

## Aiken City Council Minutes

### REGULAR MEETING

April 14, 2014

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, Charles Barranco, Glenn Parker, Tim Coakley, Alicia Davis, Emory Langston, Sara Ridout, Maayan Schechter of the Aiken Standard, Andrew O'Byrne of the Aiken Leader, and about 20 citizens.

### CALL TO ORDER

Mayor Cavanaugh called the meeting to order at 7:00 P.M. Mr. Pearce 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. He pointed out that citizens could only speak on the items on the agenda.

### MINUTES

The minutes of the work session and regular meeting of March 24, 2014, and the workshop of April 1, 2014, were considered for approval. Councilman Ebner stated he would like to make a motion kind of under duress as we have so many things floating around with all the debris cost, etc. Councilman Ebner moved to accept the minutes from the March 24, 2014, work session, the March 24, 2014, regular City Council meeting minutes and the April 1, 2014, budget review work session. Councilman Ebner moved that approval of the debris work session minutes, which are pages 56 to 82, be continued until we get some information from the Aiken Standard FOIA to City Manager Pearce and the Aiken Standard FOIA to SCDOT and these documents are issued to Council and included in a future City Council agenda for discussion and action. He said he felt this was important that we roll all this together. He further moved that the motion include a FOIA request from Councilman Ebner to City Attorney Smith for all documents, email's, agreements, etc. between SCDOT, FEMA, County and City Manager Pearce including city staff in relation to SCDOT contractors not working in the city beginning February 11, 2014, and that this FOIA be included in a future City Council meeting for discussion and action. Councilman Ebner stated there is so much information floating around that he felt it would be good to collect all this in the minutes. He said one of these days a year or two from now everybody will be asking the questions as to what we did. He said there are a lot of emails that go between people that he felt were important. The motion was seconded by Councilman Dewar. The motion was unanimously approved.

### PRESENTATIONS

Ken Rueter

Savannah River Remediation

Mayor Cavanaugh stated that Ken Rueter of Savannah River Remediation was present to update Council on projects at the Savannah River Site.

Mr. Pearce stated Ken Rueter, of Savannah River Remediation, was present to speak to Council. He said the Chamber organized a tour of the Site, and they were able to view some of the projects that SRR is working on. He said he had spoken to Mr. Rueter several times, and he is very interested in sharing with Council what SRR is currently working on.

Mr. Rueter said he wanted to introduce himself and to give Council a state of the project from when he took over the job in mid-September, 2013, timeframe. He said he wanted to bring Council up to date with the adversity period that they have gone through over the last six months with government appropriation, lapses, shut downs, weather events, etc. He said he was sure Council, as well as the constituents, are very interested in the state of the Liquid Waste Program at Savannah River Site.

Mr. Rueter stated he had been a long term resident of Aiken and had met his wife in Aiken in the 1980s. All their children were born in Aiken. In the early 2000 timeframe they went off on a journey across the United States as part of the URS Corporation going to all the different DOE sites as part of the series of the clean up mission that the Department of Energy has. He said he had been on what he called a tour of the rivers. He said he had been to the Columbia River, the Snake River, the Clinch River, the Tennessee River, and now back to the Savannah River for another try. He said he was originally a part of the Defense Waste Processing Facility Construction Team, then the operations team for that facility. He said that facility on site treats the radioactive waste. He said his wife was a graduate of Aiken High School and was excited about coming back to this area and living here. He said he had lived in Aiken for about 13 years before going on the journey.

Mr. Rueter stated he wanted to recap that the Savannah River Remediation is a partnership of a number of different companies. The principal partner is URS Corporation. He said they are part of the legacy company that was called WSRC, Westinghouse Savannah River Company. He said their principal mission is essentially the treatment of the radioactive waste that is the outcome of the national defense initiative, commonly referred to as the Cold War Initiative. He pointed out there is a significant volume of waste that needs to be treated. It is stored in two types of underground tanks. One of them is considered an old style tank, and the other is considered a new style tank. The difference is that one has a containment around it, that being the new style, and one does not, that being the old style. He said their mission is to treat the radioactive waste and put it in its final waste form through one of two methods, either turning it into glass or turning it into concrete or grout and then ultimately closing those tanks. The order of closure is the tanks that are the old style tanks that provide the least burial protection of the environment are closed first. Then the new style tanks will be closed later. He pointed out there is a significant volume of waste. There are approximately 37 million gallons. He pointed out the way the waste is broken up. About 2.7 million of it is sludge, looking like peanut butter. The rest of it looks like dried salt. You might think of it like table salt that has gotten wet and clumped together. He said they have to rewet that or liquefy it or dissolve it. He said the 34.6 million gallons becomes 100 million gallons of liquid to be treated. The waste will be treated through three different facilities. One is called the Defense Waste Processing Facility and is the one that petrifies or turns the sludge and subsequently the salt into glass. He said there is the salt facility that takes the low level waste and turns it into concrete and pours it into vaults on site. Then there will be a facility called the Salt Waste Processing Facility which is being built at the site now. It will treat the salt waste of 100 million gallons of material that is liquefied salt or the dissolved salt.

Mr. Rueter stated their third mission is to prepare the liquid waste system or infrastructure to accept that facility when the construction is finished in the approximate 2016 – 2018 timeframe into the overall liquid waste system so it can treat the salt. He said they are going through a series of projects that connect in the Salt Processing Facility at a pretty high rate in excess of 20 gallons per minute and then take its product and turn it into glass or into concrete depending on the type of waste. He pointed out some pictures of some examples of tanks before they were complete in their construction and then put back with a back filter around them. He pointed out the salt looks like standard salt if you were to have it in the salt shaker and it got wet. He then pointed out the sludge which is peanut butter or ketchup consistency material.

Mr. Rueter stated he wanted to provide an update as to where they are with regard to overall production for this year. He said they received some troubling news in the

summer of 2013 with regard to what they believed was going to be their funding level in 2014. It required some reductions in force, and it also required them to turn back a significant amount of the mission other than maintaining safe storage of the waste in the tanks. He said they set off on a collaborative effort of which the City of Aiken was a part, as well as the State Delegation, the Governor's Office through the Governor's Nuclear Advisory Council, and through the Department of Health and Environment. Through all that working with the delegates, he was happy to say that their funding level has been fully reestablished for 2014. He said they now have the facilities up and running. They have the tank closure mission reestablished. He said they were supposed to be beyond the closure of the 7<sup>th</sup> and 8<sup>th</sup> tanks in the series of tanks to be closed in 2014. He said they are now back into those. They are referred to as Tanks 16 and 12. They are the next in importance of tanks. He said Tank 16 was one of the most leaking tanks on the site. He said there is a huge environmental benefit to getting it closed. All the waste has been retrieved from it. In the production facilities there are three main facilities: One is the pilot facility that is treating salt. There is the grout facility and the defense waste processing facility which is for treating the glass. He said all those plants went through a major outage activity in the first quarter of the year as they worked out the funding. He said they took advantage of that window and completed a number of modifications for life cycle extension. They have restarted those. He said they obviously were challenged by the weather during the course of that. He said in short of having to fend off locusts they fought every other challenge. He said they had a seismic event, freezing conditions that had not been seen in 20 years, snow conditions that had not been seen in 50 years. He said he was happy to say all the facilities are up and running and on target for treating waste this year. He said as pointed out the tank closure is back in full action. He said they are now back in the series of tanks both the ones being closed and the ones they are retrieving waste from that will ultimately be treated and eventually be closed. He said they have a series of tanks that have to be closed and a schedule that is consistent with the Federal commitments.

Mr. Rueter stated in the execution of their business he wanted to think of a triangle and each apex of the triangle is a critical part of executing their work—that is people, programs and plants. He said he had talked about the programs and plants. He said the most important part of doing their work is people. He said they are a company of people. They are a project of people. He said they don't produce a product that is sold or retailed. He said at the end of the day what they deliver is the ability of the people to work as an integrated team and deliver these production targets, close the tanks, and perform this in a safe manner. He said safety is the foremost aspect of their work because this is the foundation for doing their work. He pointed out, for example, their construction team which does very, very high hazard work has worked 26 million safe hours without a loss work day case. He said they think that is a national record. He said the operations team has worked 4.3 million safe hours without a loss work day. He said that is four OSHA President Awards. He said this is the safest high level waste treatment site in the nation if probably not in the world. He said their people are very proud of that aspect. He said they have seen objectively and by observation that there is direct correlation between employee fitness for duty, safety and wellness. He pointed out that just in the last year they have seen that a majority of their strain-based injuries have been associated with people who had wellness challenges. He said they have instituted a program called the Biggest Winner in which they have allowed the employees to form teams. They have been offered a free wellness screening through the University Hospital. He pointed out the parameters they look at. He pointed out it is much more than weight loss. It is really focused on wellness. It is cardiovascular, blood-based, and life-style. They took a baseline in January. They will be offered an opportunity for a final screening in June. The teams with the best reduction will be the biggest winners. From that URS is providing them mountain bikes and a free-guided mountain biking ride by him. He said they have employees training in Hitchcock Woods, Boyd Pond Park; people running in the United Way 5K, 10K that is coming up in April, etc. He said in meetings with both city officials and county officials, they have talked a lot about wellness. He said he knows that the City of Aiken has a focus on the importance of wellness overall. He said this has been exciting for their people. He said he wanted to share that with Council. He said he could come back any time Council would like.

Councilwoman Diggs pointed out that Mr. Rueter had said that funding is good for 2014. She asked what it looks like for 2015. Mr. Rueter stated they are optimistic for 2015. He said the reason is not just blind hope. He said the fiscal year previous to an upcoming fiscal year sets the basis. There are no guarantees in that. He said if you go in low and there is another continuing resolution, you would stay low. He said above and beyond reestablishing 2014 to be able to get back on mission pace, it sets the basis if we were to go into another continuing resolution for 2015. He said being back up on target for 2014 is a good foundation for 2015. Secondly, although the appropriation process is not done and won't be done until much deeper in the calendar year, the President's budget is very positive for Savannah River Remediation Liquid Waste Program. It is up significantly from last year's numbers. It is felt that number, along with how efficiently they are running the job, is very good. He said they ran the job about \$14 million efficiently the first half of this year. He said they reinvest that money into the mission, called growth mission delivery. It is felt the savings they will see the remainder of this year, plus the President's budget sets them up for a very good 2015. In response to what Council can do to help, Mr. Rueter said the same thing Council did over the course last year. He said with the voice from the City elected officials, from the State elected officials, from the initiatives of the Governor's Office and the commissioner, along with their federal delegates, there was one common message about the delivery of the mission and how it related to environmental management and how it related to reducing the risk. He said this is a multi-generational mission. He said they did not lose sight of that, but as a nation we may have lost sight of that in decision and priority making, and we brought that to the forefront again with a common voice, and it made a huge difference in his opinion. He said all 1,700 people appreciate the representation.

Mayor Cavanaugh asked how many tanks are still there with liquid in them. Mr. Rueter said that the number is in the 40's. He said they have closed 6. There are 24 of the old tanks. At the end of 2015 they will be one-third of the way through those tanks. He said those have the most environmental risks. He said the new style tank structural construction he felt is in pretty solid shape. He said it then becomes focusing on the treatment mission. They will ultimately be closed, but they will be on the second half of the closure cycle.

Mayor Cavanaugh stated assuming they get the finances they need, how long would it take to finish all the tanks. Mr. Rueter stated the timeframe would be around 2025 to 2028 timeframe. He said that is why he said it is multi-generational. He said their objective is that by 2018 or 2019 to be treating about 9 million gallons per year of the salt waste. He said there is not much sludge left to treat. It is about half way done. He said that is a huge environmental benefit to this area because most of the long lived and most dangerous radionuclides are in the sludge.

Mayor Cavanaugh pointed out Mr. Rueter had mentioned tank 16 as being a "leaker." Mr. Rueter stated that tank is empty now and ready for closure.

Mayor Cavanaugh thanked Mr. Rueter for being present and for the information provided to Council.

Councilwoman Price pointed out that Council has also asked SRNS and Dave Moody to make presentations as well to update Council.

#### WINTER STORM PAX

##### FEMA

##### Reimbursement

##### S.C. Emergency Management Division (SCEMD)

##### Federal Emergency Management Agency (FEMA)

Mayor Cavanaugh stated the second presentation has to do with Winter Storm PAX reimbursement opportunities.

Mr. Pearce stated after the worksession held a couple of weeks ago, we reached out to folks at FEMA and the South Carolina Emergency Management Division in the Office of

the Adjutant General. He said he had spoken with Lea Crager from FEMA, and she is present at this meeting. Also with us is Derrec Becker, the Public Information Coordinator, with SCEMD. In the audience also is Nick Thorpe, the Region 6 Emergency Manager for SCEMD, as well as Kati Norris who is the Individual Assistance Coordinator. He pointed out the agenda packet included the Public Assistance Applicants' Briefing information which they received at USCAiken. There was a kickoff meeting with the city's caseworker. He said based on some of the questions of Council at the worksession, it was felt this would be an opportunity to have some officials with us to go through the process.

Mr. Becker stated they would try to answer any questions Council may have. He said it can be a confusing process. He pointed out thankfully we have not had to go through this that often in South Carolina which means we are a great place to live. He said it is a good thing we don't know about these programs. However, when it happens they try to work with the County Emergency Management Directors and each of the municipalities to see what they can do in order to facilitate the process. He said he wanted to walk Council through the whole disaster emergency response process. Whenever there is an emergency, emergencies begin and end on the local level. A house fire, a car accident can typically be handled by a local fire department or a local police department. When a larger scale incident takes place like an ice storm, major tornado, or hurricane local resources are taxed. It crosses county lines. Multiple jurisdictions are involved. That is when you will see city, county, and state declare a state of emergency. The Governor will declare a state of emergency. That mobilizes state resources. If it looks like an incident is too large for the state to handle with resources within the state, mutual aid agreements with other states, the Governor will then ask the President to do something very similar called a declaration of emergency. That mobilizes federal resources. We contact FEMA based in Atlanta, and they do the emergency supplies. We saw that happen in several cases in Aiken in getting resources from FEMA federal resources here on the ground in Aiken County. Declaration of Emergency is very different from what happens next. If it is so large that you can tell that the damage is severe, and that we will need federal assistance, the Governor will then ask the President to do an official disaster declaration. There is a difference between a declaration of emergency that the President issues and a disaster declaration. He said that is where we are now.

Mr. Becker said when a disaster happens—hurricane, ice storm—we are looking at two different types of programs that FEMA typically deals with. One is called Individual Assistance. That is the one that most associates with FEMA. That is direct assistance to homeowners, FEMA trailers, housing assistance, etc. The general rule of thumb threshold for that program to be activated is 100 uninsured homes that have been totally destroyed and basically unlivable. That is under federal law—the Robert T. Stafford Act. He said we did not see that with the recent ice storm. We tried to get some resources out through volunteer non-profits, work with church groups. County Emergency Managers state-wide have done an excellent job in maintaining data bases and lists to see what type of help might be out there. Fortunately most everyone had insurance, and that will always be the first step in disaster recovery for a homeowner. The government would not be able to go on private property without certain permissions. He said that is the Individual Assistance Program--the FEMA money that everybody normally talks about. It is reserved for larger scale disasters like Katrina or Sandy.

Mr. Becker stated the programs that they are talking about—and if one attended the Kickoff meeting and the Applicants' Brief—it is a little bit of a misnomer. It is public assistance. It is better to say public infrastructure assistance, but that does not quite cover it. He said Public Assistance is what we are talking about in 22 counties. He said Lexington was just added late last week. It is for emergency costs over and above normal operating budgets. It is for any uninsured damages of public infrastructure—power lines, streets, roads, and for debris. He said we are talking about 85% reimbursement on that. He said if you are deemed eligible, the county and state both have to meet dollar amount thresholds. Aiken County is about \$560,000. The state's is \$6.4 million. The County and the State have to jointly meet those thresholds in order to activate these programs. We have clearly met that, and that is why we are doing the programs we are doing today. He said we can talk more about Public Assistance and the process now. He said this is still very much an active disaster for us. He said when FEMA came in they established

what is called a joint field office. They have about 100 folks working. They set it up overnight. He said it was impressive to watch them run computers, etc. They are working jointly with the state in making sure the applications are being processed efficiently.

Ms. Lea Crager, of FEMA, stated in the packet distributed to Council there is a fact sheet which walks you through the steps. She pointed out a colored chart summarizes the steps. She said Step 2 is really where we are now. From this point on we really are working with the applicants and cities to get the documentation together. You are assigned a Project Specialist to come in and help with the project worksheet that goes with the review process. After that the money is obligated. Once the money is obligated, it goes to the state to be in the payout process. She pointed out presently we have only finished the meetings. She said they don't have a project worksheet for the city written yet, but they are in the process of getting that documentation together to write it for any reimbursable costs. She said she would be glad to answer any questions.

Councilman Ebner asked if the names of the persons present could be repeated. Those present were Derrec Becker, South Carolina Emergency Management Division, Lea Crager, FEMA, Kati Norris, and Nick Thorpe. Mr. Pearce stated he had their business cards, and he would share those with Council.

Mr. Becker stated if Council has any questions feel free to contact them.

Councilwoman Price said it had been stated we are deemed eligible. She asked when we would know if we are eligible. Mr. Becker stated we are eligible for the programs as both the County and the State have met their thresholds. He said he was not assuring the city 85% now. He said once the project paper work has been submitted, it is up to FEMA to approve it. He said we are eligible for the programs, but each individual applicant has to be approved throughout this process. He said unfortunately it is not as quick a process as they would like it to be. It is a government program that we are dealing with.

Ms. Crager stated when they have the reviews, they determine what expenses are eligible expenses and what are not. Councilman Merry asked what length of time that involves—a year, a month. Ms. Crager stated the sooner the information is given to FEMA, and they receive the project worksheet, the faster it can happen. It takes about 24 to 48 hours to get the money obligated once the worksheets are approved.

Councilwoman Price asked if the city had given FEMA the information yet. Ms. Crager stated they had not received the worksheet yet, as they are working on that.

Mr. Pearce pointed out the caseworker had to inspect the debris piles to do an estimate of the cubic yards. He said the city had provided documentation. He said it is kind of like a mini-audit. They match up the worker with the equipment with the hours worked and the hours the equipment was used. He said it is a process. Mr. Becker said it is like having your taxes audited. He said the system is designed to prevent abuse. He said that does happen in larger scale disasters. He said you can Google a recent disaster to find where that has happened in the past. He said once the project is approved and everything is good, the project is processed. He said the City of Aiken and County of Aiken are a little bit ahead of all the other counties in terms of where they fall in line. Each eligible entity has until May 9, 2014, to submit an application. He said a copy of an application was included in the packet distributed—Request for Public Assistance. He said they have 155 applications so far and hope they will get about 175. He said they are still open and are encouraging everybody who might be an eligible government or an eligible non-profit to apply. He said if someone thinks their costs are not eligible, to contact them and discuss it with them.

Councilman Merry asked if by non-profit he meant homeowners associations or what. Mr. Becker responded that if homeowners associations are 501(c)3 associations, in certain situations they are eligible for certain things such as debris on the roads. They are not eligible for damage to recreational facilities or anything like that. They are eligible for debris on the roads, hangars, leaners, etc. should be eligible and that would be

discussed once that particular homeowners association submits their application to the state.

Councilman Merry asked if the homeowners association 501(c)3s are the only thing included under non-profits or are there other things. Mr. Becker responded that non-profits such as the Red Cross, any certified 501(c)3 that is active in disasters, the Baptist Ministry, electric cooperatives if they are government funded such as Aiken Electric Cooperative.

Mr. Pearce pointed out that the City of Aiken filed our request for public assistance at the March 18, 2014 meeting at USCAiken.

Councilman Merry asked what form they were waiting on from the City of Aiken. Ms. Crager stated the City of Aiken is getting the documentation together so we can complete the project worksheet. She said they do that in conjunction with the city, and the city will sign the form and then the state signs off. She said the city will sign off that to the best of their knowledge the information is accurate. Mr. Becker pointed out the one page application deadline had been extended to May 9, 2014. He said the process is still ongoing. Once the application is submitted it will be submitted to FEMA to be approved, and they will create the project worksheet. Then you will be assigned a project specialist or caseworker, and you will work through that.

Councilman Homoki asked whether utilities or infrastructure that are not insured is eligible to apply. Mr. Becker stated damages to public infrastructure is eligible and a utility that is a publicly held utility like Santee Cooper or the Aiken Electric Cooperative, would qualify. However, the South Carolina Electric & Gas or Duke Energy would not be eligible, as they are insured.

Councilman Dewar stated the City of Aiken formally declared a state of emergency. He asked if we need to stay in that state of emergency until the process is done or does that affect you at all. Mr. Becker stated it does not affect them. He said what affects them is the Governor's state of emergency, and by law that is in effect for 14 days unless it is extended. With this situation that was allowed to expire naturally.

Councilman Dewar asked if there was a timeframe in the city's declaration. Mr. Pearce responded there was not. Mr. Becker stated it would depend on local regulations. Mr. Pearce stated what the City of Aiken will file claims for will be any damage and any debris removal related to the storm. Mr. Pearce stated 30 days from the storm ran to March 12. He said staff is doing the worksheets through March 12 and will make that submission because that is the 85% reimbursement rate.

Councilman Merry stated it would be nice to be able to anticipate the level of reimbursement. He asked if there was any reassurance that the city could count on the 85% reimbursement if it is done before March 9. Mr. Pearce stated it does not have to be done before March 9. Mr. Pearce stated the city had filed the one page application on March 18 and had until May 9 to file the application. Councilman Merry stated the point is whether there is any way to anticipate what the reimbursement rate will be. Mr. Pearce stated they can't at this time. He said staff is in the process of getting the documentation finalized for the regular work hours, the overtime, and the benefits package. He said in talking with the caseworker, they were very helpful to us as far as exactly what would constitute benefits that they would reimburse.

Mr. Becker stated the general rule of thumb for most disasters with FEMA, if you are talking percentages, is 75% reimbursed by the federal government with the state and local, typically the county taking up the other 25% at a 12 1/2% cost share. He said both the Governor and the Legislature are currently discussing whether or not the state will take on the additional 25%. He said we don't know the process yet, as that is still being debated. He said with the post Sandy debris, it would be 85% for debris collecting, processing, and disposal under the Sandy Relief Act.



Councilwoman Diggs asked if the city may be getting reimbursed for the cost of keeping Smith-Hazel Center open as a shelter and overtime, etc. Mr. Becker stated those emergency costs would be included. Mr. Pearce stated there are different categories. He pointed out there is replacement for damage to the backstop at Citizens Park due to the storm which was not covered by insurance. He pointed out on the agenda for this meeting is the debris chipping contract for approval and the city will apply for reimbursement at the 75% rate.

Councilwoman Price stated there are dates for various reimbursement percentages if things are filed within a certain window of time. She asked if the city was in the window of time to get the highest reimbursement. Ms. Crager stated it is not when you file. She said with the Sandy Act they are saying that you can get up to 85% for the first 30 days for debris removal. Then the percentage goes down following that. She said the time limit is the work that is done during a certain amount of time can be reimbursed at a certain amount, whereas work done after that date may be a different percentage. She said the purpose of that is to speed up the debris removal process. She said it is a pilot program in a couple of months testing to see how it works nation-wide. Mr. Becker stated Georgia, South Carolina and North Carolina are the first states to be benefactors of this program since Sandy, as there has not been that much of a natural disaster nation-wide. He said this is new for the federal government as well.

Councilwoman Price asked what are some lessons they had learned since the storm. She said because of the disaster, since this is the first, she was asking for some examples of what they had learned in terms of this kind of disaster as they work with communities to prepare for this the next time. Mr. Becker stated it can happen sooner than we think. He said the biggest thing he could say that they have learned is from all the programs they work with that issues typically don't become issues unless you make them. He said the programs that are designed for reimbursement, or the incentives for us to do what we do, is that the applicants or the auditors look at cooperation. They look at whether or not the city worked with the county and the county worked with the state and that they all worked with the volunteer non-profit organizations and that all the public safety agencies worked together such as fire, police, EMS. He said as a state-we did. He said that is something that South Carolina needs to be proud of—the fact that we all did come together. He said Aiken County lost water so they sent a truck load of water to Aiken County as quickly as we could. He said every single emergency the country faces is a learning experience. He said that is why they are here, why the State Emergency Operation Center is here; that is why you have emergency managers and have qualified and experienced emergency managers in Aiken.

Councilwoman Price asked how they were working with DOT, since they were talking about working together. She asked how the experience was of FEMA and DOT working together. Ms. Crager stated they had met with them last week, and they are like any other applicant. She said they would probably be the largest applicant of the disaster when all their costs are collected. She said it was a very heavy debris removal disaster. She said April 30 is National State of Action for PrepareAthon. She said she would ask everyone to do one thing to make sure their family, neighbor, or elderly person is ready for next time. She said it may be to make sure the grandkids and children know your phone numbers since we all rely on cell phones now and don't know the telephone numbers any more. She said the better prepared you are, the better prepared your family and churches are, and the better prepared the communities are, then she does not have to show up.

Councilman Dewar stated this was his second involvement with the state and federal personnel, and he was very impressed with their positive attitude and the willingness to help us. He said he was pleased to see them at the Council meeting. He said to follow up on what Councilwoman Price asked, if we had this to do over again what should we be doing now to get ready for the next disaster. He stated the City piggybacked on the County plan. He asked if that is the right way to go or should the City have its own plan. Mr. Becker stated there is local emergency plan for the City of Aiken. He said he would say that the relationship and the clarification between state DOT and local is a differentiation between state roads and locally owned roads needs to be a little more clarified. He said he thought there was a MOU for something that was or was not an update. He said he was not sure if it needs to go to that extent. He said he was not an



attorney. He said having those meetings prior to a disaster would be the time to do that, not right before the disaster is making landfall to decide such things as the evacuation routes and where. He said take advantage of the training that the county puts on. He said Aiken County is very much involved in the state exercises which will be coming up the first part of June. He said if the city wants to pay a role in that or tour any part of it their doors are always open to them.

Councilman Dewar asked if Mr. Becker had said the city could have their own emergency plan as a city. Mr. Becker stated there will be situations in the City of Aiken that will be the City of Aiken's responsibility and will not go to the County level. He said much like Aiken has a fire department and a police department and the County has its own public safety. He said there is probably already a plan in place, and he encourages that it be updated bi-annually or annually. Mr. Pearce stated the city does have an emergency management plan. He said what the city piggybacked on with the County was the debris removal.

Mr. Becker stated his agency works with all 46 County Emergency Management Directors. He said that means there are about 49 different ways of doing things throughout the state. He said they work closely with them. He said if there is anything that they do not have that you want, he would encourage the city to work through them to get state resources because that helps track costs as well.

Councilman Merry stated he wanted to clarify what he heard. He said he thought he heard there is a rule of thumb and reasonable likelihood that Aiken will be able to recover 75% of the city's actual reimbursable costs from the Federal and another 25% split between County and State to be determined. He said there is a reasonable likelihood that 100% of our reimbursable costs will be recovered through this process. Mr. Becker stated that is the reason they are here. He said there may be some areas where all the cost might not be deemed eligible, but for the ones that are, the city would be reimbursed 75% plus 25% from state and local, depending on how the 25% is divided. Mr. Becker pointed out that Aiken is ahead of the game in terms of where the application is in the process moving forward. He said they hope to get everything done before June 1, 2014, as far as getting up all the debris because that is when hurricane season starts.

Councilwoman Price asked if any areas had been reimbursed yet. Mr. Becker responded none had been reimbursed yet. Ms. Katie Norris stated it was mentioned earlier that as documentation is received by FEMA, the funds for eligible expenses are documented and approved by everyone who has to approve them, then the funds are on a rolling basis. She said they are starting to see funds being appropriated. She said none had been dispersed yet as that is an administrative process. She said about \$1.5 million had been appropriated last week, but she said they are seeing progress. Mr. Becker stated until about six months prior to the ice storm the state did not have a dedicated recovery section at the state. The newest director hired a recovery chief, and hired a person to work the Individual Assistance and Public Assistance. He said they are in process of bringing more staff on board to handle all of that paper work. He said they hope to get it where it is going very quickly. He said they officially recovered from Hugo in 2006.

Councilman Ebner asked for clarification on a couple of questions. He asked when the state picks up on roads in the city and hangers and leaners if that is 100% to the state and then they file with FEMA. Mr. Becker stated the debris, the hours, and equipment cost would be added to DOT's total as an independent agency or a state agency. Councilman Ebner said then the city won't see any of that cost. Mr. Becker responded no. It would be much like if the city picked up debris on state roads, the hours, equipment, and debris if it went to a city dump would be weighed, etc. and that would be added to the city's total cost. Mr. Pearce stated that is what the city did. Mr. Becker stated that is a mutual sharing.

Councilman Ebner stated then whatever the state, just like the county does, the city does not see anything as the state files all of that. Mr. Becker stated it all depends on what you submit with your application with your scope of work and your project application.

Mr. Pearce pointed out that the letter of Leland Colvin, of SCDOT, covers that as that is their expense.

Councilman Dewar asked if we had a sense of how much money the city has put out for the storm. Mr. Pearce stated we don't have an exact total, but it is a few 100 thousand dollars at this point with the two projects that we have to approve. He pointed out that much of that expense comes under the 30 day 85%. The backstop repair will come under the 75%, but we have not heard from the state regarding a percentage. He said so far based on the numbers we do have, we have reserve funds to cover the city's portion even if we calculate that at 25%, but we hope it will be less than that.

Mr. Becker stated so far they are looking at an estimated state-wide \$230 million of costs. He said it takes a while to sift through the dollar amount. The Legislature will be adjourning in June.

Mr. Pearce stated staff is confident that we will finish the debris collection. Some of the other things we are looking at there is money appropriated at the state for abatement. That would be conditions that the storm showed us could be abated through action. He said the loss of power caused a lot of damage so a lot of people are looking into the issue of generators, permanent generators, or having generator connections. He said that is something the City of Aiken is planning to file for. He pointed out the sewage spills we had. Mr. Becker stated that would be the next step as a Hazard Mitigation Program. He said they had seen a lot of success with that program in this state and even in Aiken.

Councilman Dewar asked if FEMA or EMD have guidance that they would issue to people on evaluating whether or not they want to consider additional power supply for their homes. Mr. Becker stated there are a number of different things that want to take your money. He said when it comes to generators, only if you know how to properly use them, for example, don't use them indoors. He said many people die every year by using a generator indoors, including keeping it in the garage and having it sealed off. He said when we deal with this equipment, read the instructions. He said if you can afford to do it, then take those measures. He said most of the people they deal with their step is where is the nearest emergency shelter, where is grandma's house, where is my out of state contact, etc.

Councilman Dewar pointed out that a lot of the disasters that had been dealt with in the past year have lost electric power, but he was not sure they had lost gas power as well. Mr. Becker stated there is always a run on fuel whenever there is a major hurricane headed anywhere towards the Gulf or the Eastern Seaboard as you will see gas stations in South Carolina full. Heating and cooling is always an issue. He said three or four days of lost power unless there is some sort of medical need is hard when you are going through it. He said what they track is really the two or three weeks or up to a month of power outages.

Councilman Dewar stated he used gas in the wrong sense. He stated he wanted to use gas in the sense of being used for heating or cooking. He said in most disasters the gas system is still viable. Mr. Becker stated it is for the most part, but it would depend on what connections you have and the system you have. He said there are situations where you have a fireplace and hot water. Mr. Pearce pointed out, however, that many of the modern natural gas hot water heaters have a microprocessor so if you lose power it will not turn on.

Councilman Homoki pointed out Aiken is a fairly good sized city, and we have a lot of resources. He asked state-wide how some of the small municipalities are coping. He asked if they have the resources. Mr. Becker stated he did not think that anybody has been fully prepared for how significant this side of South Carolina was affected by the ice storm. He said if you go to places like Dorchester County or Georgetown and even Horry County, they were hit, and when you drive through certain sections it looks like they were hit by a tornado. He said going back to the tornados of 2008 and 2009, that is the type of damage that they have seen with the ice storm in many places of South Carolina. He said there were several situations where other County Emergency

Management Offices went to help other counties upon request. He said if you have a need, you need to ask as they will not just show up or impinge on your territory unless you ask them to.

Councilman Dewar asked if the city had applied for reimbursement for employee wages for straight time and overtime. He asked if we add fringe benefits to that. Mr. Becker stated you would do that. He said that would go into the emergency costs over and above your normal operating expenses.

Councilman Ebner stated in the City of Aiken there are three entities. He said he attended the meeting held at the County, but did not know about the meeting held with the city. He said within the city SCDOT picked up debris on roads. He said what he thought he heard was that what SCDOT did they will file for that. Then what the city has done, the city will file for. He asked if the city files to the state.

Mr. Becker stated all the applications are submitted to SCEMD. That includes the Department of Public Safety, Highway Patrol, DOT, state agencies, non-profit organizations, county government, municipal governments—everybody submits a one-page Request for Public Assistance to SCEMD. SCEMD then puts that application into FEMA's data base. That is when it will go through the review process, be approved or denied. If it is denied, you still have the option to appeal. You are assigned a special projects worker, develop a scope of work, and that is when the money will start to flow.

Councilman Ebner stated then when FEMA gets through, and we get 74.999% it rolls over and the State then decides what you get between the 75% and 100%. Mr. Becker stated that will be up to the Governor and Legislature to determine how that 25% will be split. Most states typically do a 12 1/2% split with the applicant and the state. There are discussions, as there always are at this time, as to who is going to carry what and seeing if it is feasible for certain entities to take on a different percentage.

Councilman Ebner asked at the meeting with the city was there discussion about Property Owners Associations. Mr. Pearce stated there was not. He said there was a meeting at USCAiken on March 18, 2014, that did talk about that. That was the public information meeting.

Councilman Ebner stated Ms. Hughes, President of the Woodside Property Owners' Association, is present tonight. He said there are two POAs in the city, Woodside and Kalmia Landing, which comprise about 16% of the population or 4,600 to 4,800 people. He said there is some interest there, and they also have turned in RPAs. He said both had been received because they have been asked questions. He said one of the questions he has is that he thinks it would be valuable if the two POAs could hear directly from EMD and FEMA with their questions. He asked if it would be possible to meet with them.

Ms. Crager stated the best thing is if they have been assigned a project specialist, is to work with that person. She said she does not have their bylaws and everything to review. She said if they have submitted the application and they have someone they are working with, that will be the person to help inform them.

Councilman Ebner stated they don't have anybody yet, as they just submitted the application recently. Ms. Crager stated they would check and see where it is in the system.

Councilman Ebner asked if the project specialist was the person that needs to come to the Property Owners and discuss it with them or does this team need to show up. Ms. Crager stated the person listed on the form will be the point of contact, and they will be contacted. Councilman Ebner asked when they might expect someone to contact them. Mr. Becker stated they will be contacted as soon as the paperwork is processed. It is on a first-come, first-serve basis once the project is submitted and entered into the data base, FEMA is reviewing them as they get them. He said it is an extensive process. FEMA has about 100 people here now, and they are going through all the applications. They are conducting kickoff meetings as well, much like Aiken has been through with 22 other

counties and municipalities. They are getting to it. He said it is not as quick as they would like it to be.

Councilman Ebner stated he just wanted to be sure. He pointed out a team is here at this meeting discussing the process with Council. He said when it goes down to the next level, is it a different team. Mr. Pearce stated a caseworker will be assigned to Woodside's account. Mr. Becker stated it probably will be somebody different. He pointed out that you will probably get sick of hearing from them by the time the process is over with. He pointed out it takes time to get to that point as FEMA is very, very detailed when it comes to reimbursement, filling out the paper work, etc. Councilman Ebner stated the other POA has been contacted already, and Woodside has not. He said if we don't hear from someone in a week or 10 days should they call Mr. Becker. Mr. Becker stated he could always check to see where it is in the process.

Councilman Homoki asked if this is a two way street where the individual can inform the POA where the process is and collecting information. Mr. Becker said that is correct, and if Council has any questions, this is the time to ask.

Councilman Ebner stated what he would like to do while the team is here is to have Ms. Hughes read into the record the letter and application to FEMA. Ms. Hughes will give the team a copy of the letter just to be sure it gets there.

#### WOODSIDE PLANTATION PROPERTY OWNERS ASSOCIATION

##### WPPOA

##### Winter Storm PAX

##### Debris

Mayor Cavanaugh stated the next presentation is by Nancy Hughes, President of the Woodside Plantation Property Owners Association regarding debris from Winter Storm PAX.

Mr. Pearce stated Nancy Hughes, President, WPPOA, wishes to file with City Council a copy of the letter and notice of request for assistance WPPOA is making to the South Carolina Adjutant General Emergency Management Division seeking assistance with Winter Storm PAX expenses including street clearing as well as debris removal from WPPOA-owned common areas.

City staff has removed, and continues to remove, Winter Storm PAX debris placed curbside by Woodside Plantation residents pursuant to City Ordinance and the fee that all City residents pay [\$14.00 per month] for residential garbage, recycle, and yard trash removal. WPPOA is not seeking any reimbursement for City work, only for the work they separately paid to reopen their roads and for debris removal from WPPOA owned common areas, which the City does not pickup as part of our existing City Ordinance.

For Council Information Only, is the letter and supporting documents from WPPOA President Nancy Hughes for Winter Storm PAX reimbursement from FEMA.

Ms. Nancy Hughes, President of Woodside Plantation Property Owners Association, stated she would like to read the letter which she wrote on behalf of the WPPOA and submitted to the South Carolina Emergency Management Division requesting reimbursement for the costs incurred to clean up after the ice storm. Ms. Hughes read the letter addressed to Elizabeth M. Ryan, of SCEMD.

"Attached is form O.M.B. NO. 1660-0017 Request for Public Assistance that I received from Tommy Thompson, Director Aiken County Emergency Services and completed by me. Woodside Plantation Property Owners Association (WPPOA) is requesting reimbursement from FEMA for costs incurred as a result of the ice storm from February 10-14, 2014. All roads in Woodside Plantation are in the City of Aiken. The City and County are responsible for emergency, medical, fire, water, sewer, storm water and school buses in this area.

The WPPOA supported the City of Aiken crews in removing debris from main access roads for emergency services. Once access was established, the WPPOA supplemented City crews in clearing the right of way on major roads. The work was coordinated with the City of Aiken Public Services Director. The cost incurred by the WPPOA to remove debris, dangerous hanging branches and broken trees has been \$303,931.60 to date.

In addition the WPPOA is requesting reimbursement for costs incurred for individual assistance for common area storm damage. The amount to date has been \$63,343.62.

Our total request for reimbursement for costs incurred related to the ice storm damage is \$367,274.22 to date.

In addition to the Request for Public Assistance form, I am also attaching a summary of our costs and pictures of the debris removal.

On behalf of the WPPOA Board of Directors, we sincerely appreciate your consideration for reimbursement for debris removal. Best regards, Nancy Hughes, President, WPPOA Board of Directors.”

Mr. Pearce stated one thing he wanted to put into the record so we are all clear about who is doing what, when, where, and why. He said the City did not pick up any debris in the common areas. The city did provide the emergency service. The city has a contract with the residents of Woodside to pick up the yard trash which is part of the \$14.00 per month fee on the water bill. The city has finished the second pass through in Woodside. The city has picked up debris from the residences, but not the common areas. He said that is why they are asking for this difference which is the common areas.

Councilwoman Price asked if the reimbursement funding would go to the Woodside Plantation Property Owners Association. Ms. Hughes stated the amount stated was money that the WPPOA had spent. Councilwoman Price stated she had asked at the last meeting regarding pickup that was done by private contractors. She said someone had told her that the city had a private contractor go in to Woodside to pick the debris up and take it to the fairgrounds.

Mr. Pearce stated not in Woodside as the streets in Woodside are not SCDOT right of way nor are they city streets. Woodside is a gated community. He said the city has a contract with the residents to pick up yard trash. We did it in 2004 and again in 2014 from the ice storm. He said the City had picked up the debris pursuant to the city ordinance and the fee that the residents are paying. He said that documentation, along with the documentation of what the city picked up in 2014 is what will be submitted to FEMA to justify the request for reimbursement.

Ms. Hughes pointed out that for the common areas Woodside hired a private contractor to pick up the debris.

Councilman Ebner pointed out in talking to Tommy Thompson, Emergency Director for Aiken County, he suggested they put in their letter that the WPPOA is requesting reimbursement for costs incurred for individual assistance. He said he did not know if any was available, but if you don't ask you won't get.

Mr. Becker stated as he had mentioned earlier individual assistance would be if 100 uninsured homes were totally destroyed, and they did not see that as a result of the storm. Councilman Ebner stated it was recreation type stuff, but they did want to put that in their application. He pointed out that Mr. David Johnson, of Kalmia Landing, had turned in an application for their POA, and he has already received a call about something. He said if the WPPOA does not hear anything in about a week, Ms. Hughes will call.

Councilwoman Price asked how long it took the private contractor to clean up in Woodside. Ms. Hughes responded there were two contractors and each contractor took about two weeks. Councilwoman Price asked how many homes are in Woodside, and Ms. Hughes responded about 1,850.

Mr. Pearce pointed out that there were City crews working pushing piles together that city crews picked up. The City also had assistance under mutual aid with the City of Greenville, and they spent about a month in Woodside picking up debris from the residents.

Councilman Ebner pointed out that they all worked together. He said Cold Creek was in Woodside almost the same day of the storm as literally you could not get in and out of the area at all. If an ambulance or the fire department had to come, they would have had to have 4-wheel drive and drive in the grass. He said there was a mutual agreement with all of us that we helped each other, the city and volunteers as well.

Mr. Pearce pointed out that the clearing of the streets and the pushing of the piles was done by Glenn Parker's crew from the Parks, Recreation and Tourism.

Councilwoman Price stated her point for asking the question is that she knew what the streets look like, and if there is debris on the streets only one car could pass at the time. She pointed out that happened with a lot of the streets, but Woodside in particular she knew. Ms. Hughes stated the purpose was to adjust the resident link from area resident properties, but they also recognized that residents would not be able to get in and out of Woodside if they did not clear the common areas. Councilwoman Price pointed out it would have taken longer if the city had to come in and take care of all that.

Councilman Merry asked when other cities and municipalities come to the aid of a city, for their work do they file the same paper work with FEMA to get reimbursed. Mr. Pearce stated they are sending the paper work to the City, and we are making that part of Aiken's filing. Councilman Merry said it may seem cynical, but what is in it for them, why would they take their own people and send them to Aiken for so long with wear and tear on their equipment, etc. Mr. Pearce pointed out that Aiken helped Greenville out when they had a terrible ice storm in 2006. We were up there for almost a month. When we called Greenwood, they were glad to help as it was a slow time for them, and they were happy to come down and help us out. It is just kind of a sister city understanding, and the good relationship we have with other cities that wanted to come help. Mr. Becker pointed out that every county and city in the state have mutual aid agreements for various services and help each other.

Council thanked the team for their information.

#### BOARDS AND COMMISSIONS

##### Appointments

##### Charles Matthews

##### Planning Commission

##### JoAnne Saunders

##### Arts Commission

##### Angela Key

##### Accommodations Tax Committee

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

Mr. Pearce stated Council has 16 pending appointments to fill vacancies on different City boards, commissions, and committees. Four appointments are presented for Council's consideration and vote at your meeting tonight.

Councilmember Price has recommended the appointment of Charles Matthews to the Planning Commission to replace Terry Provost who has resigned. If appointed his term would expire December 1, 2015.

Councilmember Price has also recommended the reappointments of JoAnne Saunders to the Arts Commission with her term expiring April 11, 2016; Angela Key to the

Accommodations Tax Committee with her term expiring March 25, 2016; and Helen Simpkins to the Senior Commission with her term expiring March 14, 2016.

For Council consideration is the appointment of Charles Matthews to the Planning Commission, reappointment of JoAnne Saunders to the Arts Commission, Angela Key to the Accommodations Tax Committee, and Helen Simpkins to the Senior Commission.

Councilwoman Diggs moved, seconded by Councilman Merry that Charles Matthews be appointed to the Planning Commission to replace Terry Provost who has resigned with the term to expire December 1, 2015, and that JoAnne Saunders be reappointed to the Arts Commission with the term expiring April 11, 2016, Angela Key be reappointed to the Accommodations Tax Committee with the term to expire March 25, 2016, and Helen Simpkins be reappointed to the Senior Commission with the term expiring March 14, 2016. The motion was unanimously approved.

#### AIRPORT – ORDINANCE 04142014

##### Sublease

##### Aviation School

##### Hilton Head Flyers, LLC

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to approve a sublease between Aiken Aviation Enterprises and Hilton Head Flyers, LLC.

Mr. Pearce read the title of the ordinance.

#### AN ORDINANCE APPROVING THE SUBLEASE OF PROPERTY AT THE AIKEN MUNICIPAL AIRPORT.

Mr. Pearce stated Mike Laver, owner of Aiken Aviation Enterprises, Inc., our Fixed Based Operator [FBO] at the Aiken Municipal Airport, has requested City Council approval of a commercial sublease of space to Hilton Head Flyers, LLC. This lease will allow operation of a flight school at the airport. Our Aviation Commission has reviewed this sublease and recommends that it be approved by City Council.

Under state law and our lease with the FBO, an ordinance by City Council is required to approve subleases of City-owned property.

Mr. Pearce stated Mr. Laver could not be present at the meeting as he had spent 10 days directing air traffic at the Municipal Airport. He pointed out there were many planes at the airport during the time of the Masters in Augusta.

City Council approved this ordinance on first reading at the March 24, 2014, meeting. For Council approval on second and final reading is an ordinance to approve subleasing of space by Hilton Head Flyers, LLC from Aiken Aviation Enterprises, LLC.

The public hearing was held and no one spoke.

Councilman Dewar asked if the lease would result in a new building being built for the Hilton Head Flyers. Mr. Pearce stated he was not aware of a new building being built.

Councilman Dewar asked where we stand on a private person being allowed to put up a building for a hangar at the airport. Mr. Pearce stated he was not aware of any request from a private person to build a hangar. Mr. Grinton responded that he was not aware of a request for a private hangar at the airport either.

Councilman Dewar stated at one point when we were talking about it, we had to do a survey of the airport, go to the FAA and that came back. He said if someone wanted to build a hangar would they contact Mr. Grinton.

Councilman Merry stated he had had an inquiry about building a hangar at the airport. He said he had talked to Bud Coward about it and according to Mr. Coward because of



FAA requirements and national security issues, it is difficult to build a hangar at the airport. Councilman Merry stated he had had someone ask him about building a hangar at the airport.

Mr. Pearce stated if someone wants to build a hangar at the airport, they could send a letter to him. He said the city has a consultant that works with us. The FBO is interested in some new construction at the airport, so it would be a good time.

Councilman Dewar stated it was an item that was discussed a couple of years ago. Mr. Pearce stated we did, but we have never had an official request. He said he had had some conversations with a person who was interested, but he never had a proposal, drawings, or any official request.

Councilman Ebner asked if the request the city sent to FAA two years ago had been approved. He said we did a plot plan update with geodetic circle. Mr. Pearce stated we are updating that plan for the airport.

Mr. Grinton stated the FAA requires that an Exhibit A be completed. He said a couple of years ago there was an update to the plan, but it did not go to the depth that it needed to be. They are looking for title searches, clear property for any of the boundaries, etc. He said that is on our plan for a request for a grant that you get annually. He said we have done a preapplication conference call to the FAA and our consultant to gain the funds to oversee that. Our consultant would manage the process for us. Then we have some other projects that we are talking with them about that were a part of the plan.

Councilman Ebner stated he did not think we had received approval. Mr. Grinton stated we did not receive approval and need to do a new Exhibit A because it was not in the depth they wanted.

Councilman Dewar stated things go so slow at the airport. He asked if we asked for something we really didn't need instead of asking for something we need. Mr. Grinton stated he did not know about the past, but he could tell him what the FAA is saying now.

Councilman Dewar pointed out the minutes of the Aviation Commission seem to reflect a little concern about emergency drills. He said he did not get from reading the minutes that there is a desire to do any kind of emergency drill.

Mr. Grinton stated he would be talking with Chief Barranco about emergency drills as representatives of the city and with the Center Fire Department that has the jurisdiction for the airport. He said the matter was just a question that the Aviation Commission started wondering about the preparedness. He said that is a current topic and the discussion has not been completed yet.

Councilman Dewar stated he would encourage that, as any time you have an aviation accident there is someone looking for someone else to blame.

Councilman Homoki asked what the purpose was for the survey made a couple of years ago. Mr. Pearce stated it was a FAA requirement in order for the city to qualify for the FAA grant money.

Councilman Ebner stated it was for two things--for the extension of the runway and ILS landing system. Mr. Pearce pointed out you have to have a plan for the airport that is why we do the Exhibit A. If we don't have the Exhibit A that FAA approves, we won't qualify for the grant money.

Councilman Dewar stated he thought the reason we did the survey was that someone did want to build a hangar, and we could not deal with them yet because the FAA requires that we do a survey of some kind. He said that was his memory of why we did the survey.

Mr. Pearce stated we are updating the plan at FAA's request. He said he did not have a request for a hangar and neither does Mr. Grinton. Mr. Grinton stated staff would be glad

to talk with anyone who is interested in building a hangar. He said there are things we could do that would facilitate that he was sure.

Councilman Homoki stated suppose someone does propose a hangar and an associated business office or possibly a flying school. He asked who owns the building. Mr. Pearce stated that would depend on the location. The Fixed Base Operator has a leased area. If it were to go in the leased area, there would have to be not just the vote of Council, but also the approval of the Fixed Base Operator. He pointed out the airport is larger than the Fixed Base Operator's lease area. He said that would be a question for Council. Typically these requests would be discussed by the Aviation Commission for their input on the proposal.

Councilman Homoki stated that does not answer his question. He pointed out the FBO leases the property. He said even if a building is built on the FBO property who owns the building. He said it would not be the FBO. He asked if the FBO would lease it or how that would work. He asked how that would work if the FBO does not want to take possession of the building or not include it in their responsibility.

Mr. Pearce pointed out it depends on where the building would be. He said the city owns the dirt. The city leases an area to the FBO so the FBO has an interest in that land that is the leased area. If the building is proposed to go on the leased area, the FBO would have to give permission for that, as he understands the agreement. He said Mr. Smith could research the agreement again. If the building were to be on an area adjacent to the FBO leased space, that is something that Council would vote on because the city owns the dirt. By state law, just as we are doing with the sublease, Council approves leases to the property as the city is the property owner.

Mr. Smith stated he was not sure this is accurate, but the older members of Council may remember there was a hangar at the airport that we leased to Mr. Wyatt and the city leased that hangar to him. That was a lease agreement that was outside the FBO's area. The city leased that property to Mr. Wyatt and Mr. Wyatt's company built the hangar there. He felt there was some documentation that once the lease ends the city is the owner of the hangar. Any improvements made in the FBO leased area becomes the property of the city eventually when the FBO leaves. It becomes a fixture to the real estate, and the city becomes the owner of it eventually.

Councilman Homoki stated it would be to the city's advantage to get as much built out there as possible. Councilman Ebner stated it is an economic decision. Mr. Pearce stated it would be to the city's advantage as long as it is quality construction and something that has a life span that would out last the lease.

Councilman Homoki moved, seconded by Councilman Ebner, that Council approve the ordinance on second and final reading to allow the subleasing of space by Hilton Head Flyers, LLC from Aiken Aviation Enterprises, LLC for space at the Aiken Municipal Airport. The motion was unanimously approved.

#### ANNEXATION – ORDINANCE 04142014A

D & M Enterprises of Aiken  
Hudson Road  
Lindsey Drive  
TPN 087-16-03-006

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to annex property on Hudson Road at Lindsey Drive.

Mr. Pearce read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF  
AIKEN CERTAIN PROPERTY OWNED BY D & M ENTERPRISES OF AIKEN AND  
TO ZONE THE SAME RESIDENTIAL SINGLE-FAMILY (RS-6).

Mr. Pearce stated property owner D & M Enterprises owns 1.2 acres at the corner of Hudson Road and Lindsey Drive. Representatives of D & M have petitioned to annex this vacant lot into the Aiken City limits.

The proposed zoning for this property is RS-6 [Residential Single-Family]. D & M Enterprises wants to subdivide the property into four lots and construct four single-family residences on it. This application has been reviewed by our City Planning Department staff and our Planning Commission.

Planning Commission took up this request at their March 11, 2014 meeting. After their review and public comments, they voted unanimously to approve the annexation and zoning request.

Council approved this ordinance on first reading at the March 24, 2014, meeting. For Council consideration on second reading and public hearing is an ordinance to annex into the Aiken city limits, property at the corner of Hudson Road and Lindsey Drive and to zone it RS-6 [Residential Single-Family].

The public hearing was held and no one spoke.

Councilwoman Price moved, seconded by Councilwoman Diggs, that Council pass on second and final reading an ordinance to annex property at the corner of Hudson Road and Lindsey Drive and zone it RS-6 Residential Single-Family. The motion was unanimously approved.

#### ZONING ORDINANCE AMENDMENT – ORDINANCE 04142014B

##### Electronic Signs

##### Electronic Readerboards

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to amend the Zoning Ordinance regarding electronic readerboards.

Mr. Pearce read the title of the ordinance.

#### AN ORDINANCE AMENDING THE CITY OF AIKEN ZONING ORDINANCE REGARDING ELECTRONIC READERBOARDS.

Mr. Pearce stated the Planning Commission has held several public meetings and reviewed their Action Agenda item to recommend whether any amendments are needed to the Zoning Ordinance regarding electronic readerboards. A memo from Planning Commission Chair Liz Stewart was provided to Council as information.

After their review, Planning Commission recommended Zoning Ordinance amendments to include:

- Add a definition of "Electronic Readerboard" to Chapter 10.
- Set standards for electronic readerboards including:
  - Zoning districts where they are allowed.
  - How often the message may change and how any transitions may occur.
  - Require signs to adjust automatically to ambient light conditions and limit their brightness.
  - Require signs to turn off in case of a malfunction.

Planning Commission voted unanimously to recommend these revisions. A draft that shows how the existing sign provisions in the Zoning Ordinance could be specifically changed was provided to Council for reference.

Mr. Pearce stated that at the last meeting Mr. Evans had pointed out that there was a mistake in the exhibit under 4.4.10 D. Illumination and the ordinance had been corrected.

City Council approved this ordinance on first reading at the March 24, 2014, meeting. For Council consideration on second reading and public hearing is an ordinance to amend our Zoning Ordinance to include these new provisions regarding electronic readerboards.

The public hearing was held and no one spoke.

Councilman Dewar stated he had some work done on his car at the Kendrick Auto place which is behind Floyd and Green. He pointed out they don't have a sign. He asked them about not having a sign, and they said one can't have two monument signs. Councilman Dewar stated the only sign he saw was a for sale sign. He asked if anyone on staff could address that. He pointed out the business is in a tough place to access in the first place. It was pointed out they are located where the old Parker's Paint and Body Shop was located. It was pointed out that Parker's had a sign. Councilman Dewar stated he would like to see a new business have an opportunity to be recognized.

Mr. Evans, Planning Director, stated he could not remember the facts of that case which prevented them from having a sign. Mr. Evans stated he would look at the situation and let Council know the reasons regarding signage.

Councilman Ebner asked if there might have been a grandfather clause. He pointed out that when Parker was there they used to have a sign along Silver Bluff Road. He said if Parker's sign was legal would it be grandfathered so they could have a sign of some sort.

Councilman Dewar moved, seconded by Councilman Ebner, that Council approve on second reading and public hearing an ordinance to amend the Zoning Ordinance adding new provisions regarding electronic readerboards. The motion was unanimously approved.

#### BUDGET AMENDMENT – ORDINANCE 04142014C

Bid

Citizens Park Field 5

Backstop Fencing

Winter Storm PAX

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing of an ordinance to amend the budget to replace the Citizens Park Field 5 backstop fencing damaged by Winter Storm PAX.

Mr. Pearce read the title of the ordinance.

#### AN ORDINANCE AMENDING THE BUDGET OF THE CITY OF AIKEN FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014.

Mr. Pearce stated Winter Storm PAX damaged the backstop at Citizens Park Field 5. It must be replaced in order to resume games on this field. He said application was made to our insurance carrier, and they have denied paying any of the claims. Preliminary research indicates that a majority of the cost to replace the backstop may be reimbursable by FEMA since the damage was a direct result of PAX.

Since the replacement cost was greater than \$25,000, we advertised this project for sealed bids. We received three responses. Our apparent low bidder is Boyd Fence, a division of Maner Builders Supply. They submitted the lowest responsible bid of \$29,781.83.

Mr. Pearce pointed out the damage was directly related to Winter Storm PAX, and we will seek reimbursement from FEMA. We have sufficient reserve funds to temporarily offset this storm damage repair. We will be filing this expenditure as part of our FEMA

reimbursement claims, and will make every effort to recoup this replacement cost. Since this field is used for baseball, softball, and soccer, we would like to replace this backstop as soon as possible.

City Council approved this ordinance on first reading at the March 24, 2014, meeting. For Council consideration is second reading and public hearing of an ordinance to amend the Fiscal Year 2013-14 budget to appropriate funds in order to replace the backstop at Citizens Park Field 5 damaged by Winter Storm PAX.

The public hearing was held and no one spoke.

Councilman Dewar asked if this item was the only one out of all the money that is being spent for the emergency where there needs to be an ordinance to change the budget. Mr. Pearce responded there is another item under new business for the bids for chipping the debris. Councilman Dewar asked about the expenses for payroll which must be much higher than normal. Mr. Pearce stated the City Attorney could look into that. He said the city is planning to submit for reimbursement for emergency payroll expenses. Mr. Pearce pointed out the fencing and the chipping are purchases and we had to obtain bids because the amount exceeds the \$25,000 amount which requires Council approval.

Councilman Dewar asked where the extra money was coming from to pay employees for their overtime until the city receives reimbursement from FEMA. Mr. Pearce stated we are advancing that money out of the budget. He pointed out the normal pay is in the budget, and there is some money for overtime, but that amount is being exceeded. He said staff will be seeking reimbursement for the overtime. Councilman Dewar asked if Council did not need to do an ordinance for the payroll overtime. Mr. Pearce stated he was not aware that needed to be done. Councilman Dewar stated that was his question. He said Council has two items that are expenses associated with the emergency. Mr. Pearce pointed out those items involve vendors.

Councilman Homoki pointed out eventually there may be a spending gap between what is reimbursed and what was spent and Council may have to vote on that to make up the gap. Mr. Pearce responded there may not be a gap. He pointed out possibly the city may get back the regular time and overtime, and the benefits as well so we should be in good shape.

Councilman Homoki asked why the insurance company denied the claim for replacement of the fence at Citizens Park. Mr. Pearce stated he thought they considered it as a natural disaster or an act of God. Councilman Merry asked if the city got a formal denial of the claim. Mr. Pearce stated he thought the city was notified in writing of the denial of the claim. He said the city plans to request reimbursement from FEMA. Councilman Merry asked that a copy of the denial be sent to him. He said he works in that area and would like to see the denial.

Councilwoman Diggs moved, seconded by Councilman Merry, that Council pass on second reading an ordinance to amend the Fiscal Year 2013-14 budget to appropriate funds in order to replace the backstop at Citizens Park Field 5 damaged by Winter Storm PAX. The motion was unanimously approved.

#### SIGNS

##### Temporary

##### SCANA

##### Neighborhood Energy Efficiency Program

Mayor Cavanaugh stated there was a request from SCANA for temporary signs for a Neighborhood Energy Efficiency Program on the Northside.

Mr. Pearce stated SCANA Community Development Representative R. Scott Neely has written us to ask for temporary neighborhood signs to promote a free program to allow SCANA representatives to assist eligible Northside customers to improve energy efficiency in their homes. He said Mr. Scott Neely and Mr. Gerald Freeman are present at this meeting to answer any questions about the sign request and the program.

Mr. Pearce pointed out that for Crosland Park the City received a three year grant from EPA for weatherization of the homes, and we did dozens of homes in Crosland Park. He said he and Emory Langston had met with Gerald Freeman and Scott Neely, of SCANA, and talked with them about the area shown on the map, an area from Morgan Street to Schofield School, Hampton to Edgefield, and a portion of Barnwell. He said Mr. Freeman and Mr. Neely could provide information on the program. He said the program is for SCE&G representatives to come in and weatherize the homes in the area pointed out to help the residents reduce their power bill.

Mr. Pearce stated as part of this event there is a kickoff meeting on April 22 at Smith-Hazel Center from 6 p.m. to 8 p.m. SCANA / SCE&G want to place temporary signs in the neighborhood to encourage a good turnout so people can understand that they can get their houses weatherized at no cost to them.

For Council's consideration is approval of the temporary placement of signs by SCANA in a limited area to promote their Neighborhood Energy Efficiency Program.

Councilwoman Price asked if anything else was being done besides putting up the temporary signage to promote the program.

Mr. Scott Neely, of SCANA, said with him is Gerald Freeman, the Program Manager of the Neighborhood Energy Efficiency Program, who can give more details on the program.

Mr. Freeman stated in the neighborhood they are just requesting permission for temporary signage to promote the program to install energy efficiency measures in the homes. Councilwoman Diggs asked if there would be any other advertising or promotion to get the message out on the program.

Mr. Freeman stated they are mailing a letter to every resident in the neighborhood to let the residents know of the program and what will be done in the homes. They are also invited to attend the kickoff event so they can learn additional information about what is to be done in the neighborhood.

Councilwoman Diggs asked if there would be any TV or radio announcements of the program. Mr. Freeman responded there would be no TV or radio advertising. It would be the letter, the signs, the kickoff event and word of mouth. Councilwoman Diggs stated she would like to see the event advertised on the 94.7 radio station as a lot of people in that area listen to that station so they will understand the program and be more receptive to it.

Mr. Neely pointed out in the letter for permission for the temporary signs, it states they do plan to do some canvassing in the neighborhood and pass out flyers, which is beyond the mailer and signs. He pointed out the event is on April 22, 2014, so we are close to the date of the event. Mr. Freeman responded that the letters to residents in the area were mailed on April 8, 2014, to approximately 488 residents.

Mr. Neely pointed out that any residential customer within the project area is eligible for the program. The area was selected based on some income qualifications and census data. He said any SCE&G electric customer within the area is eligible for the program. He said Council members should receive a letter inviting them to the kickoff event.

Councilwoman Diggs asked if they might have an article in the Aiken Standard regarding the program. Mr. Neely stated they would have to talk with the Public Affairs Department before making a commitment on that. Mr. Freeman stated their goal is to get the word out as they would like to have as close as possible to 100% of the residents to participate in the program.

Mayor Cavanaugh asked if there would be follow up after the initial work. He pointed out after someone sees the work being done to someone's home; they may then want it done to their home. Councilwoman Diggs pointed out a lot of people are leery of letting

people in their house. Mayor Cavanaugh asked if the program could be ongoing for a month or two.

Mr. Freeman stated it usually takes a couple of months to complete the neighborhood. He said they make several attempts while they are in the neighborhood to get others to participate in the program. He said not only do they make one attempt, but they make a second attempt. He said they also make phone calls if they can't get in touch with the residents by knocking on the doors. He said they also have a "last chance" door hanger that they distribute to let the people know they are in the neighborhood. He said they make several attempts before they leave the neighborhood.

Mr. Neely stated another thing they noted in the letter for the temporary sign request is that there are actually two kinds of temporary signs. The first type temporary sign is the sign that would be placed in the neighborhood prior to the kickoff event. The second type temporary sign is the yard signs they would post at the locations where they are currently working. It lets people know they are in the neighborhood on a particular day, and it is another incentive to get more people to participate. The yard signs are about the size of the real estate signs. The intention is to post those in front of the residents where they are working on a particular day. Mr. Pearce stated those signs would not be in the right of way and would not require City Council approval.

Councilwoman Diggs asked if they had spoken to some residents already about the program who have agreed to allow them to do work at their home. Mr. Neely stated they would not put the yard sign up unless the resident was agreeable. Councilwoman Diggs asked if SCANA had already identified some residents for the program. Mr. Neely stated this is the fifth neighborhood in their service territory where this has been implemented. He said they had done the program in two neighborhoods in Columbia and two in the Charleston area so they have a track record of how the program has played out in other areas. He said they have based what they anticipate happening in Aiken on the other neighborhoods.

Councilman Homoki asked how many homes were being targeted. Mr. Freeman responded they are targeting approximately 488 residents in Aiken. Councilman Homoki wondered if the program is successful whether SCE&G would expand the program into other neighborhoods. Mr. Freeman stated SCE&G has a 24 county service territory. He said they are looking at and evaluating neighborhoods all over their service territory. He said eventually they would make it back to Aiken, but they are looking to expand within all the counties and cities in their service area. Mr. Freeman stated this project is the first project in the western part of the state. He said they had had projects in Columbia and Charleston and are now branching out beyond the larger metro areas.

Councilwoman Diggs moved, seconded by Councilman Merry, that Council approve the placement of temporary signs by SCANA / SCE&G in the area pointed out to promote the Neighborhood Energy Efficiency Program for the residents in the area. The motion was unanimously approved.

#### CROSLAND PARK - ORDINANCE

##### Leased Properties

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to rescind Ordinance 04272009A regarding leased properties in Crosland Park owned by the City of Aiken.

Mr. Pearce read the title of the ordinance.

#### AN ORDINANCE TO RESCIND ORDINANCE NUMBER 04272009A.

Mr. Pearce stated at a few City Council meetings, we have discussed the need to review city-owned property being leased in the Crosland Park Subdivision. Councilmember Ebner requested that our City Attorney prepare an ordinance to end renting city-owned property in Crosland Park. He pointed out that Ordinance 04272009A allowed the leasing of property in Crosland Park. The proposed ordinance would rescind that



ordinance. The intention would be that the City of Aiken would not lease any property it owns in Crosland Park.

Therefore, for Council consideration, is an Ordinance to end leasing of Crosland Park city-owned properties at such time that current tenants either vacate the property or purchase it outright.

For Council consideration on first reading is an ordinance to rescind the ordinance permitting leasing city-owned property in the Crosland Park Subdivision.

Councilman Ebner moved, seconded by Councilman Homoki, that Council approve on first reading an ordinance to rescind the ordinance permitting leasing of city-owned property in Crosland Park.

Councilwoman Diggs asked when this matter of leasing would begin. Mr. Pearce stated the ordinance would not affect folks that are currently in the homes that they are leasing or leasing to own. Councilwoman Diggs stated then it would affect future leasing. Mr. Pearce stated there would be no more leasing of city-owned property in Crosland Park. Councilman Dewar asked if the ordinance would rescind the residential rental agreement. He asked if there was an attachment to the ordinance.

Mr. Gary Smith, City Attorney, stated the proposed ordinance rescinds Ordinance 04272009A and that ordinance had lease agreements for the homes that are leased in Crosland Park. The proposed ordinance rescinds that completely. Councilman Dewar pointed out there are five lease agreements for people living in leased homes. Mr. Pearce pointed out that the city had done one eviction for a resident on George Street.

Councilman Ebner stated the lease was only for four homes. He asked if the fifth one was the lease the city has for the lease with the option to own. Mr. Pearce responded that is correct and includes the one on Cornish Street. He said he thought the house on George Street was part of the four properties that CDIC managed. Councilman Dewar pointed out there are two leased houses on George Street.

Councilman Ebner stated he and Mr. Pearce had discussed this matter and he had discussed it with Mr. Smith. He said he was very specific in the email he sent. He said we need to be sure these leases don't get renewed. He said the ordinance says a letter will be written to CDIC informing them that the leasing of these properties shall cease once a renter moves out. He asked if that letter would come from the City Attorney or the City Manager. Councilman Ebner stated then the letter will come from the City Manager to CDIC who will advise the residents of the homes. Councilman Ebner stated he made it specific that the renters can stay until the lessee moves, dies, etc. Mr. Pearce pointed out the ordinance states when their lease expires. Councilman Ebner pointed out when the lease expires there are no moving costs; the lease is up and they are gone.

Councilwoman Price pointed out then that the city can put them out on the street without a place to go. Mr. Pearce stated that is not what the ordinance says. Councilwoman Price stated she knows what the ordinance says, what the law says, and what Councilman Ebner has said. She pointed out, however, once the lease is expired we can't renew the lease so they would be in the house without a lease. Mr. Pearce stated it would be an expired lease so they would not have a right to be in the house. Councilmembers Price, Diggs and Merry pointed out the residents could be evicted from the house.

Councilman Ebner asked if the houses are leased for a certain period of time or if the leases are open ended. He said the way he read it, he thought it was open ended. Mr. Pearce stated he thought the leases were for one year.

Councilman Merry stated when Council talked about this previously, the way he understood it was that the people in the houses could renew the current leases, but no new leases would be issued for new tenants on city property. He said Council was reassured that nobody in a house would be thrown out of a house.

Mr. Pearce stated he could pull the leases. He said the leases may have a right to renew. He asked Ms. Langston if she had checked the matter about the renewal of the lease and if the tenant had the right to renew.

Councilwoman Price asked if the ordinance could be continued to the next meeting. Mr. Smith asked if he could answer the question at second reading of the ordinance. He said he would get a copy of the lease and make sure he has answers to the questions. Councilman Dewar stated he had a copy of the lease agreement and gave it to Mr. Smith for review.

Councilman Merry stated the question is what Council wants it to be. Councilman Dewar stated he thought the intent was to get out of the lease business. He said if someone said because Council did something on April 14, 2014, and somebody is going to be thrown out of their house on April 30, 2014, he would say let's be compassionate and extend it for a short period of time until they can find another place, but not for an indefinite period of time. He said we have enough trouble running the city, and we don't need to be in the lease business, building houses, etc.

Councilwoman Price stated the city got involved with the business of housing for a reason. She said if the city had not gotten involved in the business of housing, we would be labeled as a huge slum community. She said we got in the business to get Aiken to where it is right now. She said the city had helped a lot of families, and we are continuing that process.

Councilman Dewar stated he understands, and that applies to Toole Hill, Edgewood, etc., but we got out of control with the wonderful plans for Crosland Park. We went in with the right idea, and then lost control of it, and it is an absolute mess.

Councilwoman Price stated where the city failed, in her opinion, was to repeat a model that was successful which was Toole Hill in terms of buying property in blocks and improving that area. She said that was not done in Crosland Park, but it was done sporadically with the purchase of houses randomly.

Councilman Ebner stated the issue is leasing. He pointed out we have two other leases that are purchase option. He said he had asked Mr. Pearce to look into those. He said he thought those houses were priced from \$95,000 to \$105,000 four or five years ago when the lease was done. He said we could look at that in the near future. He said he did not think it was right for the lease option on a house that is not worth that much. He said that is why the leases get you in trouble if they go on so long. He said the houses vary in price. He said it could be the other way. They could have leased the house at \$60,000 and now it is worth \$100,000. He said he was trying to work this through so the city could get out of the lease business. He said we are still working on tearing down and building new houses. He felt that is where we can do some good. He felt the leasing of city property is a headache for us. He said it would be a headache for any city.

Mayor Cavanaugh stated Councilman Ebner had made the comment that the leases can go on and on, but yet it is a yearly lease. Councilman Ebner stated he did not know what the lease length was. Mr. Pearce stated the lease is for a year. Mayor Cavanaugh stated it could go on and on, but you could cut them off after a year.

Mr. Smith stated he hates to issue an opinion on unsigned agreements. He said the agreement which Councilmember Dewar gave to him was an unsigned agreement. He said the unsigned agreement says the lease is for one year. He said what would happen is if there is still a tenant in the house after the one year term has expired, it means they are a hold over tenant and they are on a month to month basis. Councilman Merry asked if a month to month is an automatic option in the lease agreement at the sole discretion of the tenant. Mr. Smith stated a hold over tenant usually can stay in a place as long as both parties agree that they want to stay there. Councilman Merry stated what he was pointing out is that Council needs it to be what Council wants it to be. He said there are leases in place, but whether Council wants to renew them or not Council needs to decide, and whether they want to let the lease go month to month Council needs to decide. He said at

some point every one of the leases will expire and Council needs to know what they want to do with those expired leases.

Mr. Smith stated as the first paragraph in Section 1 of the proposed ordinance is presently written and if the ordinance is passed by City Council, then theoretically the current tenant could be kicked out. He said he did not believe that was Council's desire. Council agreed that was not their intent.

Councilman Homoki stated if a tenant has a lease, and they are current month to month, he thought the tenant could not be kicked out. Councilman Merry stated it is hard to do, but it can be done. He felt Council does not want to do that. Councilman Dewar stated you probably can kick them out, but the city is not going to so why waste time talking about it. He said we would let them go to the end of their lease.

Councilman Ebner stated he had said from day one and had written the email to Mr. Smith that we don't want to kick anybody out. He said if it goes from month to month maybe that should be in the ordinance. He said once that individual who signed the lease no longer does it then the house is empty. He said the intent is that once they move out, the city would not lease the house again. He said some of the tenants have been in the houses for five years.

Councilwoman Price asked if the leases go back five years, and Councilman Ebner responded that the leases go back to 2009 when the city bought the houses.

Councilman Merry stated the way he understood the ordinance to be written is that it grants the city the right to throw the people out at the end of the lease term. It does not say the city will renew the lease or offer a month to month option. He said Council needs to decide if that is the way we want it. He said the ordinance is stricter than Council may want it to be.

Councilwoman Price stated the lease agreement was established to allow those folks who had credit problems to do some credit repair and then turn around and purchase their home. That is why the lease was on a yearly basis. She pointed out with what happened with the economy, the timing was good for the lease agreement because people had problems in maintaining their jobs; their hours were cut back, and they had some credit problems. She said it took time to do the credit repair. She said some who did that are currently living in Toole Hill so that worked for that area.

Councilman Dewar stated he did not know that it had worked for Crosland Park. He pointed out that Security Federal had come to the city and said it was likely that this one person would have good credit at the end of the year. He said he did not support it, but it was done by Council. He pointed out he did not know that any of those had repaired their credit to the point of being able to buy a house in Crosland Park. He said he felt they were all still tenants.

Councilman Ebner suggested that Council let Mr. Smith review the actual contract. He said he had said several months ago that the intent was not to throw anybody out. The intent is that when the tenant no longer wants to lease the house from the city, through the CDIC, that it would then revert to the city and not be leased any longer. He said that was his email to Mr. Smith.

Councilman Merry stated Council needs to determine how it wants the ordinance, as the ordinance is that they will remain in the homes they are leasing until their lease agreement expires and then it is not to be renewed. He said that could be April 30. The ordinance does not say "unless the city decides to let the lease go from month to month or unless the city decides to renew it." He said the ordinance says they can stay there until their lease agreement expires.

Councilwoman Price stated she could not support the proposed ordinance the way it is written, and she wants to talk to Security Federal Bank about how it is going with some of the tenants in the houses.

Councilman Ebner stated there are two ordinances involved. He said this ordinance is the lease houses. People were in the houses; someday they were going to be renovated or torn down. There is another ordinance that was lease with the option to purchase. He said these are different issues. He pointed out when Councilwoman Price asks Security Federal the questions, there are two things to ask about. There were three on the lease option to purchase, but now there are only two left. The tenants have been in the houses close to five years.

Councilwoman Price stated she wished she could get a motion about one tenant having a five year lease given all the problems, but she could not get that emotional about one person at this point.

There was discussion as to whether the ordinance should be continued to the next meeting. Mayor Cavanaugh stated he wanted to be sure Council understands what the question is. He asked what is the question.

Councilman Ebner stated we had a model that we used in other neighborhoods, and it worked. They were much smaller neighborhoods. Then we moved to a much larger neighborhood and the model has not worked very well. We made a number of other type leases and things to tide people over as Councilwoman Price had pointed out. These are five year old leases. This is a straight lease, and we would not send the people out until we needed the house or they left. He said that was his email to Mr. Smith. He said we were not going to throw the tenants out. He said the proposed ordinance may need to be changed. He said it could be changed to be a month to month lease, and they could lease it month to month for another five years.

Councilman Merry stated the question is not about what the lease says, but the question is what the ordinance being considered says. He said the ordinance says the tenants can only stay there until the current lease expires. He said he thinks we need to figure out if that is what Council wants to say or do we say the tenants can stay there until that lease expires with the city granting them a month to month option or other wording.

Councilman Ebner stated we could let Mr. Smith work on the ordinance. He said his intent was not to throw anybody out of a house.

Councilman Merry stated it was not what the lease says, but what the ordinance says. Councilman Ebner stated the ordinance has not passed yet. Councilman Merry stated he knew that, but that is what Council is talking about whether or not to vote on it.

Councilman Ebner stated if it needs to change Council could continue it. He said the reason he brought this up is that there has been 4 or 5 of these items. He said we have transferred some of these properties back and forth from Aiken Corporation three and four times. He said all of it has to do with Crosland Park. He said the other area went smoothly, but this area has been floating around. He said this is one of the last couple of items to get straight in the bookkeeping. He said his whole purpose was to get our bookkeeping straight.

Mr. Smith asked if it was Council's intent to let someone who is presently renting a house theoretically stay in that house as long as they want to so long as they are paying the same monthly rent that the City agreed to accept when the first lease was negotiated with the current tenant.

Councilman Dewar stated he did not think so. He pointed out Mr. Pearce's memo says "for Council consideration is an attached ordinance to end leasing of Crosland Park city-owned properties." Mr. Smith stated he was hearing Council say that they don't want to kick out a current tenant. Councilman Merry stated that is what he is hearing. Mr. Smith stated then theoretically that tenant could be there 20 more years.

Councilman Dewar stated he was not saying that. He said if we are not willing to change, then we should forget the whole thing as people could stay there forever. Mayor Cavanaugh pointed out that when people signed the lease they knew it was a lease.

Councilman Merry stated what he was saying is that Council needs to make a decision as to how they want to handle the lease agreements before the ordinance can be changed.

Mr. Smith stated that without reviewing the leases, his assumption would be that every lease that is currently outstanding has already expired because they were only one year term leases.

Councilman Ebner stated there was also the last page of Attachment A that the tenant signed that says the city can ask them to move out. Mr. Smith stated that was if the city was going to rehabilitate the home that they were in. He said it assumes the city would find them a temporary spot to live while that was going on.

Councilman Merry stated that is still the same question—is the city going to make people leave or not. Mayor Cavanaugh asked if the tenants were paying their way, and if there was a problem with finances. He said if the tenants are paying their way, what is the problem as we have people in houses. Councilwoman Price stated that is what she wants to talk to Security Federal about regarding finances. Councilman Ebner stated that the tenants are not buying the houses. Mayor Cavanaugh stated we also have other houses that we are not selling. He said at least we have people in the homes. He said as he recalls that is one of the things that we wanted to do initially—get people in the houses so others would see that this is good so we agreed to have some leases.

Councilman Dewar stated in the beginning the plan was that the city would buy the houses and have options on the houses. The city would buy the houses for a very low price. We would put some money into them and sell them at a price that was very competitive. He said that ended when the pricing went up. He said these people still have the opportunity to go into Dupont Landing which is building affordable housing as well.

Councilwoman Price pointed out there were some papers at Council's desk regarding the City of Aiken's Residential Anti- Displacement and Relocation Assistance policy. Mr. Pearce stated Council had asked for that. Councilwoman Price stated she had not read that, but would like to read it. She pointed out that there may be some information in the policy that may help Council with answering the question. She asked if this matter was so urgent that it needed to be passed on first reading at this meeting. If not, she asked if the matter could be scheduled for first reading at the next meeting.

Councilman Ebner stated he had no problem with it being continued to the next Council meeting. He said he brought it up because he knew it would be an issue. He said he would withdraw his motion to pass the ordinance on first reading. Councilman Homoki agreed to the withdrawal of the motion to pass the ordinance on first reading.

Councilman Ebner moved that Council continue first reading of the ordinance regarding rescinding the ordinance for leased properties on city-owned properties to the next Council meeting. The motion was seconded by Mayor Cavanaugh. The motion was unanimously approved.

Council agreed that Mr. Smith needs an opportunity to look at the lease agreement because of all the questions raised regarding the lease agreement.

Councilman Dewar stated he would like for the City Attorney to weigh in as to whether the displacement policy applies to our program in Crosland Park. Mr. Pearce stated it would.

Councilman Ebner asked that staff give Council copies of the leases for the tenants in Crosland Park and asked that the leases be sent to Council before the meeting.

Councilman Homoki asked if the leases in Crosland Park that we are talking about are identical. Mr. Pearce stated they follow the same form.

Councilman Ebner stated there is a second ordinance. He said we have a way out of the other ordinance, and we are working on that. It is a lease with option to purchase. He

said Mr. Pearce is working to see if the other two remaining people can ever pay for it. Councilman Ebner stated the city could sell the houses to CDIC at a reduced price also.

In regards to a question from Councilman Dewar concerning the displacement policy, Mr. Pearce stated the city has relocated some folks and paid their relocation expenses, and it was very expensive. Councilman Dewar stated he wanted to know on what basis the city paid relocation expenses. Mr. Pearce responded that the city paid relocation expenses as we had somebody in a house that they were leasing and the city displaced the people to renovate the house. Councilman Dewar stated he did not understand why the city would have to do that. Mr. Pearce stated that is a HUD regulation. Councilman Dewar stated Crosland Park was not a HUD program that the city got into as far as he knew. He said the city got into the program with the effort to buy houses at low prices, fix them up, and sell them. Mr. Pearce stated the houses are government-owned houses, and staff research reveals that the regulations apply. Councilman Dewar stated he wished you guys would be more honest and open at the beginning of these programs. He said he was getting tired of finding that the rules have changed because Council was not told the right information. He said this is real frustrating. Mr. Pearce stated he could say that he shares Councilman Dewar's frustration from time to time. He said he had been nothing but honest and open about this program. He pointed out this was a program in place when he became City Manager. He said we operate from an honest and open standpoint. Councilman Dewar stated he understands, but he could assure that nobody told Council. He said nobody told Council when we started the program, that once people are in you have to pay to move them. He said nobody told Council that. Mr. Pearce stated we could check the minutes, but he was telling Council that the city would have to pay relocation fees if the city displaced someone who was renting from the city. Councilman Dewar stated he reads the minutes pretty carefully, and he does not recall seeing that.

#### BUDGET – AMENDMENT ORDINANCE

Chip Debris

Winter Storm PAX

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to amend the Fiscal Year 2013-14 Budget to chip and process debris caused by Winter Storm PAX.

Mr. Pearce read the title of the ordinance.

#### AN ORDINANCE AMENDING THE BUDGET OF THE CITY OF AIKEN FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014.

Mr. Pearce stated Winter Storm PAX damaged many trees in Aiken. As we continue to work to collect debris, we now need to begin the process of chipping it up. Our preliminary research indicates that we can be reimbursed by FEMA, since the damage was a direct result of Winter Storm PAX. He said after inspection by the FEMA caseworker, we are now ready to go forward with chipping of the debris.

Since the chipping cost will be greater than \$25,000, we advertised this project for sealed bids. We received three responses. Our apparent low bidder is American Environmental and Disaster at \$1.84 per cubic yard. With 103,395 cubic yards collected so far, chipping costs are projected to be at least \$195,416.55.

Mr. Pearce stated Council had heard the presentation by FEMA representatives, since this is the debris removal that will either be reimbursed at the 85% or 80% level, plus any compensation that the state would approve.

We have sufficient reserve funds to temporarily offset this storm damage chipping. We will be filing for payment for debris as part of our FEMA reimbursement claims, and will make every effort to recoup this cost. Because we are running out of room for debris placement, we want to get busy chipping as soon as possible.

For City Council approval on first reading is an ordinance to amend the Fiscal Year 2013-14 budget to appropriate funds in order to chip up all winter storm debris caused by

Winter Storm PAX. He said we will open bids for the hauling of debris later this week, and will bring that bid to Council on April 28, 2014.

Councilman Ebner asked if the money that is not reimbursed will come from the reserve funds. Mr. Pearce responded that is correct. Councilman Ebner said then two years from now, when we don't get 10% of the cost, that comes out of reserve funds. Mr. Pearce stated he did not know that it would be two years from now, but anything that is not reimbursed would have to be pulled from reserve funds. Councilman Ebner stated that is what we have been saying about the other things that Council has passed. Mr. Pearce responded that is correct. Councilman Ebner stated the person is going to come in on day one and thirty days later, he is going to leave and the city will write him a check for \$195,000 plus. Mr. Pearce stated the bidder will be due the money. Councilman Ebner stated the vendor will be gone in thirty days and whatever debris we have left should not be much in thirty days. He pointed out the vendor will not be here for another several weeks to do the chipping. Mr. Pearce stated staff believes that we will have all the debris and will have made the third pass by that point. He said in thirty days from now we should be done.

Councilwoman Price asked if it was possible to give Council a sheet of the running salaries of what we are paying out for the debris removal and other costs relating to the storm work. She asked if this could be provided to Council in the Agenda packet so Council knows how much we have paid and how much we owe.

Mr. Pearce stated with the submission sheet that we talked about with the FEMA folks, his plan is to provide that to Council. That would give the items and cost. He said staff is still working with the representatives to get all the information together. He said in going through the process staff is discovering that there is a lot more that is potentially reimbursable that we did not seek in 2004. He said he felt the pilot project is going to prove to be very helpful to the taxpayers.

Councilwoman Price pointed out there are several items on this agenda that the city will have to pay out, so it would be good to have that information so she would not have to call to get the information if it is provided in the agenda packet.

Councilwoman Price moved, seconded by Councilwoman Diggs that Council approve on first reading an ordinance to amend the Fiscal Year 2013-14 budget to appropriate funds in order to chip up all winter storm debris caused by Winter Storm PAX and that second reading and public hearing be set for the next regular meeting of Council. The motion was unanimously approved.

#### EDGEWOOD

James Matthews  
Storm Drainage  
Water

Mr. Pearce pointed out that James Matthews is present. He apologized for not having Mr. Matthews listed on the agenda, but notice had been posted that he would be on the agenda to address Council about Edgewood Subdivision.

Mr. James Matthews stated his comments pertain to the people of Edgewood. He said a lot of the residents are very dissatisfied with the city. He said he was not here to talk negative about the city. He said the residents had gone through the process several years ago and have some old issues in Edgewood. He said the residents would like to know about the location of the recreation facility that was noted in the newsletter with the water bill. Some of the citizens are concerned about how Toole Hill had been done as well as Crosland Park. The second issue is the increase in rates for water and sewer. He said storm drainage is also still a problem. He said the storm drainage needs to be corrected first. He said the area needs curbing, gutters, and drainage to move the water. He said water is all over the whole area. He said he could give staff a list of streets that have drainage problems. He said the problem is in the 500, 600, and 700 blocks of Sumter Street, on Saluda Street, Hampton Avenue, Horry, Camellia, Beaufort, Sundry and Marlboro. He said if you look at the water and the drains, the condition is not good. He



said there is massive erosion, and flooding of the yards. He said the people are upset because Council raised the water rates. They feel that is not fair.

Mr. Matthews stated at the corner of Camellia there are three houses. One house sets very low. The city put gravel in front of the man's yard and never came back. They just spreaded it out. He said you can see where the water runs down into the other person's yard. He said those are a few of the issues. The main issue that he is upset with is the house that the city purchased on Kershaw Street. He said the city owns the house. There is debris that city employees took out that has been there for over a year. He said the city tells residents of the City of Aiken to clean up their yards and keep them clean. He said the city owns the house on Kershaw Street that needs to be cleaned up. He said it is a double standard rule, and that is not right. He said if that were on the south side, it would not be left like that, but this house is on the north side. He asked that Council take a tour and walk through Edgewood. He said it is going to be hard to convince the residents of Edgewood that the city wants to work in the area and do it right.

Mr. Matthews suggested that the city place a sign in the area, such as the political signs, and every six weeks put the sign out for the Edgewood residents to attend a neighborhood meeting. He said continue this every six weeks. He felt this is the only way to gain trust of the Edgewood residents.

Mr. Matthews stated he has support from the Aiken Council of Neighborhoods (ACON). They agree to following the neighborhood agenda which was set forth for them. He pointed out that the Edgewood project is called low income and moderate neighborhood. He said he would like the word "low" removed from Edgewood. He said if the city was going to put a \$100,000 house in the neighborhood, he did not believe that was low income. He said the size of the lots for a \$100,000 house would leave no back yard. He said it would be too close. He asked that the city take the three lots the city owns and put two houses in the area. He said he lives in the area where the houses were built in the 50's which are the older homes. He said the homes built in the 70's have larger yards. He said he would like to see the city build houses with larger lots in Edgewood.

Mayor Cavanaugh stated he had not heard anything about most of what Mr. Matthews talked about. He asked if he had communicated this before to staff. Mr. Matthews stated he had. Mayor Cavanaugh stated he knew that the city had done some work there, and what he had heard had been good. He said obviously, it is not good. He wondered what had happened to the communication.

Mr. Matthews stated 10 years ago when the city came through and did the drainage he pointed out that it was not going to work, especially by his house. He pointed out some time ago he had asked for the street sweeper to sweep Hampton Avenue. He pointed out that debris comes down from Smith-Hazel on the streets. He said he had not seen a street sweeper in the area. He pointed out there was a big rain this evening. He said the drains are clogged. He said the pipes are not big enough to carry the water. He said the main issue is drainage. He said he had contacted the city before. The city came with a pumper truck and blew out the drains and cleaned them. He said it had always been an argument that the road was a state road and that the state would come and clean the drains. He pointed out that he pays the city every month for storm water and trash pick up, but there is no action. He pointed out the pot holes in the road on the 600 block of Sumter Street. He said the city wants to come in and build new houses. He said nobody wants to move in that neighborhood or any section of Edgewood until conditions are corrected. He said he was willing to work with the city in any way to get the residents back on the city's side.

Mayor Cavanaugh asked if staff has any comments on Mr. Matthews concerns.

Mr. Pearce stated there are several comments. He said we have been in discussion with Aiken Corporation, and there is a proposal from the Executive Committee to bring to Council at the meeting on April 28. He said Emory Langston, Special Projects Coordinator, has been working with folks in the subdivision and actually offered for Mr. Matthews to attend those meetings, but he understands that Mr. Matthews had declined to

participate. Councilwoman Diggs stated she thought Mr. Matthews was going to attend the meeting on Wednesday which Ms. Langston is having and she will be there as well.

Mr. Pearce stated we do need this discussion. He said he knows that Mr. Grinton and his group in storm water have looked at a potential comprehensive view of the storm water in the entire area which includes Jake Place. It was fairly expensive. He asked if Mr. Grinton remembered the total cost for the study.

Mr. Pearce stated if there is a clean up issue on the lot which the city purchased in Edgewood about a month ago, staff will follow up on that. He said he was not aware of a clean up issue.

Mayor Cavanaugh asked if there is a plan with phases for Edgewood. He said Mr. Matthews had said the flooding was the worst thing in Edgewood. Mr. Pearce stated we do have an opportunity with the lots that the city owns in the area to put in storm water runoff abatement measures. He said staff is looking at that. He said staff is trying to find out where Aiken Corporation is going to be interested in spending its housing money. He said the city has several lots in a block immediately across the Kershaw Street facility that could be developed with new homes. He pointed out the city had built three homes by Meredith in Edgewood that were sold before they were completed. He said then the economic problems came along. He said staff has been looking at several different options in Edgewood.

Mr. Grinton stated the storm water study all depends on the boundary scope of the project. He said if we just look at the properties to build making the assumption that the existing structure is adequate for the area, you would look at building new homes on existing properties such that they do no harm and have no negative impact on the existing infrastructure, assuming the current infrastructure works. To evaluate a larger area the cost is in the \$30,000 to \$40,000 range just to do a hydrology study. Then if you get into a larger area, it could get into a cost of \$100,000 plus. He said what they were trying to do in working with Ms. Langston, was to define the area and send out requests for proposals to give us an idea of the ranges of money that it would take if we look at certain things. Then we would have real information to come back and say this is what it will cost. He said to start with one of the things he had asked the storm water crew to do was to confirm if the pipes are clear. He said if a lot of debris is coming down from the hill and that is not prevented, you have to keep cleaning it. He said that is something that the storm water crew should do when there is a problem area. He said staff is just now starting on this.

Mr. Pearce stated the other thing we have done with the properties we have in the area, is we requested proposals from builders for possible new construction in Edgewood. He said we were looking at a cooperative effort because Aiken Corporation has money in the bank. They can do a concept plan and study the area to see what would be appropriate construction for about \$25,000. He said we are looking for Aiken Corporation to partner with us on the project. He said we have looked at the three proposals which were submitted to the Aiken Corporation Executive Committee last week. He said we can discuss this in more detail on April 28.

Councilwoman Price pointed out that at least right now we need to do the drainage survey. She asked that it be done and rule out whether that is a problem or not. Mr. Grinton stated staff would see what condition it is, assess it and keep an eye on it to see how frequently we have to go back and start looking for causes.

Mr. Pearce stated the information that had been shared with Council today had been shared with him today as well. He said we do have some action items to go forward.

Councilwoman Diggs asked if the site for development would be the Jake Place area as far as building new homes. She said when she joined Council in 2011 that was the big talk and that is what the residents in the area thought was going to happen in the very near future—the development of Jake Place and housing on Jake Place.

Mr. Grinton stated that was not the scope that he and Ms. Langston had talked about. He said that area would be the big, big dollar study if you included Jake Place. Mr. Pearce stated the city does not own that land, but it is owned by a private landowner. He said the city was looking on Kershaw Street where the city does own some lots which could be redeveloped. Councilwoman Diggs stated Jake Place was talked about.

Mr. Matthews pointed out that is an area in the 700 block which is to the left of Sundry coming from the old SCE&G. He said all that area is dilapidated. Some of the houses have not been occupied in 5 to 10 years. His suggestion was to tear down the houses and build new houses. He said that is why they wanted the word "low" removed from their neighborhood.

Mr. Pearce stated the Property Maintenance Inspector will inspect that property which is inside the city. There was a question as to whether all the property was inside the city, and whether the property on each side of Jake Place was inside the city.

Councilwoman Diggs pointed out if the city builds houses in random places we may have the same issue we have with Crosland Park. Mr. Pearce stated we have a concentrated area. He said there is a block where the city owns the land. Mr. Matthews stated before the city does anything, he would like for city officials and staff to take a tour of the area. Mr. Pearce stated at this point all we have is a proposal for what new construction would cost, and it was somewhere in the area of about \$75 per square foot. He said there are no plans to go forward with construction yet, but we just have the proposals.

Mr. Matthews stated if you look at the three lots on Kershaw that Mr. Pearce is talking about, the lots are too small. They are not even a half acre. He said a house would take up the whole yard. He said the residents are saying take the three lots and put two houses on the three lots. He pointed out how small the lots are on Saluda Street. Mr. Pearce stated the city did that in Toole Hill where we bought lots and combined them.

Councilwoman Price stated her earlier comment was that there were some lessons learned from Toole Hill, and we have to transfer that information to other neighborhoods. She said there are serious problems, and we have to correct those problems. She said she hears Mr. Matthews and she felt others on Council do too with the taxpayers who feel they are paying taxes but they are not getting equal value for their taxes and that is all they are asking for. They want a safe community, a clean community, and one they are proud of.

Mr. Matthews pointed out another thing of concern is that the area is losing the Bi-Lo Grocery Store, and they will have only one grocery store. He said they don't get businesses on their side of town, and they don't understand why. Councilwoman Diggs pointed out that Bi-Lo is moving into the Reid's building as Reid's is leaving. Mayor Cavanaugh pointed out that Council can't direct a store closing or leaving the area.

Councilwoman Price pointed out that we promote shop Aiken, and if the volume of business is such that businesses see that volume they are not going to move. She said it is important for the folks to shop on the north side. She said if the volume is not there, the stores can't stay open. She said you have to shop in the neighborhood to maintain the viability of those businesses.

Councilwoman Diggs stated she and Mr. Matthews had talked about a clean up effort in Edgewood. She said she was willing to participate in the clean up. She said we need to do things to show people that we have pride in our neighborhood. She said we need to remove some of the debris in the yards and have some of the junk cars removed from the property. She said all of that brings down property values. She said we have to show people that we take pride in our surroundings so they will be attracted to the area. She said she was willing to participate in that effort and was sure the city would be willing to help with a dumpster to collect the debris.

Mr. Matthews stated he felt signs on neighborhood meetings a week before the meeting would help to notify people in the area. He felt a notice in the mail would not help much. He said we have to keep pushing them for their cooperation to work with the city.

Mayor Cavanaugh stated the city needs to have a plan before meeting so there is something to talk about. Councilwoman Price stated when Mr. Grinton does the drainage evaluation, it is important to get that information to the community and feed that constantly as we get up to date information. Mr. Pearce stated we could do a targeted mailing to the neighborhood.

Councilman Ebner stated Mr. Pearce had mentioned the Aiken Corporation money, which is a loan from the city. He said we all control that money. He said we go back about 10 years when the curb and gutter was put in. He asked prior to that if everything drained in the neighborhood. Mr. Matthews responded no, there was a problem before the curb and gutter. He said they had to go back and redirect due to Jake Place and Asheton Oaks. Councilman Ebner stated if we put in some kind of detention/retention it will hold water. He asked if that is what we want in the neighborhood or do we want to fix the drainage properly. He pointed out that if we do any kind of remediation, it won't be detention as there is no place to drain it.

Mr. Grinton stated that what he had seen in the storm drain pipe design was that all of that goes into the storm drain and down to Jake Place as that is the natural flow of the water. He said the localized area off of Kershaw Street receives sheet flow from the Sheriff's parking lot over the road and into the low lying area. He said that low lying area does a lot of absorption of water that does not get into the storm drain. He said we would have to handle the existing water shed with the properties we have such that you are not contributing extra water to a taxed storm water system. Construction would have to keep everything plus fix what may be contributed from across the street.

Mr. Matthews stated it was not just the Sheriff's Department. He said the drainage starts at Union Street at the railroad tracks and comes down all the way and from Smith-Hazel. He said if you look at the corner of Smith-Hazel at Kershaw and Hampton, that low lying park floods. He said the area floods because debris has stopped up the drains. He said it can't cross over Hampton to go down. There is only one drain which is on Bamberg, the bottleneck, that carries all that water. Once that water fills the drain, it just runs over. Where the city has trucks all that water comes down the hill, runs down Bamberg, then fills up the drains on Saluda and Sumter. Mr. Grinton stated the first thing to do is to try to get everything in the system working as it was designed.

Councilman Ebner asked if we were being short sighted twice now. He said we did it in the 70's and we did it in the early 2000's and we are still talking about the same water. He said he had talked with Morris about this and with Mr. Matthews and other neighbors. He said he had been in the neighborhood as Mr. Matthews knows. He said everything he says is right on it. He said older city people would know that. He said the issue starts at what used to be Pacer Run Apartments. He said the problem there is that the original pipe was not put in low enough. Then when the city moved the problem down to Jake Place, it just moved it to another place. There was a development plan that was done by the Clyburn family for about 32 acres. They showed the depth it would have to be and some ponds to take care of all the water. He said we can do the studies you want to, but eventually to get the water out of there, you will have to lower the pipe and that is not cheap.

Councilwoman Price stated we are dodging the bullet. The fact of the matter is that area has long needed major infrastructure improvements. We have dodged the bullet, and we need to get it done. We don't have the money to get it done, but there needs to be a plan to get it done.

Councilman Ebner stated to improve the area you would need to look from the apartments all the way back. He pointed out the Planning Department has a copy of the drawings that Mr. Clyburn had done in 2006. His plan took care of all the water from the 30 acres, and then the other water coming from up the hill would go around that. He said you need to look at all that. He said he was saying if you do a little fix here, there will be a pond of water that has to evaporate. He said he was just one voice in the wilderness. He felt there is a problem that you have to start at the apartments and go all the way back to the Sheriff's Office.

Mr. Matthews stated they were told when they were originally fixing the water issues that the state would not allow that water to cross Beaufort Street. Councilman Ebner stated but it does. He said the choke point is there, but we are not getting the water there. He said the apartments don't flood, but we are not getting the water to that drain. He said he had been down there when we have had major rains.

Mr. Grinton stated that becomes the discussion point. If we are defining Beaufort Street as our design area, including Jake Place that is a major hydrology study and probably a major infrastructure redesign. He said we started looking at the properties the city owns to try to understand what we could do to build on those properties. The way we are framing our request for proposals is identify the water sheds that are contributing to that area now, evaluate the localized infrastructure to assess its capability, and then make recommendations for infrastructure using the properties that the city owns in whatever form or fashion they need to do in order to not negatively impact the existing infrastructure. He said that is the project we were talking about for the development of homes in Edgewood. In that way, we felt we would do no harm to the existing neighborhoods. He said if we bring into the discussion neighborhoods already harmed, that changes the scope. We would have to expand it. If that is something we need to look into, then we can. He said we don't want to throw good money after bad. He said that would change the definition of the hydrology study, and it would get into a larger number just to do the study.

Mayor Cavanaugh stated it sounds like it is something we need to do. He said if we just do a little island and don't look at what's out there, you are only fixing something, but the rest of the neighborhood still has a problem.

Mr. Pearce stated we can get some proposals to find out what that will cost.

Councilman Ebner stated he felt Mr. Grinton was right on the numbers. He said the cost will get up there, but some day you are going to have to do it or you will not be able to do any development. He said the water does run across Hampton. He said he had driven through it after a big rain. He said he felt we need to be sure we have it all on the table and discuss what we are going to do and go from there.

Councilwoman Price stated this is one area, and there are other areas also, but we just keep kicking the can down the road. She said we have to build in some funds for all the infrastructure needs that are coming up.

Mr. Pearce stated that would be a good discussion for the Capital Projects Sales Tax Project IV as far as the infrastructure. Councilman Ebner stated that is 10 years away. Councilman Ebner stated if we count on Capital Projects IV that is 2022. He said he wanted to be sure when Mr. Matthews leaves here whether he likes the answers or not, he has an answer.

Mr. Matthews stated he likes the answers and is willing to work with the city, but the residents of the neighborhood will not like the answer.

Councilwoman Price pointed out there are other options. She said there is the One Cent Sales Tax, the water rate increase, and the option of a tax increase. She said there are other options, but which one do you favor most. Mr. Matthews said we do need to fix the problem. It is not just Edgewood. It is throughout the city. Mr. Matthews stated he wants to make sure when they come into Edgewood that they do it right. He said the city does not have to build a lot of houses; just build one or two to get the people interested and get the word "low" income out of that section.

CAPITAL PROJECTS SALES TAX

Update  
CPST II  
CPST III

Mr. Pearce stated Councilmember Ebner had requested an update on Capital Sales Tax Projects, Round III, projected revenues. He pointed out there is an email in the agenda packet from Councilman Ebner with the projected revenues that Jason Goings, the Aiken County Treasurer, had shared. He said staff had provided Council with updated information on the yellow sheets as of February 22, 2014. He said staff had also provided information on the projected revenue based on our experience with the Capital Projects Sales Tax III. He pointed out that the city has only received two payments from Round III of the Capital Projects Sales Tax. He said taking that our Finance Director Kim Abney has projected it. He stated when we talked about the referendum in 2009 and 2010, the projected income was \$44,600,000. The current projections are conservative for \$30,943,455. He said that affects the ability to work through the projects on the list. In talking with Mr. Goings and the folks in the Revenue Office in Columbia, the major impact on the reduction in the amount of money that is coming in that we have seen is the exemption that the Legislature put on food that can be prepared in the home. He said that resulted in the major reduction. He said that could be as much as \$10,000,000 to \$13,000,000 less than what we projected to receive. Mr. Pearce stated the table shows the projected revenue as projected by city staff. He said if we take the \$30,943,000 figure, Mr. Grinton in his Thursday night budget discussion will have a projected spend out of that money for projects.

Councilman Ebner stated when Mr. Grinton does that, will he come back to Council for review and approval. Mr. Pearce stated he can do that for the spend out. Councilman Ebner stated Mr. Grinton can give Council a recommendation for cancelling projects or carrying them over.

Mr. Pearce stated it is a proposed spend out by category. He said Council has had this discussion several times. He said the expenditures are approved. He said our understanding on the staff level was that we would bring the individual projects to Council for approval that would be part of that spend out. Councilman Ebner stated we start at the top of the page and work to the bottom. Mr. Pearce stated that is what the spend out does. Councilman Ebner said so Mr. Grinton would start at the top of the page and work down. Mr. Pearce stated staff would have that on Thursday at the budget workshop meeting.

Councilman Homoki stated if we add up all the projects starting at the top of the list to a certain point which would equate to that \$30 million, have we spent any money on any of the projects below that \$30 million. He said the question would be what is the priority.

Mr. Pearce stated below the \$30 million we have spent about \$200,000 on concepts for the University Parkway, but there will be money for that. It is just what the actual receipts will be. He said we will know that as we get further down. He said we have received two checks so far from CPST III. He said we will get a couple more checks this year, and we can adjust that as we see what the actual payments are.

Councilman Dewar stated he felt that is a very important point. He said he would hate to see us overreacting based on just getting two checks. He said he had not heard from the County finance person, and his understanding is that person is no longer employed with the County. He said his understanding is that the County Finance Director is the one that estimated how much money we would receive. Then it was allocated from the County down to us. He said \$6 million of ours was extra beyond the \$38 million that we were going to get. He said his point was that he did not think we need to be in a rush to do anything because there is nothing we can do anyway except wait and see what it looks like. He said he could not imagine anything positive happening. He said we have not received enough to pay our borrowing from CPST III yet. Mr. Pearce stated we will finish that out at the end of this year. Councilman Dewar stated we probably won't have any money to do anything for the rest of year.

Councilman Ebner stated this came about when Mr. Pearce mentioned at the February meeting what the city payment was. He said he got to checking on it and thought it must be a partial payment. He said he called up the County Treasurer who gives us the checks. He said there had been 14 payments out of the 84. If you use the 14 month average versus the two months, you get about \$30, 600,000. If you look at Capital Projects Sales Tax II, it was \$28, 200,000 and we collected \$30 million. He said we had a 7% increase in seven years. That was supposedly good in bad times. To make the \$44 million, we have to have an 8% increase in revenue every year. He said that is not going to happen. He said growth is somewhere between 1% and 2% and the state uses 3%. He said the whole purpose is so when we take a look at the list of projects in CPST III we start at the top and work down. He said we don't want to plan on the last \$10 million of projects. He said we won't have the money. He said Mr. Pearce had said we have to look at CPST IV assuming it is approved. He said he brought this up as it is important as we get into the budget this time. He said the capital projects sheets do have some projects that will probably drop off the list even in the 5 year plan. They might be in the 8 year plan, but not in the 5 year plan.

Councilman Homoki stated we all understand what the \$30 million means down the list. He asked if there are other projects in the top where the \$30 million runs out where we might ignore some of those projects and move further down.

Councilman Ebner stated we will see what Mr. Grinton and Mr. Pearce come up with. Then it is a Council decision to carry them forward. Basically they get cancelled for the next Capital IV because you can't guarantee you are going to get a Capital IV.

Mr. Pearce stated that is the advice that the City Attorney had given Council. He pointed out that Council reserved the right to determine the order of the projects.

Councilman Ebner stated this is for information for when we get into the budget and there are projects we would like to do.

#### INFORMATION

Councilman Dewar stated he had noticed in Issues and Updates that the Channel 4 upgrade is completed. Mr. Pearce stated it is in the process of being completed. He said we have to wait on Atlantic Broadband to digitize their signal. Councilman Dewar stated he did not know how many people watch Channel 4, but it is likely we will lose a lot of people unless they go to Atlantic Broadband and pick up the free device that Atlantic Broadband is giving to be able to watch Channel 4.

Councilman Dewar stated the other thing to consider long term, is that AT&T U-verse is supposed to be coming in to town. Mr. Pearce stated we received a letter, and they are coming. Councilman Dewar stated that would be an alternative to putting our internet contract out for bid. He said presently it is with Atlantic Broadband. He said if there is competition, we may be able to save some money.

Councilman Ebner pointed out that it may be getting close to the three years that Council approved for the contract with Atlantic Broadband. He said when Atlantic Broadband changed from free to a three year contract the amount was significant. Mr. Pearce stated he could get the numbers if Council would like to have that. He said they actually wound up not imposing the increases they had set. They have kept the rate the same.

Councilman Dewar stated he would like to have a copy of the RFQ package for audit services that went out. He said email would be fine. He said he really appreciates the Issues and Updates and it is a really good job, and he appreciates the information.

Councilman Dewar stated he felt we understand the importance of having a centralized list of the homeowners associations within the city. He said he did not think we have a list of all of them yet. Mr. Pearce stated we have a list of the ones that we know about. Councilman Dewar suggested that staff include a copy of the list the city has of homeowners associations and perhaps Council could add to that list the ones that they know about. Mr. Pearce stated he could email that to Council.



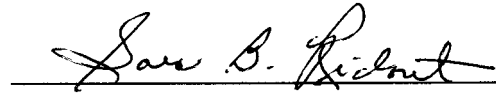
Councilman Homoki stated he was driving along on Silver Bluff today and saw an accident at approximately where Pine Log turns off at the Centre Shopping Center. He said there were two Public Safety vehicles there. He said on his way back about 15 minutes later, the city's Public Safety vehicles were gone and there was a state trooper there. He asked if we hand off accidents on Silver Bluff to the state troopers.

Councilman Dewar stated Silver Buff is a state road, and he had seen cases where Public Safety waits until the state shows up.

Mr. Pearce stated staff could look at the records and get the detail on the accident. He said if a city vehicle is involved in an accident, then by state law we have the Highway Patrol investigate the accident. He said he would find out the circumstances of the accident.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:52 P.M.



Sara B. Ridout  
City Clerk