden ordinance, they specify things that are not banned. They look out for small business and people that use other types of plastic materials to wrap clothes, etc. There is a reasonable list of items that are excluded.

Councilwoman Brohl agreed with Mayor Osbon that Council probably should meet again with the Energy and Environmental Committee to talk about the time frames. Earth Day is a good day to initiate it, but knowing that everyone cannot be in compliance by then. It is a great kick-off. She feels there is a consensus of City Council to move forward.

Mr. Todd Lista stated recently there was a ball drop in Aiken and the theme was reusable shopping bags. He stated a friend of his saw a picture and sent it to some friends in Europe. The picture was of a trash can overflowing with Styrofoam cups, plastic cups, and straws. He stated Aiken does not want to be behind Camden. He stated we can be the first jurisdiction to have a full ban the way it should be. Councilman Woltz stated Aiken could be the leader in this.

Councilman Girardeau stated it would be good to get the County involved in this initiative. Mayor Osbon stated it would be nice to go to the other municipalities in the County and the County and approach them about the matter. Councilwoman Brohl stated the Chairman of County Council is on board with this. Councilwoman Diggs stated she thinks Senator Tom Young has been approached by the litter situation and this would tie in with that. Councilmembers expressed concern with the litter along the roads, especially the by-pass. Councilwoman Price stated she would like to encourage the children in the school system to get involved. Mr. Carman stated they are reaching out to the schools and are focusing on K-8th grade. They are talking about art contests and opportunities for young people to get creative and express themselves and be judged and rewarded.

Mr. Bedenbaugh stated he will speak with the City Attorney about a proposed ordinance for circulation. He will start engaging the business community through the Chamber. He stated they will look at Mt. Pleasant as they have a more comprehensive ban. He stated he will include Styrofoam and plastic straws in the proposed ban. Mayor Osbon thanked everyone on the Energy and Environmental Committee for their work in bringing this matter to Council again and for their patience.

107 CHESTERFIELD STREET SOUTH

Mayor Osbon stated the next item on the work session agenda is review of building plans for 107 Chesterfield Street South.

Mr. Bedenbaugh stated last August, City Council passed a resolution to purchase the building at 107 Chesterfield Street South, that most recently housed a Regions Bank

branch. Since that time, staff, representatives from Southeastern and their architect have diligently worked to create work space that meets current needs of our citizens and staff and gives us room to grow over the next 40 to 50 years. We are here to discuss these drawings with City Council before we begin the process to finalize them.

Mr. Bedenbaugh gave some history on the building. He said the building was the former Henderson Hotel which was built in 1930. He stated the plan is to demo the portion that was added on in the 1960s, a two-story piece with mechanicals on the roof, and a three-story companion piece will be built seamlessly into the building. He stated we will consolidate the operations currently in the buildings on Park Avenue and Laurens Street in the Chesterfield Street building. He said the building is proposed to provide space for staff growth over the next 40 to 50 years.

Councilman Woltz stated he was bothered by the fact that there has not been a work session among Council where Council could discuss their vision of what they expect from this building, what they are expecting to get and what it might look like, what they want to see in it, where it is going, how we are going to prepare for the future, and how to make this a very efficient building. He stated he felt it would have been good for Council to walk through the building and see it instead of looking at a floor layout. He stated he felt Council needs to have a work session to talk about their vision before they think about a floor plan. They need to walk through it as a group. He said at the first meeting on this some great ideas were brought up, but he did not see any of them carried out in the proposed plans. He felt Council needs to talk about what they expect out of this and if we are going to get the property next to it for a parking garage and how that will tie in.

Mr. Bedenbaugh stated he felt we had tried to incorporate a lot of the comments that were brought out, with some more practical than others. He said once the project was passed by Council, City staff began their work and if a majority of Council wants a work session then he will schedule one. He stated the plans reflect a key component of taking out the drive-thru portion and making a three-story building. Councilwoman Gregory stated that a lot of the items that were requested or mentioned have been built into the plans. She stated she agrees that cosmetically Council could give some feedback or do a walk through, but she doesn't feel the project needs to be stalled. She felt the project needs to get rolling.

Mr. Mark Chostner, Project Manager, stated they took the parameters that Council gave them, which were dollars and the vision on what the look of the building would be, uses of the departments, planning for future, technology, and a number of other factors. He stated there are probably more things to talk about. He stated the reason it is before Council now is to show Council the progress. The floor plans were done with a lot of trying to make the space as efficient as possible by meeting with all the department heads and talking about what they are doing now and where they are headed with the departments. From that the three floor plans were developed with the developer and the architect. It is now before Council to show Council where we are. A lot of work has gone into the plans, but there is a lot more work to be done. He said this is an important time in the process, and if there is something Council does not like we need to know what that feedback is. He said this is not one pass, and staff may be getting sick of it, but tons of pre-planning has been going on with staff on how they are using their space. Every room was reviewed as well as every file cabinet and the use. Lots of thought and planning has gone into the plans.

Mr. Bedenbaugh stated one of the things resonated with staff was that Council had said they did not want a building where we are maxed out when we move in. He felt that we have very good versatile space within the project budget. He said one thing we are still looking at is structurally for the beautiful second floor patio or balcony to be used. He said we could schedule a work session and would advertise the meeting. We could do a walk thru at a designated time convenient for everyone whether before a Council meeting, as a special meeting, or set aside blocks of time if Council wants to do it in smaller groups. He said we can do whatever Council desires.

Councilwoman Brohl stated she felt walking through the building is a good idea. She pointed out it does have to be flexible, because it is hard to know what the needs will be. She said she had expressed that one of her major concerns is security of people working there and people coming there considering today's climate. She also pointed out that the balcony could be a great place for a reception or other events. She wondered if we need all of the offices and if we need to finish the building out completely or leave it open.

Mr. Chostner stated this session was a brief status on the building. He said we can set up meetings with a lot more details. He said every area and every future space were driven by space planning, and it is laid out in detail why that future office is like that and the expected growth for that division. He pointed out that nothing had been built yet so there is flexibility.

Councilwoman Gregory pointed out that she felt the Public Safety building was done so well, and we should have learned from that building. She pointed out the efficiency in which it was built and the under budget aspect. She noted that every detail and space of that building was pinpointed for use for now or in the future. She was able to see the transition and changes were occurring to better the project as it was moving. She said that approach is why it was so efficient, quick and under budget. She pointed out the plans presented for Chesterfield Street are very detailed and every space is designated, but it should not be set, but be an ever evolving construction project that will become better as we put it together. She hoped that would be the approach for the Chesterfield Street building because it proved successful for us. She said she was in favor of a tour of the building, and Council making suggestions. She said she was excited about the building and thought the plans look great. She felt changes could be made as we go.

Mr. Bedenbaugh suggested that Council could possibly tour the building on January 27, 2020, just before the State of the City event. If Council desires, a walk through could be done earlier. He said it seems that Council would like a time where all Council could tour the building together. If the schedule does not allow for some, there could be an alternate tour. Another suggestion would be for the tour to be prior to the February 10, 2020, City Council work session. The consensus was that the tour be before the February 10 Council work session.

There was a question if there would be a drive through. It was noted there would be a drive through, but not a formal drive through window setup. It would be through a tube system like Aiken County and North Augusta. Some thought a drive through may not be needed. It was noted that future banks do not have drive throughs. Councilman Woltz asked why we need five teller slots. He said he did not see why we would need five teller slots.

Councilwoman Price asked Mr. Chostner to review the third floor plan. He reviewed the location of the Council Chambers, the location of the elevator, security measures, public seating and the seating for Council in an arch. It was noted the layout is very similar to the present Council Chamber layout. He also discussed the arrangement of the pre-Council meeting area and the path from that area to the Council Chambers and the public entrance to the Council Chambers as well as security in the area. The pre-Council meeting room will also be very similar to the present Room 204, but slightly wider and longer. Councilman Woltz asked why the men's restroom was made smaller. He did not understand with more people in the area that the restrooms would be smaller. Mr. Chostner stated originally the restrooms were 2 men and 2 women, and in another area. The restrooms were moved and enlarged to 3 men and 3 women. He noted in the present building there are 4 and 4. He said if Council wants we could look at enlarging the restrooms. Regarding security at the building, he noted that there would be access control with badges to get in certain areas.

There was a question as to whether there would be armed officers in the lobby on the first floor during business hours. Mr. Bedenbaugh responded that is not currently in the plan. He noted that currently on days when there are large crowds or a lot of issues, we have an armed officer in the lobby for a short period of time. He stated that had not come up before, but it is something we could consider. Mr. Chostner stated one thing is that we can use technology the best we can through door access control, cameras, and duress

buttons. If that does not meet the needs, then staff an officer. He pointed out that generally the security will be similar to the Public Safety building.

Mr. Chostner stated we are presently in the schematic design stage and about ready to take the next step of getting into more details. Once the design is done there will be permitting and bidding and then construction. Presently we are on track with the budget with completion in the spring of 2022. Possibly the building could be completed before that time. The time schedule has some built in risks. He pointed out that the building may have some surprises. He noted that the more detailed planning we do at the department level, the less changes and surprises we will have. He pointed out the departments have probably been through the plans at least six times already. He noted that the departments have been challenged on what they think their needs are. He said we started with a space plan before anything was drawn. He said that was the core and the building block for developing the budget that was made with Southeastern for constructing the building. He said they wanted to make sure that we met all the needs of staff and the wants that we could fit in there operationally within the constraints that Council had set.

Councilwoman Brohl noted there are a lot of offices marked as "future". She wondered if it was cheaper to build out now even though they won't be used at this time. Mr. Chostner explained how staff had forecast a 30 year growth rate and the space needed for the future.

Council continued to discuss various items of the plans, including IT work room, storage and security.

Mr. Bedenbaugh stated he would schedule a tour of the building. He said he would send an email about some times that Council may be able to tour the building.

Councilmembers stated they would like to see the before and see the process as it progresses like the Public Safety building did.

Mr. Jason Long, of Southeastern, noted that what Council would see on the tour would not be anything like the plans on paper. He noted that everything is coming out to make the space meet the staff needs. He pointed out that they would be doing the same process for the Chesterfield Street building that they did for the Public Safety building. Mr. Long noted that for insurance purposes certain things are turned off in the building. He said there are safety concerns with power and water. He pointed out that Southeastern would be noticing on Tuesday, January 14, 2020, their 10 day notice to the State for the abatement to be done prior to demo.

Councilman Woltz asked who owns the parking lot. Mr. Long stated that presently Southeastern owns the parking lot. Councilmembers were concerned about going forward with the building if the City does not own the parking area. They pointed out that the City must have a parking area if they own the building. It does not make sense to own the building and not the parking area. Mr. Long responded that at this time it is not in the contract that the city would own the parking lot, but they are working to resolve that. He said the long term plan is for the City to own the parking lot. Councilman Girardeau stated the City made an agreement to buy the property and is doing a \$15 million project. He said if the City does not own the parking lot, there is no reason to go forward with the building.

Councilwoman Gregory asked what has to happen for the City to own the parking lot with the 107 Chesterfield Street property. Mr. Bedenbaugh stated we are working on a MOU and a letter of intent to have this resolved so the surface piece which is two parcels are also transferred with the agreement that Council passed to do the project for the new City Hall at no added cost.

Councilman Woltz stated it does not take long to do a MOU and a Letter of Intent. He said he agrees with Councilman Girardeau 100% that there is no reason to go forward with the building unless the City owns the parking lot. He said he also wants to know how much it will cost to build a parking lot or parking garage and where we are going to get the money to pay for it.

Mayor Osbon stated he felt the parking garage needs to go up while they are doing the construction on the building. Council agreed that makes sense.

Councilwoman Gregory stated the cost to build a parking garage costs more, but the City needs the lots. In order to move the building forward, the City needs to have the parking area and it needs to be a stipulation to move forward.

Mr. Bedenbaugh stated the City has around \$2 million to build a parking garage. The cost would depend on the size of the parking garage. The cost of a parking garage would be around \$15,000 to \$20,000 per space which is the industry standard. He pointed out that an item to be discussed at the next Council meeting is a request from St. John's Methodist Church that we adjust the parking in the parkway on Newberry between Richland and Barnwell Avenue which can potentially reduce the size of a parking garage that is needed. He pointed out that Councilman Girardeau brought up several meetings ago that the City look at doing a parking garage concurrent with the office project. Councilman Girardeau stated he felt it would be easier for Southeastern to do a parking garage at the same time as construction on the building. It should be an advantage and cost less money.

Councilwoman Gregory asked why Council did not have the item of owning the two surface parking lots for the 107 Chesterfield Street building before Council at this meeting. She felt the matter of the City owning the two lots should be before Council at this meeting. She wondered why the MOU and Letter of Intent had not been processed. She pointed out that the City needs the parking lots.

There was a question as to how many parking spaces would be needed. It was pointed out that at the time with the other development that was being proposed, the City would need 75 parking spaces in a parking garage. Mr. Bedenbaugh stated with the proposed development, the parking garage would be close to 200 to 245 parking spaces. Councilman Girardeau stated we wanted something that was bigger than just the City's needs for a parking garage.

Council felt they needed some answers. They asked if they could go away with the assurance that the City has the parking lots surrounding the Chesterfield Street building. It was pointed out that the building renovation will die if the City does not have the parking lots. Council stated they needed to know about the parking lots right away.

Mayor Osbon asked Mr. Bedenbaugh if by the end of the week the matter could be resolved regarding the City owning the parking lots surrounding the 107 Chesterfield Street building. Mr. Long, of Southeastern, stated they were ready to resolve the matter and agree that parking and the building should be delivered at the same time completed.

The work session ended at 6:40 p.m.

EXECUTIVE SESSION

Mayor Osbon stated Council needs to go into executive session pursuant to Section 30-4-70(a)(2) to discuss negotiations incident to a proposed contractual arrangement and proposed sale or purchase of property.

Specifically, City Council will discuss the following in executive session:

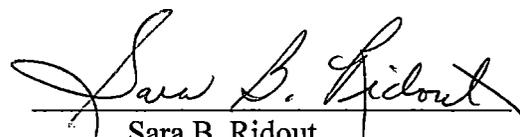
1. A proposed contractual arrangement regarding the possible sale of a building and property owned by the City of Aiken.
2. A proposed contractual arrangement with the owners of real estate regarding the possible purchase and/or acquisition of land in the City of Aiken.

Councilwoman Gregory moved, seconded by Councilwoman Price, that Council go into executive session to discuss the items noted by Mayor Osbon. The motion was unanimously approved.

Council went into executive session at 6:41 p.m.

After discussion Councilwoman Diggs moved, seconded by Councilman Woltz, that Council come out of executive session. The motion was unanimously approved.

The Executive Session ended at 6:59 p.m.



Sara B. Ridout
City Clerk