

Aiken City Council Minutes

## EXECUTIVE SESSION

March 23, 2015

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

Absent: Councilman Merry

Others Present: Roger LeDuc, Gary Smith, Sara Ridout, Maayan Schechter and Michael Ulmer of the Aiken Standard.

City Manager

Appointment

Resolution 03232015

Mayor Cavanaugh called the meeting to order at 6:31 P.M. He said Council needed to go into executive session to discuss the City Manager candidates. He said Council would go into executive session pursuant to Section 30-4-70 of the state law to discuss the appointment and compensation of the new City Manager and to discuss negotiations incident to a proposed contractual agreement with the new City Manager.

Councilwoman Diggs moved, seconded by Councilman Ebner, that Council go into executive session to discuss the City Manager candidates. The motion was unanimously approved. Councilman Merry arrived at the meeting to go into executive session.

Council went into executive session at 6:32 P.M.

After discussion Council returned to the Council Chambers at 6:52 P.M.

Councilman Homoki moved, seconded by Councilman Dewar, that Council come out of executive session. The motion was unanimously approved.

Mayor Cavanaugh stated City Council would like to announce the appointment of a new City Manager. He asked if there was a motion and second to appoint John Klimm as City Manager and to approve the employment contract.

Councilwoman Diggs moved, seconded by Councilman Dewar, that Council approve the resolution and employment contract for John Klimm as City Manager effective April 27, 2015. The motion was unanimously approved.

**A RESOLUTION AUTHORIZING THE CITY OF AIKEN TO ENTER INTO A CONTRACTUAL ARRANGEMENT WITH THE CITY MANAGER.**

Mayor Cavanaugh stated Council had interviewed some very good candidates. He said Council feels very comfortable with Mr. Klimm as the next City Manager.

Mr. LeDuc stated Mr. Klimm will start as City Manager on Monday, April 27, 2015. He will meet with staff and other members of the public that morning. He will be sworn in on April 27, 2015.

Mayor Cavanaugh stated Mr. Klimm has a lot of experience and a good background that will help the city as we move forward with the many things that we need to do. He said Council looks forward to having Mr. Klimm with us. Mayor Cavanaugh stated Council really appreciates Roger LeDuc coming back in a time of need and helping Council through this period of time. He said with Mr. LeDuc's experience and background in knowing many of the projects going on, it was wonderful that he volunteered to come back and help the city.

Councilman Dewar stated he wanted to thank Mr. LeDuc and Mr. Smith, City Attorney, for finalizing the conditions of the contract for Mr. Klimm. He said he thought the process for searching for a City Manager went well. There were some very good candidates, and it was not an easy decision to make in one sense though it was in another. He said there were some very good candidates who wanted to come to Aiken. He said Mr. Klimm was the person chosen and there is every expectation that he will do well.

Councilman Homoki stated he would like to say he appreciates the patience of the citizens of Aiken. It took a little longer than originally anticipated to select a City Manager, but he felt they had gotten the right person.

Councilwoman Price stated she felt the community would be very pleased with Council's selection. She said Mr. Klimm is very passionate about his civic involvement. He knows benefits and pension liabilities. He comes with a number of qualities that she felt would help to grow the city in a healthy way. She said she was looking forward to Mr. Klimm coming and moving forward with a lot of things that we have going in the city. She said Mr. LeDuc had managed to help move forward on a lot of projects. She said they are looking forward to a good working relationship with Mr. Klimm. She pointed out that Mr. Klimm has a love for education. She said when you look at our schools and what we have pending there, along with higher education there is a strong connection.

Councilman Ebner stated he would like to welcome Mr. Klimm to Aiken. He was sure Aiken would put out the welcome mat for him when he shows up on April 27, 2015.

Councilwoman Diggs stated she would like to ask that the citizens join Council in welcoming Mr. Klimm to the City of Aiken. She said the City of Aiken is known for its hospitality, and we should let Mr. Klimm see that when he gets here.

Councilman Merry stated he especially wanted to reiterate how grateful he was and all of Council for Mr. LeDuc coming in and really doing a tremendous job of keeping things going, and also Mr. Bedenbaugh and all of the city staff and department heads who had to really pick up a lot of loose ends. He said he would like to give a strong thank you to Roger LeDuc, Stuart Bedenbaugh and all of the staff. He said he was grateful to all of them because they are the ones that really do the work.

Mr. LeDuc stated that Mr. Klimm says thank you to Council. He said he had just received a text message from him. Mr. Klimm said thank you to Council for allowing him to be the next City Manager starting in April. Mr. Klimm is also in a Council meeting in Rhode Island at this time.

Mayor Cavanaugh pointed out that Mr. LeDuc is not going to go away immediately, but will still be with us for a while.

The executive session ended at 7:00 P.M.

## REGULAR MEETING

March 23, 2015

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

Others Present: Roger LeDuc, Stuart Bedenbaugh, Gary Smith, George Grinton, Kim Abney, Tommy Paradise, Kim Coleman, Charles Barranco, Captain Kestin, Tim Coakley, Alicia Davis, Sara Ridout, Glenn Parker, Jeff Metz, Jamie Carter, Al Cothran, and Maayan Schechter and Michael Ulmer of the Aiken Standard, and about 35 citizens.

### CALL TO ORDER

Mayor Cavanaugh called the meeting to order at 7:00 P.M. Councilmember Merry 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. Mayor Cavanaugh pointed out the 5 minute clock on the screen. He said the purpose of that is so the person speaking will know how long they have been speaking. He said this came about because some people were taking advantage of the time. He said Council felt they needed to get back to and stick with the regulations that they have always had. He said the 5 minute limit would not apply to special presentations.

### ADDITIONS OR DELETIONS TO AGENDA

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

Councilman Dewar stated a proclamation honoring Lynn and Leonora Myers should be added to the agenda before the Earth Day presentation.

Mr. LeDuc stated he had two items that need to be added to the agenda. He said in January Council approved two ordinances with the State Infrastructure Bank concerning the widening of Dougherty Road at Whiskey and also the widening of University Parkway. The STIB has asked that Council approve an amendment to the agreement to clarify that the money will not be used for major landscaping or beautification of the projects. It can be used for landscaping if we have to remove some trees or shrubs from some property that we will need for the construction easements. He said so we can move these projects along he would like for Council to consider first reading on the two ordinances and have second reading at the April 13, 2015, meeting.

Councilman Ebner stated before Council gets into the last section of Petitions and Requests, he would like to discuss some of the items from the work session of March 19, 2015.

### MINUTES

The minutes of the Work Session of March 3, 2015, the Work Session and Regular Meeting of March 9, 2015, and the Special Meeting of March 14, 2015, were considered for approval. Councilman Ebner moved, seconded by Councilman Merry, that the minutes of March 3, 9, and 14, 2015, meetings be approved. The motion was unanimously approved.

## PRESENTATIONS

### Proclamation

#### Lynn and Leonora Myers

#### Income Tax Preparation

Councilman Dewar stated from time to time Council recognizes citizens in the city who have exhibited one or more of the character traits. He pointed out Aiken is considered a Character City. He said at this time he would like to recognize two people for their extraordinary level of community service. He read the proclamation. He pointed out that Lynn and Leonora Myers had supervised for 26 years the local operations program of AARP to help low income seniors to file their state and federal income tax returns. He pointed out that they train volunteers each year to help seniors file their income taxes. He pointed out that they have electronically filed over 17,000 federal and South Carolina returns. He said City Council would like to recognize the extraordinary volunteer non-paid service to the community and its citizens provided by Lynn and Leonora Myers. He pointed out the income tax service is provided Monday thru Thursday and then they file the returns generated during the day. Councilman Dewar stated he had been involved with the program before being elected to City Council.

Ms. Myers stated that Councilman Dewar had worked with them for 10 years. She said they could not have provided the service without the volunteers they have. She pointed out that one year there were 30 people working and she was the only one with a bachelor's degree. All the others had masters and doctor's degrees. She pointed out that she was retiring from heading up the group and was looking for a District Coordinator. She said the District Coordinator did not have to know anything about taxes, but needs to know about managing.

### Energy and Environmental Committee

#### Earth Day

Mayor Cavanaugh stated that representatives from the Energy and Environmental Committee were present to discuss their Earth Day plans.

Mr. LeDuc stated the Energy and Environmental Committee has been working diligently planning various activities for the Earth Day celebration to be held on Saturday, April 18, 2015, at the Newberry Festival Center. Mr. Ron Dellamora and Ms. Mary Anne Archibald are present to discuss their plans for Earth Day with City Council.

Mr. Ron Dellamora stated he was glad to be with Council to share the Energy and Environmental Committee's vision about Earth Day 2015. He said he serves as Chairman of the Energy and Environmental Committee. He pointed out that Ms. Mary Anne Archibald was his right hand person and serves in many capacities. She serves as Secretary and Marketing Director, and is a tremendous resource.

Mr. Dellamora stated Earth Day 2015 will be on April 18 at the Newberry Plaza from 9 a.m. to 3 p.m. He acknowledged city staff who work with their committee, including Sarah Herring of Public Services and Karl Odenthal of Public Safety. He said without the input of those two people, their creativity, their energy and team work, it would have been impossible for the committee to pull off the Earth Day event.

Mr. Dellamora stated the theme for Earth Day is "Preserving for Tomorrow What We All Enjoy Today." He said the Committee came up with that focal point to lead in the direction they wanted to go. He said their inspiration was from a document that many prepared and participated in about five years ago. That was the "Aiken's Tomorrow" document. This was the strategic vision of the city. He pointed out there are some pages in the document that pertain to Aiken as a Green City. He said they see Earth Day via the event they are sponsoring on April 18 as an event that supports that portion of the strategic vision. He said the goal is to reach the entire community in a festive celebration that serves as an educational and awareness tool to remind each of us of our individual responsibility to wisely use the earth's resources.

Mr. Dellamora stated the event will be held on Newberry Street on April 18, 2015, from 9 a.m. to 3 p.m. He asked that Ms. Archibald say something about the events.

Ms. Archibald stated the celebration actually begins on Friday evening with "Lights Out." During this time ten restaurants in Aiken will dim their lights and have candle light dining between 6:30 and 9:30 p.m. This is to be a casual reminder to all of us to think about our own use of electricity and other power sources and how we can be more aware of what we are doing. She said they would kickoff Saturday's celebration with the inaugural Earth Day People Chase, a 5K fun run that will have something for serious runners and something for the family. The People Chase will begin on the south end of Newberry Street and take participants all through the beautiful streets and parkways of historic downtown Aiken. Participants as they are running will find obstacles that are fun and challenging. For example, they will have a chance to crawl under police barricades, a chance to scale serpentine walls, a trail run and jump down trees in Hitchcock Woods. They will be jumping over 500 pounds of recycled cardboard barriers and slide across the hood of a police car. In the end they will have a chance to run the stairs in the Municipal Building. Following the People Chase the Newberry Street Festival Center will be filled with all kinds of activities for a family. There will be food vendors; two performances of a puppet show; Disc Jockey Ed Girardeau will provide music; and Aiken's own Professional Theater Company, Pork Chop Productions will be on hand with their innovative and interactive version of "Stone Soup."

Mr. Dellamora stated Ms. Archibald had spoken about all the fun activities that will occur on Earth Day. He said he would tell the rest of the story. He said he was pleased to say that the Committee will have 35 exhibitors who will be in attendance on Newberry Street on April 18. He pointed out the names on the power point listing and stated there are major companies, colleges, universities, etc. Each of the exhibitors will present some opportunity about what is going on. There will be presentations on wind and solar energy. The University of Aiken will be talking about its sustainability program, etc. He said despite the difference in scope and size and ultimate purpose of each of the organizations and businesses, for Earth Day what they will have in common is the message of sustainability and individual responsibilities. There will be interesting speakers. He said Mayor Cavanaugh had agreed to say a few words and may make some presentations and recognitions. The City Manager's Office will be speaking about Aiken's 25<sup>th</sup> Anniversary of its curb recycling program. He pointed out that Aiken was the first city in South Carolina to implement such a program 25 years ago. The keynote speaker will be David C. Moody, of SRS DOE, who will be talking about sustainability concepts and activities that have occurred at the Site.

Mr. Dellamora thanked the people who had been instrumental in helping them create the document. He showed a slide listing the sponsors. The Energy and Environmental Committee has self-funded the event through the generosity of the sponsors. He said Savannah River Remediation was the presenting sponsor for Earth Day 2015. The other 17 sponsors are benefactor sponsors. Collectively their generosity has supported the event they have described to Council and that will be held on April 18.

Mr. Dellamora urged the citizens present to mark their calendar to attend the Earth Day event on April 18, 2015, on Newberry Street. He said there will be some activities for everyone. He said come have a sandwich, see some exhibits, listen to the music, enjoy the day and learn something from the day. He said if collectively we bring together all these resources, the sponsors, the exhibitors, and the citizens on April 18, he felt there may be a chance that in the future when people think about Aiken in April, they will think about Aiken Earth Day first and the Masters second.

Councilwoman Diggs pointed out the Committee had done a tremendous job. She said she had never seen an Earth Day event of this magnitude. She said all the extra things added will really make this whole event very special.

In response to a question from Councilwoman Price as to whether other members of the Energy and Environmental Committee were present, Mr. Dellamora stated he did not see any other members. He pointed out the Committee consists of seven members with each Councilmember appointing a member. He said the Committee consists of Ron

Dellamora, Andy Hallen, Bob Newburn, Dave Fauth, Frank Wright, Mary Ann Archibald, and Norman Dunagan. He said the committee members have lots of energy and lots of capability.

Mayor Cavanaugh thanked Mr. Dellamora and Ms. Archibald for the presentation and asked that they convey to the other members Council's thanks for working together on this event.

### BOARDS AND COMMISSIONS

#### Appointments

Catherine Thomas

Rose O. Hayes (Fox)

#### Arts Commission

Tina McCarthy

Accommodations Tax Committee

Phil Haggerty

Building Code Board of Appeals

Mayor Cavanaugh stated Council needed to consider approval of appointments to various city boards, commissions, and committees.

Mr. LeDuc stated Council has 18 pending appointments to fill vacancies on different City boards, commissions, and committees. Four appointments are presented for Council's consideration and vote at the meeting tonight.

Councilmember Ebner has recommended the reappointment of Catherine Thomas to the Arts Commission. If reappointed Ms. Thomas' term would expire April 11, 2017. Councilman Ebner has also recommended the reappointment of Tina McCarthy to the Accommodations Tax Committee, and if reappointed her term would expire March 25, 2017. Also, Councilman Ebner recommended the reappointment of Phil Haggerty to the Building Code Board of Appeals. If reappointed Mr. Haggerty's term would expire May 12, 2017.

Councilmember Dewar has recommended the reappointment of Rose O. Hayes (Fox) to the Arts Commission, and if reappointed Ms. Hayes' term would expire April 11, 2017.

For Council consideration is the reappointment of Catherine Thomas and Rose O. Hayes (Fox) to the Arts Commission, Tina McCarthy to the Accommodations Tax Committee, and Phil Haggerty to the Building Code Board of Appeals.

Councilman Dewar moved, seconded by Councilwoman Diggs, that Catherine Thomas and Rose O Hayes (Fox) be reappointed to the Arts Commission, Tina McCarthy to the Accommodations Tax Committee, and Phil Haggerty to the Building Code Board of Appeals. The motion was unanimously approved.

Mayor Cavanaugh asked if there were any nominations for appointments at the next Council meeting. There were no nominations for the next meeting.

### CAPITAL PROJECTS SALES TAX FUNDS - ORDINANCE

#### Repurposing of Funds

CPST II

CPST III

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to approve the repurposing of CPST funds.

Mr. LeDuc read the title of the ordinance.

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

Mr. LeDuc stated in July, 2014, City Council approved the re-purposing of the CPST II & III funds. We have advanced several projects and would like City Council to consider the following funding changes:

#### CPST II

Project 14 Downtown Streetscape - increase funding by \$100,000 to \$144,906.69  
 Project 23 Proposed park on landfill - decrease funding from \$2,563,344.28 to \$300,000  
 Project 35 Northside regional recreational park - increase funding from \$1,985,282.79 to \$4,179,088.69

#### CPST III

Project 20 University Parkway - Move project up in the priority ahead of Hitchcock Parkway.

Mr. LeDuc said essentially we would be changing Projects 14, 23 and 35 in CPST II increasing the funds for the Downtown Streetscape by \$100,000 and decreasing Project 23 Proposed park at the landfill and leaving \$300,000 in that account and increasing Project 35 Northside Regional Recreational Park to \$4,179,088.69.

In CPT III we would be moving the University Parkway project ahead of the Hitchcock Parkway project.

Mr. LeDuc stated City Council approved this ordinance on first reading at the March 9, 2015, meeting. For City Council consideration is second reading and public hearing of an ordinance changing the funding and repurposing of projects shown in the exhibits for CPST II & III.

Councilman Ebner stated he would move approval with an amendment to the proposal. He said Project 8, the Northside Renewal Project, which still has \$14,200, needs to be transferred to Project 12. He would also like for Council to consider moving \$550,000 from the Public Safety Building Expansion up to the Computers to purchase the software that was talked about at the March 19, 2015, work session meeting. Councilwoman Price seconded the motion.

Councilman Dewar asked if we could use CPST for software. Mr. LeDuc asked Councilman Ebner if he was talking about CPST III funds. He asked if he was asking that \$550,000 of CPST III money be moved from the Public Safety Building Expansion to purchase software.

Councilman Ebner stated that in his opinion it should have been included along the way, but it was not. Mr. LeDuc stated the problem with that is there would not be enough funding for the Public Safety Building Expansion. Councilman Ebner stated previously one proposal was to combine the new Fire House with PS Building Expansion because we do not need a new Fire House. Mr. LeDuc stated the vast majority of the work at the Training Center was completed earlier. They were going to add the two together so they could get more of a major push for the Public Safety Building for the expansion. He said he was not sure how much the final amount will be because they have not started any preliminary design. Councilman Ebner stated he brought it up because Council was just told at the March 19, work session about needing the software. He pointed out that we had put in 12 to 15 new computers so he assumed we needed to buy software for those with that account also. Mr. LeDuc stated the software that we have with New World Systems is outdated. Public Safety has asked for new software for a number of years. It will cost about \$600,000. In this year's budget we included \$300,000 with the remaining \$300,000 to be budgeted next year. Mr. LeDuc stated he would like to hear from Chief Barranco if we are going to move money from the Public Safety Building Expansion project to software. He said he did not know how Public Safety felt about that. Councilman Ebner stated we could also move it from the Fire Station Headquarters since the previous announcement was that we did not need that because of our fire rating.

Chief Barranco stated the thought in combining the CPST money for the Public Safety Building Expansion which has \$900,000 is that it will not get us very far with the renovation due to the infrastructure needs at Public Safety Headquarters. The thought was to combine the money which was in the CPST for the new Fire House with the PS Headquarters expansion. He said there are some space needs and architectural needs at the PS Building. He said that was the original thought. It had not been brought forward about the software at that point. He said that was their proposal in discussion with the City Manager.

Councilman Merry asked if Public Safety has half of the software in the budget for this year and half for next year, how soon would they be buying the software. He asked if they would wait until next year to buy the software. Mr. LeDuc stated we would go ahead and get the bids in now and pay for half this year and the other half next year. Councilman Merry stated that is an option.

Councilwoman Price stated the priority now is the new Fire House and the space needed for the Public Safety Building and architectural design. Chief Barranco stated he had worked with the City Manager to figure out a way to come up with the funds over the next couple of years. The Public Safety Headquarters renovation would be the priority. The Fire Station as Councilman Ebner had mentioned is not needed at this point due to our recent ISO inspection. The thought was to put the funds with the renovation of the Headquarters Building to be able to renovate the building at a greater extent than initially thought. Mr. LeDuc stated if Council has questions and since he has not had a chance to talk to Chief Barranco about the proposed changes, he would rather go ahead and continue the item to the next meeting so they could have time to discuss the proposed change. He said there is no rush to get the change made. He said if Council is going to go ahead and make the changes that Councilman Ebner is proposing, he would like a little more time to look at the matter.

Councilman Dewar stated he thought they were reacting to the comment made at the March 19 meeting that this software has been desperately needed for 10 years. He said he did not know about the rest of Council, but that was the first time he had heard about the software need. Chief Barranco stated he had received about two to three months ago an "end of life letter." That was brought to the City Manager immediately. He said this has been an aging process to be able to transfer to the Microsoft products, because they are not supporting the present software any more. Councilman Ebner asked if it takes two years to get the software, will Public Safety still be able to operate efficiently. Chief Barranco stated it is operational as we speak today. It is the maintenance on it that is a concern. If an issue comes up, we still have people to support it, but it is dwindling daily. There are less than 30 customers that are on the series that Public Safety is on now nationwide.

Councilman Ebner stated his reason for bring this up was to draw attention to it. He said we bought a lot of new computers not very long ago, and he wanted to be sure that this had attention. Councilman Merry stated if Council wants to continue this aspect would Council amend the motion or make a new motion. Councilwoman Price stated she seconded the motion and the consideration would be an amendment to not approve that portion involved. Councilman Ebner stated the matter would be continued because if it were tabled that would mean the matter would die. Councilman Merry stated Council could consider part of the recommendation and do the rest at the next meeting.

Councilman Ebner stated he felt it would be worthwhile to do a little more discussion on this. He said several Council members heard the need for software for the first time. He said Public Safety does a lot to keep everything up to date. He said he was okay with continuing the item to the next Council meeting.

Councilman Ebner moved that Council continue the motion and amendment to the next Council meeting regarding the repurposing of CPST funds. Councilwoman Price asked if he was talking about the entire ordinance. Councilman Ebner responded he was talking about the entire ordinance. Councilwoman Price stated she would withdraw her second

of the original motion and second the motion to continue the item. The motion to continue the item to the next meeting was unanimously approved.

Mr. LeDuc stated before the next meeting he would sit down with Public Safety and try to get a much better idea of what the costs are for the expansion and see if we want to take some of the money and move it for software to be able to get the software in one year. Councilman Ebner stated if half of the funding is to be done July 1 then perhaps only \$300,000 would be needed to fully fund it next year. He felt we should not wait two more years to get the software. Councilwoman Diggs stated she agrees.

ACCOMMODATIONS TAX RECOMMENDATIONS

Accommodations Tax Committee

Mayor Cavanaugh stated Council needed to consider the Accommodations Tax Committee recommendations for Accommodations Tax funds.

Mr. LeDuc stated the Accommodations Tax Committee met on March 2 and 3, 2015, to review requests for Accommodations Tax funds. It is estimated the City will receive \$289,000 during fiscal year 2015-16. The Committee received requests for \$324,876.78 and recommended \$287,500 to be funded, with \$1,500 left as a contingency fund.

The Accommodations Tax Committee recommended the following funding:

Project	Amount Requested	Amount Recommended
Aiken's Makin	10,000.00	9,000.00
Aiken Fall Steeplechase	18,449.25	17,500.00
Hitchcock Woods Promotion	12,465.86	11,500.00
Exhibition & Arts Center Marketing	12,000.00	9,000.00
Antiques in the Heart of Aiken	23,000.00	21,000.00
Aiken Trials	36,505.00	36,500.00
Citizens Park Bid Fees - City of Aiken	14,000.00	14,000.00
Center for African American History, Art and Culture	35,403.19	22,000.00
Marketing for Concert Series (APAG)	15,910.00	14,500.00
Aiken Music Festival - Juilliard in Aiken	19,067.00	19,000.00
Touchstone Energy Run United	10,000.00	8,500.00
Aiken Polo Club Promotions	30,372.50	27,500.00
Aiken Spring Classic	14,203.98	13,500.00
Promotion of Downtown Aiken (ADDA)	25,500.00	23,000.00
Christmas Craft Show - City of Aiken	4,000.00	3,000.00
Aiken Bluegrass Festival	35,000.00	32,500.00
Aiken To Ride	9,000.00	5,500.00
<b>Total</b>	<b>324,865.78</b>	<b>287,500.00</b>

For Council consideration is approval of the Accommodations Tax Committee recommendations for funding.

Mr. LeDuc stated the Chair person, Peggy Penland, is present if Council has any questions.

Mayor Cavanaugh stated he had a question. He said he was wondering why the Center for African-American History, Art, and Culture did not get more money.

Ms. Penland stated everyone on the Committee wants to support the Center for African American History. She said they found during their interview that the Center needs to improve their application and marketing efforts. The website was not up to date. There was not sufficient effort in place to justify the funds. The Committee recommended a \$22,000 award, but in order to receive more funding the Center needs to improve their marketing presence. There had been no activity whatsoever to the website or their facebook page for a long period of time since December. She said they had been through this with JoAnn Saunders and a gentleman named Ben came to the meeting as well. She said the Committee really does want to support the exhibits and marketing of the Center.

Councilwoman Diggs asked when the Committee met with Ms. Saunders and explained the problem to her. Ms. Penland responded that Ms. Saunders had been to their meetings for a number of years. She is not a new applicant and knows how the Committee grades the applications. She pointed out that the Committee has a matrix that they developed at Council's request. She said all aspects of the application are graded. Each of the Committee members grades the applications and then they are averaged. The next day the Committee allocates the funding accordingly. Councilwoman Diggs asked if Ms. Penland was referring to the outside activity of people on the facebook page who might access it. Ms. Penland stated the Committee was referring to the Center's activity on the website and facebook regarding events and updates by the Center.

Ms. Penland stated during the meeting that Regina Brackett looked up their website and facebook page which needed a lot of help. The Committee's recommendation to the Center is that they have someone or hire someone to do the facebook page. Ms. Penland pointed out that from December until March there was little to no activity on facebook and there were a lot of missing links on the website. Ms. Penland stated she did not know whether they need to hire an advertising agency as that would be money spent, but somebody needs to do some professional work on the website. Ms. Penland stated the Committee went through the funding and awarded funding. When they found out how much was left over, they went back and gave more. She said again everyone was concerned about the Center and wants to support it.

Mayor Cavanaugh stated he asked about it because it looked like most agencies got close to what they requested, but that organization stood out.

Councilwoman Price stated if the Center could beef up the areas identified are there extra funds which they might come back and request if they do the things pointed out by the Accommodations Tax Committee. Ms. Penland responded there is some money in reserve. She said the Committee would like to see that. Ms. Penland stated one thing that Council needs to realize is that the Center for the African American History is similar to the Center for the Arts. She said the Center marketing is different from what they normally get, in that it is for annual marketing for the Center. She said it is really hard to track. She said the Committee asked Ms. Saunders what they would be using. Ms. Penland said the Committee requests surveys. She said she was at the Trials the other week. She said for Council's information, the Trials was the only event that got 100% because they did everything they were asked to do over the last three year period. She said she personally saw someone asking for surveys and where they were staying, etc. She said the Committee asked Ms. Saunders what the African American Center method would be, and Ms. Saunders said their method would be a sign in book.

Councilman Dewar stated he felt it was important to keep in mind that the purpose of the money is to encourage people to come to the City of Aiken and that is where the money has to be spent. He said we have had this issue before. Every time it comes up they try to negotiate and take away the reserve, which is not fair. The Committee has gone through a process and the rules are clear. Ms. Penland stated it is more difficult to track the exhibit marketing or the Center marketing, but if one were to take a look at all the applications they would see that \$22,000 is more than the Antiques in the Heart of Aiken event. She said the funding is not a small award.

Councilwoman Diggs stated she was not asking the Committee to change their process at all. She felt the Committee has done a great job. She said she was trying to see where Ms. Saunders was as far as changes that she intends to make so the Center can be eligible for more dollars. Ms. Penland stated the Committee is ready to hear about it.

Councilman Dewar moved, seconded by Councilman Merry, that Council approve the distribution of the Accommodations Tax Funds as recommended by the Accommodations Tax Committee. The motion was unanimously approved

CONCEPT PLAN - ORDINANCE

3100 Reserve Club Drive  
Woodside Golf LLC  
Woodside Plantation

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to amend the concept plan for property at 3100 Reserve Club Drive.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING THE CONCEPT PLAN FOR PROPERTY LOCATED AT 3100 Reserve CLUB DRIVE AND OWNED BY WOODSIDE GOLF, LLC.

Mr. LeDuc stated Woodside Golf LLC / Woodside Development has submitted plans for the expansion of The Reserve Clubhouse in Woodside Plantation which is zoned Planned Residential. The applicants are requesting approval to expand the existing club house by 12,961 square feet of heated area. This will increase the building size from 9,132 square feet of heated area to 22,093 square feet of heated space. The project will also include an additional 4,108 square feet of unheated porch area. In 2006 an additional 661 acres was annexed to the city. This acreage included an 18 hole golf course and approximately 1,000 additional residential lots. The additional golf course and homes has brought them to the point where they have outgrown the original clubhouse and need to expand the current facility. The concept plan revision will include the addition of a parking lot containing 99 spaces on the western side of the building.

The Planning Commission considered the request to expand the clubhouse and revise the concept plan at their meeting on March 10, 2015. They voted unanimously to recommend approval of the concept plan with the following conditions:

1. That a revised Concept Plan be submitted prior to the building permit showing a development summary for all of Hollow Creek at the Reserve including the total area, percentage of open space, number of dwelling units by type, and dwelling unit density;
2. That parking lot lighting shall meet the requirements for outdoor lighting found in the Planned Commercial provisions at Section 4.3.8.F;
3. That any concerns regarding the extension of the street right-of-way through the parking lot be addressed.

For Council consideration is first reading of an ordinance to amend the concept plan for property located at 3100 Reserve Club Drive for expansion of the clubhouse.

Councilman Dewar pointed out that if one had been to the Reserve anytime they have a big golf tournament, there is not enough parking. He said they plan to double the clubhouse and only add 99 parking spaces. He read from the Planning Commission minutes: "While the project does have enough parking spaces as required by the Zoning Ordinance, the Commission pointed out that this calculation is based on the use of the Clubhouse and does not include parking for other uses such as golfers on the course, the tennis courts, or swimming area." He said there has to be something wrong with the Zoning Ordinance if they are saying they only need 99 more spaces. He said there are not enough parking spaces there as it is today. He said it just strikes him that we are getting into a problem. He said it is not a daily problem, but on a typical summer day

there will be a lot of golfers there. There will be tennis players; there will be swimming, and pickleball is becoming very popular. He said he could not find how many people the ballrooms would accommodate.

Mr. Kent Baldwin, of Woodside Development, stated to answer Councilman Dewar's questions. The 99 parking spaces that are being added will take them up to 213 parking spaces. Presently they have 114 parking spaces. He said they are not adding to the size of the golf course. They are just expanding the square footage and the size of the club. The addition will add ballrooms to have larger events, and a larger kitchen so they can have more activities going on at the same time. The large golf items and a large wedding event will rarely, if ever, happen at the same time. Usually the large golf items happen on Monday when the course is closed. Large weddings that would take place in the ballrooms would generally be on a weekend. There will be some responsibility that they will have to make sure that they are not scheduling conflicting events that would overload the parking lot and the count that they have. He said they understand that concern. It is a concern of theirs, but to them it is more of an internal coordination and management path that they have. He said they feel confident that the additional parking will handle more parking than a typical event that they have at the Reserve Club. He said they feel they have adequate parking for the larger events, and they will be able to avoid conflicts.

Councilman Dewar asked how many people the Reserve Club will handle once the addition is completed. Mr. Baldwin stated with the size of the facility, they feel they will be able to handle a 250 person wedding as their largest event with 50 staff, making roughly 300 people. He pointed out that if 75 of the people ride together, they would still have adequate parking for an event. He said probably the largest golf outing they would have may be 200 people. Generally a tournament is held on a Monday so those events would only happen on a Monday and rarely happen when there are other uses at the Club.

Councilman Ebner moved, seconded by Councilman Merry, that Council pass on first reading an ordinance to amend the concept plan for property at 3100 Reserve Club Drive and that second reading and public hearing be set for the next meeting of Council. The motion was unanimously approved.

Mr. LeDuc stated for Council's information, staff has been meeting with the Reserve Club, and they are very anxious to get started on the addition. They would like to have started a month or so ago. He said staff did require a Concept Plan change. Staff will be meeting with them on Friday to get their plans and have our Inspection Department actually start reviewing the plans so if Council approves this on April 13, they will have the process done by staff already.

### CORRIDOR STUDY

#### SC 19

#### Edgefield Highway

Mayor Cavanaugh stated Council needed to consider acceptance of the Edgefield Highway (SC 19 North) Corridor Planning Study prepared by DRMP consultants as information.

Mr. LeDuc stated several years ago the City of Aiken and Aiken County jointly agreed to the preparation of a study of the SC 19 Corridor (Edgefield Highway). DRMP consultants were hired to conduct the study. The area they studied included 11 miles of Edgefield Highway (SC 19) between Hampton Avenue and the Edgefield County line. SC 19 functions as an urban road, a rural road, an industrial road, a truck route, a bike/walking route, and/or a freeway interchange. The study combines community needs and goals with traffic, road design and land use analysis to recommend improvements that benefit all users. The study is being reviewed by the Highway Department and others, and we wanted to make Council aware of the study. The document is quite lengthy. He said he was not asking Council to approve the study, but to accept it as information. He said he did not want Council to get involved like was done with the bicycle situation. He said several things are being recommended in the study. He said

when the projects come forward, then each individual project would come to Council for the approval process.

The Planning Commission reviewed the study at their February 10 work session and then placed it on their March 10, 2015 regular meeting. At their March 10 meeting the Planning Commission voted unanimously to recommend that City Council accept the study as information.

For City Council consideration is acceptance of the Edgefield Highway (SC 19 North) Corridor Planning Study prepared by DRMP consultants as information.

Councilman Dewar moved, seconded by Councilman Merry, that Council accept the Edgefield Highway (SC 19 North) Corridor Planning Study prepared by DRMP consultants as information. The motion was unanimously approved.

#### SENIOR/YOUTH CENTER AT EUSTIS PARK

Cheatham Fletcher Scott Architects

Johnson Laschober & Associates

Capital Projects Sales Tax

Mayor Cavanaugh stated Council needed to approve the architect for the Senior/Youth Center at Eustis Park.

Mr. LeDuc stated after the meeting with the Request for Proposals [RFP] review team on Monday, March 9, we narrowed the firms under consideration for this project to Cheatham Fletcher Scott Architects and Johnson Laschober & Associates. Both firms are based in Augusta, Georgia.

Capital Projects Sales Tax Manager Glenn Parker and Stuart Bedenbaugh met with representatives of both firms on March 11 and 12 and asked them to submit cost proposals based on the scope of work described in the RFP.

Each firm presented good proposals and clearly articulated their vision for the project both in their group presentations and their one-on-one sit-down meetings with Glenn and Stuart.

We have reviewed both proposals and recommend using Cheatham Fletcher Scott Architects for the architectural and design services for the Eustis Park Senior/Youth Center. We believe Cheatham Fletcher Scott Architects and their consulting associates demonstrated their capacity to do the work based on their Statement of Qualification (SOQ) document and the presentation they made to our review team on March 9. They can complete the work for around \$261,500, which is a reasonable amount for a project that will cost up to \$3.7 million. Their familiarity with the City's expectations for this important project illustrated by the concept plan is an important factor in our recommendation.

Councilman Ebner asked if it was appropriate for the City Manager to put a copy of the contract in the minutes of the meeting. Mr. LeDuc apologized, but stated staff did not have a chance to get together with the firms until Thursday after the agenda went out.

Councilman Ebner stated he understood that, but he wanted to be sure that is in there. He said he had sent an email earlier today. He said they do a 60% estimate check which will be about three months away or possibly four. He felt the City should go through all the other necessary things to get this building going, the furniture, and all of the outfitting. He said he would like for that to be a part of this. He asked that when they do the 60% estimate check, that the City go through all the other extras and update all that cost and present it to Council. That will be three or four months away. He said those were his two comments.

Councilman Ebner moved, seconded by Councilwoman Diggs, that Council approve the firm of Cheatham Fletcher Scott Architects for the architectural and design services for

the Eustis park Senior/Youth Center at Eustis Park. The motion was unanimously approved.

March 16, 2015

Mr. Glenn Parker • Capital Projects Sales Tax Manager  
City of Aiken  
214 Park Avenue SW  
Aiken, S.C. 29801

Re: Eustis Park Senior / Youth Community Center  
City of Aiken

Dear Glenn:

Thank you for the opportunity to offer our architectural & engineering design services for the City's proposed Senior / Youth Center at Eustis Park. Having worked on the preliminary concepts for the Center, I am excited about this project and look forward to being able to work with you and other officials on developing a thoughtful design that will meet all the community's needs as well as being sensitive to this park site. The following is a description of the project, as we understand it, a list of tasks we propose to perform or coordinate, and a fee breakdown for each task.

**PROJECT SCOPE & ESTIMATED SIZE:** The design project shall consist of a new Senior & Youth Community Center to be constructed on the current site of Eustis Park located in the City of Aiken. This center will be designed to service the needs of area seniors & youth, and will also be designed to accommodate new offices for the Aiken County Council on Aging.

Some of the programmatic spaces to be provided for in this facility include the following:

- **Multi-Use Meeting Spaces.** Space or spaces shall be provided to foster intergenerational activities. Spaces shall be used to house pay-as-you-go programs such as painting, gardening, quilting, arts & crafts, etc. These spaces shall be divided with movable partition walls to allow larger or smaller rooms to be created for various room uses.
- **Multi-Purpose Meeting Room.** Large multi-use room to accommodate a group of at least 400 people. Room to be supported by a catering kitchen. Room to be designed for educational space and rental usage.
- **Fitness Facilities.** Indoor space shall be provided to accommodate aerobic exercise classes. Mezzanine space will also be provided to house cardio and free weight exercise equipment.
- **Offices & Support Space for the Aiken County Council on Aging.** Offices, a conference room, and other support spaces shall be provided in the facility for this non-profit group.
- **Catering Kitchen.** A catering kitchen shall be provided in the facility to facilitate rental programs. Kitchen shall be use to support family gatherings and reunions. The kitchen will also be used by the Council on Aging to prepare meals for their "Meals on Wheels" program.
- **Storage Space.** Space for the storage of chairs, tables, etc. to support the large multi-purpose meeting room.
- **Restrooms.** Restrooms will be provided for the public use. These restrooms will be accessible from both the indoor community space as well as from the exterior park.
- **ADA Accessibility.** The building will be designed to fully accommodate the handicapped.

The center will be approximately 20,000 to 22,000 square feet in overall size and will be primarily a one-story building with an elevated mezzanine for a fitness center. The estimated construction budget for the facility including associated site work is \$3,300,000. This estimate does not include costs for interior furnishings.

#### **PROPOSED ARCHITECTURAL, ENGINEERING & OTHER CONSULTING SERVICES:**

##### **TASK 1 - PROGRAM DEVELOPMENT**

CFS will meet with City & designated community officials to further develop a spatial & usage program for the community center. CFS will also meet with officials from the Aiken County Council on Aging to determine their spatial & usage requirements. CFS may travel to and visit community centers in other nearby cities (i.e.: Covington, GA, Mt. Pleasant, SC, etc.) to perform case studies

of similar type facilities. CFS will consult with the City officials to determine the ideal location for the development on the existing park site.

#### TASK 2 – SITE SURVEY

CFS will contract with a licensed land surveying company to provide a comprehensive site survey for the area of the park to be developed for the Community Center. This survey will include a simple boundary survey of the entire park site, topographic information @ 1 ft. contour intervals, specimen tree locations, and on-site sanitary & storm sewer systems that occur within the project development area. This survey will also include costs to employ a qualified sub-surface utility engineering company to locate non-visible underground utilities.

#### TASK 3 - SCHEMATIC DESIGN

CFS will develop a schematic design of the community center with a floor plan layout along with exterior elevations of the center. Meetings will be held with City & designated community officials to review the design and gain feedback. The design will be revised based on input from these meetings. Limited 3-D computer modeling will also be generated to develop the overall massing and form of the building. The schematic two dimensional drawings will be developed @ 1/8"=1'-0" scale.

#### TASK 4 – PRELIMINARY COST ESTIMATE

CFS will provide a preliminary cost estimate from a professional estimator based on the approved schematic design.

#### TASK 5 – SOIL BORINGS & GEOTECHNICAL REPORT

CFS will contract with a local soils testing & engineering company to provide soil borings for the building site and the proposed location of the storm water detention area.

#### TASK 6 - DESIGN DEVELOPMENT

CFS will refine the schematic plans and elevations to reflect client input and changes. CFS will involve a civil engineer to provide development drawings on the building & parking layouts including the preliminary site grading work and the proposed site utility connection points. The civil engineer will also provide input into the preferred location and sizing of the required storm water detention basin. CFS will develop preliminary building sections to determine an economical & logical foundation and structural framing system for the building. CFS will involve a structural engineer to develop preliminary foundation/beam/column sizes and layouts. CFS will consult with electrical, mechanical and plumbing engineers to determine the most functional & economical HVAC, electrical and plumbing systems. CFS will also consult with an audio/visual engineer and the City to determine the extent of sound & video systems to be incorporated into this project. Engineers will provide conceptual civil, HVAC, plumbing, electrical, and audio/visual system layouts.

#### TASK 7 - CONSTRUCTION DOCUMENTS

CFS will provide architectural, civil, structural, mechanical, plumbing, electrical, and audio/visual engineering services necessary to produce construction documents & specifications for a general contractor to properly bid and construct the project.

#### TASK 8 - DETAILED COST ESTIMATE

CFS will provide a detailed cost estimate from a professional estimator based on the construction documents being 60% developed.

#### TASK 9 – BIDDING & NEGOTIATIONS

CFS will provide assistance to the City to secure general contractor bid prices for the project. CFS will coordinate supplementary information & addenda and will address all bidding questions to secure general contractor bid prices for the project. CFS will also provide assistance to the City to negotiate a final construction cost and contractual agreement with the successful bidder.

#### TASK 10 - CONSTRUCTION ADMINISTRATION

CFS will provide administration services to oversee the construction activities of the center. Services to include a minimum of one site visit per week, general consultations & correspondences with the general contractor & owner, pay request review & certification, coordination of approved change orders, a substantial completion inspection, and a final inspection.

**TASK 11 – FURNITURE & INTERIOR FINISH SELECTION**

CFS will provide services to select & coordinate the purchase of interior furnishings, window treatments, décor elements, etc. Material & fabric color selections will be coordinated

**PROPOSED FEES:**

TASK 1:	Lump Sum Fee of	\$2,500.00 (This amount includes all programming work performed to date)
TASK 2:	Lump Sum Fee of	\$5,500.00
TASK 3:	Lump Sum Fee of	\$21,500.00 (This amount includes all conceptual design work performed to date)
TASK 4:	Lump Sum Fee of	\$1,250.00
TASK 5:	Lump Sum Fee of	\$2,500.00
TASK 6:	Lump Sum Fee of	\$53,500.00
TASK 7:	Lump Sum Fee of	\$96,500.00
TASK 8:	Lump Sum Fee of	\$3,000.00
TASK 9:	Lump Sum Fee of	\$10,500.00
TASK 10:	Lump Sum Fee of	\$32,250.00
TASK 11:	Percentage Fee of	15% of the Interior Furnishings Contracted Amount

**ENGINEERING & OTHER CONSULTANTS:**

As stated above we propose to provide soils testing, civil, structural, HVAC, plumbing, electrical, and audio/visual engineering services to complete the work above. We also propose to employ a licensed surveyor to provide a comprehensive survey, and a professional cost estimator to provide one preliminary & one detailed cost estimate for this project. The consultants we propose to employ are the following:

Soils Testing & Engineering:	Graves Engineering 1005 Emmett Street, Suite C Augusta, GA 30904 Rep.: Rick Swanson
<i>Alt. Provider</i>	<i>CSRA Testing &amp; Engineering S&amp;ME</i>
Civil Engineering:	Georgia Civil, Inc. 216 North Main Street Madison, GA 30650 Rep.: Todd Peaster
<i>Alt. Provider</i>	<i>Hass &amp; Hilderbrand Inc.</i>
Structural Engineering:	J.E. Stewart Engineering Inc. 237 Chesterfield Street, N.W. Aiken, SC 29801 Rep.: Josh Stewart
HVAC & Plumbing Engineering:	Pruett Ford & Associates 1201 Broad Street, Suite 3-A Augusta, GA 30901 Rep.: Martin Ford
Electrical Engineering:	Electrical Design Consultants 1201 Broad Street, Suite 1-A Augusta, GA 30901 Rep.: Ashley Paulk / Kyle Holt
Audio Visual Engineering:	dB Audio & Video 2196 Hilton Drive, Suite A Gainesville, GA 30501 Rep.: Frank Locklear
Surveying:	Hass & Hilderbrand Inc. 133 Greenville Street SW Aiken, SC 29801 Rep.: Todd Hass
<i>Alt. Providers</i>	<i>Toole Surveying John Bailey</i>

Cost Estimating:

Aiken Cost Consultants, Inc.  
1010 North Street, Suite C-2  
Greenville, SC 29601  
Rep.: Brad Aiken

**HOURLY RATES:** For services not included under "Proposed Fees" above, or as pre-approved by the Owner to modify prior-approved plans, CFS shall invoice on an hourly basis as follows: Principal Architect \$175/hour; Staff Architect \$125/hour; Architect Intern II \$95/hour, Architect Intern I \$85/hour, CADD Technician \$75/hour, Clerical \$55.00/hour.

**ADDITIONAL SERVICES – NEGOTIATED OR PROVIDED BY THE OWNER:**

The following services shall be provided by the Owner or negotiated on an as-needed basis. Some of these services are not anticipated for this project:

- Landscape and irrigation design
- Special consultants such as acoustical engineers and theatrical lighting designers
- Meetings or fees related to zoning or variance requests
- Asbestos surveys / environmental studies
- City/county plan review and permitting fees
- Artist renderings
- Printing/reproduction costs

**TIMELINE:** We are prepared to begin work within three weeks of your notice to proceed and would anticipate being ready for a first schematic design review by April 17<sup>th</sup>.

Please let us know if you have any questions or concerns regarding this proposal. We look forward to working with you and designing a successful project.

Sincerely,

s/Cameron B. Scott, A.I.A.

Mr. LeDuc stated the comment he wanted to make was that there have been times when Council has not been aware of what is happening with architectural and engineering contracts and projects that are going forward. He said he thought the process that we have instituted over the last several months of having Council involved throughout the process of hiring the engineer/architect coming before Council for approval to start the projects with updates in between is something that he would mention to the new City Manager. He said he felt it is a good process for Council to continue to follow. He said he and Mr. Smith have had some discussions. He said he was not sure how formally we have to go through this to make sure that process is followed. He said it is very important that Council is knowledgeable of everything that is happening, when the money is being spent, how it is being spent, and making sure that we have the necessary funds to carry through these projects and not just say we are ready to move forward and then find out later we do not have the money to accomplish the project. He said however that is established before April 27, he felt would be a great idea.

Councilman Ebner stated the city does a lot of major projects. The state requires regulations, and he is told that the city follows the regulations of the State Procurement System, for a certain size project. He said surely when we get to projects costing \$500,000 and better, it is important that we go through the appropriate bidding process. Most of the bigger jobs would require some type of concept plan just like Mr. LeDuc mentioned on the Senior/Youth Center at Eustis Park. He said we did the same thing on The Alley project. This gets the energy of the citizens involved, and it also gives you an idea of what a top end cost would be. He said we had local architect firms from the Augusta and Aiken area to prepare a proposal and let them be available for citizen review if they want to. He said we have about another \$30 million worth of Capital Projects Sales Tax to do with \$10 million from CPST II and \$20 million on CPST III. He said we also do some larger projects in the city. Mr. Grinton has been very good about going out and getting bids and coming back to Council with a project that he wants to do. He said Mr. Grinton has a couple of million dollars of projects now. He said he did not know if we need to make it formal or not, but something needs to be done to say that the city follows the state guidelines, however we need to do that.

Mr. LeDuc stated he did not know if Council needs to formally do that, but it has been the practice in the past and needs to continue to be the practice that the City Manager work with Council to make Council aware of the projects and get Council involved in the bidding process and funding process for each project. Mr. LeDuc stated this is the time to do it. He said when you get a new City Manager, he will do whatever Council expects of him.

INTERGOVERNMENTAL AGREEMENT – ORDINANCE

IGA

State Infrastructure Bank

SIB

TIB

Funding

Dougherty Road

Whiskey Road

Intersection Improvements

Mr. LeDuc stated two items had been added to the agenda. He said two ordinances had been distributed to Council. He apologized for the late addition. He said Jim Holly has been working with Gary Smith on this matter for the last two or three weeks, and we finally got the final approval from Jim Holly today.

Mr. LeDuc read the title of the ordinances.

AN ORDINANCE AMENDING ORDINANCE 01262015 TO AUTHORIZE THE CITY OF AIKEN TO ENTER INTO AN AMENDED INTERGOVERNMENTAL AGREEMENT WITH THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION INFRASTRUCTURE BANK FOR THE DOUGHERTY ROAD AT WHISKEY ROAD WIDENING PROJECT.

AN ORDINANCE AMENDING ORDINANCE 01122015 TO AUTHORIZE THE CITY OF AIKEN TO ENTER INTO AN AMENDED INTERGOVERNMENTAL AGREEMENT WITH THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK FOR THE UNIVERSITY PARWAY WIDENING PROJECT.

Mr. LeDuc stated he would like Council's approval of the two ordinances. There will be more information on the ordinances at second reading.

Mr. LeDuc pointed out the last two pages attached to the ordinances show the changes that they would like to see in the agreements. He said the changes involve landscaping. The Highway Department did not want to have SIB money used for landscaping of these projects. We did ask that this not involve any landscaping changes that were made because we had to cut down some trees or shrubbery on adjoining private property. He said the essence of this is "that landscaping and beautification for the projects other than for required grassing or other erosion control measures or replacement or repair of trees, vegetation or landscaping affected by the construction of the project could be done, but not other landscaping."

Mr. Gary Smith, City Attorney, stated the best way he knows how to describe the ordinances and changes is that this is similar to what Council would expect if you were getting a mortgage from the bank. They wanted to put in some requirements that either you take them or we don't get the money. He said this is one of those kind of changes that the Transportation Infrastructure Bank felt strongly about. It is really kind of being pushed on us, but we don't really have a choice but to accept the changes. If Council does not accept these changes, then they will probably decide they don't want to give us the funding that they had agreed to give us earlier. The changes are set forth in the ordinances. They are highlighted in yellow. The changes are not really unreasonable changes, but kind of a last minute thing.

Councilman Dewar moved, seconded by Councilman Ebner, that Council approve on first reading two ordinances amending the ordinances and agreements with the State

Infrastructure Bank for funding for the Dougherty Road and Whiskey Road intersection improvements and the University Parkway widening project regarding landscaping for the projects. The motion was unanimously approved.

### EMPLOYEE POSITIONS

#### Unfreeze

#### Parks, Recreation & Tourism Department

#### Public Services

#### Public Safety

Mayor Cavanaugh stated Council needed to consider approval to unfreeze some employee positions,

Mr. LeDuc stated when Council approved the 2014-15 budget one of the conditions was the freezing of all existing and proposed positions. To unfreeze these positions department heads could request Council to open up these positions on a case by case basis. We have four open positions for Council to consider unfreezing. This would allow the departments to fill these positions through the normal hiring process.

The following positions are requested to be unfrozen:

#### **PARKS, RECREATION AND TOURISM**

Maintenance Worker II - 1 vacancy. Full-time position. Employee is needed on the Virginia Acres Crew which maintains the tennis courts, the Week Center, Ceramics Building, shelters and various other buildings.

#### **PUBLIC SERVICES**

Maintenance Worker II - 1 vacancy. Full-time position. Employee position is in Buildings and Grounds. They are needed for grass cutting, and general maintenance of landscaped areas in the city.

#### **PUBLIC SAFETY**

Public Safety Cadets - 2 vacancies. Part-time positions. Cadets respond to fires, rescue and medical emergencies. They serve as firefighters, assist in dispatch and perform building and ground maintenance.

For Council consideration is to unfreeze one full-time position in the Parks, Recreation and Tourism Department, one full-time position in the Public Services Department, and two part-time positions in Public Safety.

Councilman Dewar moved, seconded by Councilwoman Diggs, that Council approve the unfreezing of one full time position in the Parks, Recreation and Tourism Department, one full time position in Public Services, and two part time positions in the Public Safety Department. The motion was unanimously approved.

Councilman Dewar asked if the Public Safety Cadets can fight fires and have to be graduates of the Fire Academy. Chief Barranco responded that they are trained and fight fires.

Mr. LeDuc stated in the past the Cadets just hung around, and they helped out here and there. He said we now have a formal program that we have the Cadets go through. As they meet the qualifications, they get an increase in salary.

STORM WATER ORGANIZATIONEPASCDHECStorm Water Engineer

Mayor Cavanaugh stated Council needed to approve the restructuring of the Storm Water Organization.

Mr. LeDuc stated at the February 3, 2015, work session Council received information from George Grinton concerning the new storm water requirements from the EPA and SCDHEC. To help meet these regulations and to address the aging storm water infrastructure, we are requesting authorization to restructure the staffing. With the increased monitoring, reporting and infrastructure concerns, we need a full time engineer to design and direct the repair of our storm water system. We are proposing to replace the current Engineering Technician with a full time Storm Water Engineer and to replace the Team Leader and Assistant to the Director with a Supervisor. The current versus proposed restructuring is as follows:

Current	Proposed
Engineering Technician	Storm Water Engineer
Team Leader	Supervisor
2 Maintenance Workers	2 Maintenance workers
Heavy Equipment Operator	Heavy Equipment Operator
Assistant to Director (PT)	

The proposed change will result in an increase in salaries of \$5,022 in comparison to the current budget and will allow this division to start meeting the new regulations and responsibilities. He said the proposed change is in the new budget. He said, however, if we could get started now, we could probably have the Storm Water Engineer on board in 30 to 60 days.

For City Council consideration is the reorganization of the Storm Water Division as proposed and the approval to start advertising and hiring a Storm Water Engineer.

Councilwoman Price asked if a Storm Water Engineer was a rare specialty. Mr. LeDuc stated in many ways it is. He said we may have to train the person that we bring in. Storm water engineering is not something that they teach a lot at the universities. He said they basically get their experience by on the job training. Mr. LeDuc stated there are some storm water classes, but storm water is almost becoming a unique field unto itself. He said fortunately we have an engineer on staff now who has an extensive background in storm water engineering. Either he will help train that person or we will move him in that position for a period of time.

Councilman Ebner stated he had had some email discussions with Mr. LeDuc and Mr. Smith. Some time back we said that we would set up the Storm Water as well as the Solid Waste as enterprise funds. He said it is in the budget that it will be that way, but he would like to put those two enterprise funds on the April 13 agenda so we could have them approved. Then when we get into the budget, it will flow through and not be something we have to do then. He asked that those two budgets be on the April 13 agenda. He said both of those budgets have to have Council approval.

Mr. LeDuc stated Council can do it one of two ways. He said typically every year when the budget is approved, there is a change or two that is fairly major within the budget. In this case we are setting up Solid Waste as an enterprise fund. It is set up. Over the weekend we were able to get it balanced, based on the comments we had at the March 19, 2015, meeting. The fee will stay at the \$17 level. We can continue the process of implementing the Solid Waste Fund as part of the budget process or we could go ahead

and have an ordinance now saying we are going to set this up as an enterprise fund and present the enterprise fund and a balanced budget for it. He said he would prefer that we wait until our budget process. However, he could do either way because that has already been balanced. He said it is the same for the Storm Water Fund. It was a standalone budget or enterprise fund, but it was not a full enterprise. It was probably an 80% to 90% level enterprise. We have now added benefits to that fund. We have fully put in that budget the equipment that needed to be in that budget. We can now track the expenditures versus the revenue coming in for Storm Water and be able to do the same thing with Solid Waste. He said it is really up to Council. We can go through the process beforehand or we can wait and do it as part of the budget.

Councilman Ebner stated in the case of Storm Water since there is an increase involved, he felt we should go ahead and vote before we get to the budget for the increase to be sure the numbers in the budget include that increase. He pointed out that the increase is \$2.10 a month. He said it is needed. It has been 10 to 12 years since we have increased that fund. He said he would like to have some of the increases done ahead of time similar to what we have done with the water and sewer rates.

Mr. LeDuc stated he can remember when he was City Manager, just about every time there was an increase in fees, they were part of the budgetary process. He said it could be done either way. He said he knew that recently we have had standalone changes in the fees prior to the budget being completed. He said Council could do it either way.

Mr. Smith stated they could do whatever Council desires. Councilman Ebner stated this was discussed in the March 19 worksession, but it has not been discussed at a Council public meeting. He said as long as we read the increase into the minutes, he would be pleased with that. Councilman Ebner stated if we read into the minutes a \$2.10 increase will be in the Storm Water Budget that would be okay. Mr. LeDuc stated his plan right now is either the week before Mr. Klimm comes or the week after he comes have a first budget meeting with Council. He said right now he probably would like to have it before Mr. Klimm comes because after he comes it will be quite busy for a week or two. He said he would like to be able to sit down with Council and be able to say here is the budget, here are the changes in the budget, and make sure everything is the way Council wants it so if there needs to be any other changes that could be done. He said he did not think there would be other changes as Council has had a lot of discussion, a lot more discussion than he has ever had with Council concerning the budget. He felt we are on the right track, but right now he felt sometime the week of April 20, we could have a budget meeting.

Councilman Dewar stated he would expect that the City Manager's memo would be a little longer and far more detailed than it has been in the past and hopefully will include the increases that will become effective with the budget, everything from Public Safety to Engineering and Utilities, etc. so it will summarize everything. He felt that would be good for the incoming City Manager as well to see the changes that will take place.

Councilwoman Price stated for clarity, we will be hiring a Storm Water Engineer, and we are going to have someone help them get the training necessary. Mr. LeDuc stated we currently have an Engineering Technician, which is probably more a technician than an Engineering Technician working storm water. This will give us someone who has the training and background in engineering. Hopefully, we will find someone who has some measure of storm water expertise.

Councilwoman Price moved, seconded by Councilwoman Diggs, that Council approve the reorganization of the Storm Water Division as proposed and authorize the advertising and hiring of a Storm Water Engineer. The motion was unanimously approved.

BUILDING IMPROVEMENTS

135 Laurens Street SW  
Administration and Finance Building  
CPST III

Mayor Cavanaugh stated Council needed to approve a request for building improvements at 135 Laurens Street SW.

Mr. LeDuc stated soon after his return last summer, we had a Council Committee meeting about the Municipal Building on Park Avenue and the Administration and Finance Building on Laurens Street. In September, Council gave us permission to make some cosmetic and other improvements to the Municipal Building not to exceed \$85,000. A primary reason for this work was to move all City staff out of the PACT building at the corner of Newberry Street SW and The Alley. This work is progressing, and we will be ready to move all occupants of the PACT building within 30 days.

At our work session on March 19, staff presented to Council a similar proposal for the improvements to the Administration and Finance Building at 135 Laurens Street SW. These improvements include a relook at the lobby, removing the large engine from the lobby, and making it more Aiken friendly with displays, other seating in the lobby, a more prominent area for the person who greets people as they come into the lobby. There will probably be some monitors and TVs showing some videos. We will also go ahead and take the locks off so visitors and the public can go upstairs to see the City Manager and Assistant City Manager and the HR Director. That means changes to the elevator, some of the doors, and a few partitions. There is some work that has to be done outside for storm water and on the parking lot area. We believe we can make these improvements for less than \$85,000, but we are asking for up to \$85,000 with the funds to come from CPST III money for Municipal Building Expansion [017-1901-419.72-00 3MBBE]. We have sufficient CPST III money on hand to proceed with this work. He said if Council has any questions, Mr. Bedenbaugh will answer them as he has been working on this project.

For Council approval is a request to begin improvements to the building at 135 Laurens Street, SW.

Councilwoman Diggs asked if it would cost \$4,000 to remove the engine from the lobby. She asked what we would put in place of the engine. Mr. LeDuc pointed out it cost more than that to put the engine in the lobby. Councilwoman Diggs responded that she thought it was put in the lobby for free. She pointed out the engine was donated. Mr. Bedenbaugh stated the engine was donated, and it was moved in for approximately \$4,000. He said that is how much we had to pay individuals and they had to rent some heavy equipment. It took almost all day to get the engine moved in. Councilwoman Diggs asked where it would be moved to. Mr. Bedenbaugh stated MTU is going to take the engine back.

Councilwoman Diggs asked if there were security cameras in the City buildings. Mr. Bedenbaugh stated there are cameras in the Administration and Finance Building. There are currently cameras in the payment area that look down on the transactions that occur. We would install some additional cameras that would face the individuals that are transacting business with the clerks. He said we need to have the facial recognition.

Councilwoman Price asked if we would be leaving the protection equipment in for the employees. Mr. Bedenbaugh stated yes if she meant the glass at the clerks desks. Mr. LeDuc stated we are also putting in new microphones for each teller for better interaction between staff and customers.

Councilman Ebner moved, seconded by Mayor Cavanaugh, that Council approve the request for up to \$85,000 to begin building improvements to the Administration and Finance Building at 135 Laurens Street, SW and that every effort be made for the Assistant City Manager to have an outside window. The motion was unanimously approved.

Councilman Ebner stated it was an amended motion.

#### RETIREMENT

##### Assistant City Manager

Mayor Cavanaugh stated Council needed to approve an amendment of the retirement for the Assistant City Manager.

Mr. LeDuc stated City Council has offered the Assistant City Manager the opportunity to achieve additional time in the City's Pension Plan. We would enter into a signed agreement between him and Council to purchase on his behalf, one year of service into the pension plan for every three years he is retained as Assistant City Manager with a maximum of six years purchased. The first three year period would begin on May 1, 2015. He said the agreement is modeled somewhat after what City Council did for him as City Manager with the purchase of additional time in the pension fund.

For Council consideration is a request to enter into an agreement with the Assistant City Manager to purchase one year of service into the City's pension plan for every three years he is retained commencing May 1, 2015.

Councilman Dewar stated this is an attempt to keep a valued employee by giving a valued employee an opportunity to retire like any other employee with the city. It is a reflection of their high regard for the work that Mr. Bedenbaugh has done.

Councilman Ebner stated he thought the City Manager should also mention another reason we are doing this. He said as others apply for some of the other jobs coming up if someone is from the State of South Carolina under the state pension system, they might not apply for a job if there is no way to relieve the pension requirement. He said Mr. LeDuc may want to comment on how that would work.

Mr. LeDuc stated as we hire a new Planning Director or PRT Director, there may be an occasion that we would have to look at the pension system we have. We are already doing that with our new City Manager to make arrangements for the pension plan. Each one would be looked at on a case by case basis.

Mr. LeDuc stated he would like to thank Mr. Bedenbaugh very much because without him there was no way that he would have been able to do the job. He said Mr. Bedenbaugh had done a great job in assisting him, working with staff as needed, and working with citizens. He said Mr. Bedenbaugh is well deserving of what Council has done tonight.

Councilwoman Price stated one of the things that she applauds about Mr. Bedenbaugh is that he is extremely responsive. She said that goes for the entire leadership team of the city. She said she tends to talk to Mr. Bedenbaugh more than others and tries not to call unless it is urgent. She said when she calls Mr. Bedenbaugh he gets back as quickly as possible with a response.

Councilwoman Diggs moved, seconded by Councilman Merry, that Council enter into an agreement with the Assistant City Manager to purchase one year of service into the City's pension plan for every three years he is retained commencing May 1, 2015. The motion was unanimously approved.

#### E-MAIL RETENTION POLICY

Mayor Cavanaugh stated Council needed to discuss the email retention policy.

Mr. LeDuc stated this has been a very interesting process for us. We have always retained emails for a certain length of time and for key positions we have kept the hard drives from the computers. However, the email policy that we have, although it lets our employees know and Council know all emails become part of the public record, we don't really have the retention record service. We contacted the Department of Archives and

History and asked them how long emails should be kept. They said the time depends on the document, and they just become part of the history of the City of Aiken.

Mr. LeDuc stated he has asked Gary Smith, City Attorney, to formalize a policy for emails. He said before the policy is formalized, he thought it might be good if Council could have a short discussion on this because it does affect Council. Recently there have been a lot of questions about the City's email policy and retention of emails. We have just had a request for some emails, and Mr. Smith has reviewed 3,789 emails and spent hours going through each one to see which ones could be released and which ones could not be released. He said we want to make the process easier, more understandable, and to be transparent on everything we do and this includes emails. This matter has been placed on the agenda for discussion by City Council. He said the City Attorney will discuss emails and retention of emails with City Council.

Mr. Smith stated as we got into discussion regarding emails our IT people, Ms. Hales and Mr. Popenhagen, have been very helpful to him in helping him understand how this process works. He said the main thing that became clear is that the city has a big records retention policy fully in compliance with the South Carolina Department of Archives. He said the City Clerk, Ms. Ridout, trains extensively on the requirements that the State has for making sure that we retain records that we are supposed to retain. The State Archives people have told us and our IT people that when it comes to emails the fact that the document is an email does not make it any more special than our regular records. He said obviously the city has to retain all of its ordinances, deeds, resolutions, contracts, minutes, etc. Those are important documents for the City of Aiken's history. Those documents have to be retained in accordance with the Archives Department's policy. Emails can be important records that are required to be archived, but they may not be. Typically we see emails that involve discussions about things on which the city is working. At some point those emails may become an email from the City Manager or a Councilmember that says an ordinance needs to be created within these parameters. Then the ordinance becomes before Council. Obviously that ordinance then becomes a public record and has to be saved.

Mr. Smith stated under the Freedom of Information Act presently the emails that City Council or the City has in its possession are documents that are subject to being disclosed under the Freedom of Information Act. Even if we are not obligated by the State Department of Archives to keep an email, if we did happen to keep an email and we have it in our possession, if someone asks for an email that fits the description of the email that we are sending, that email has to be turned over to the person who has requested it under the Freedom of Information Act. Mr. Smith stated in talking with Ms. Hales, Mr. Popenhagen, and the rest of the staff, it was clear that emails that are important records under the guidelines from the State Archives Department have to be saved. He said when we sat around the table and tried to talk about this as a practical matter, there are a lot of people on the city staff that generate emails and it is very difficult to educate all of the city employees on the requirements of the State Archives Department and the records retention that we have to do.

Mr. Smith stated he thought Mr. LeDuc wisely decided it will probably be easier to create a new system for archiving emails either as they come into the City of Aiken or as they go out of the City of Aiken. He said that technology is readily available today. It has gotten a lot more inexpensive. The kind of system the IT people are looking at now is a system that would be able to save at least five years' worth of emails regardless of whether they were an email from the City Manager telling someone to create an ordinance or if it is an email among department heads wanting to decide if they will meet for lunch somewhere. The document from the City Manager is a document that you may want to save, but the email about going to lunch, the records people don't care if we save that email. However, if we do save it, it is a document that is producible under the FOIA. He said he thought the plan is to have this in the budget to have the email server so we start saving all of the emails as they come in and start saving all the emails that are generated as they go out.

Mr. Smith stated the only other issue that presents itself is getting City Council members on board using a City of Aiken official email address so their emails would go through

the server just like the staff emails go through the server. He said that would be one change in how some of the City Council members are presently doing their email business. He pointed out the news regarding Ms. Clinton's recent travails with use of her personal email server. He said state law does not presently say that we have to do this, but it sure makes it difficult as we have seen this with the Gem Lakes email records request. It is difficult to immediately respond to a request when all the Council members are not on board with the official email usage. Mr. Smith asked if there were any questions about emails.

Councilman Dewar stated he received two emails today about an issue. He said the email comes through the city's website. He said he guessed the emails were addressed to him, but it was not like they come directly to him. He said it is an awkward process as opposed to someone sending him an email and he sees the person's name who sent the email. He said the other email is like they are sending it to the web people, and they decide to send it on to them. He said it is not a direct means of communication. He asked if Mr. Smith was saying that Council should use their [cityofaikensc.gov](http://cityofaikensc.gov) address both ways. Mr. Smith responded correct. Mr. Smith stated he thought that Ms. Hales and Mr. Popenhagen had told him that some of Council have their email set up now so if he were to send an email to their City of Aiken address, it is automatically redirected to Council's personal email address. Mr. Smith stated he was sure Ms. Hales and Mr. Popenhagen could answer their questions as to how that works and address the concern. Councilman Dewar stated it comes through as a message from the City of Aiken website contact form. Mr. Smith stated that is someone sending an email through the website.

Councilman Dewar stated a long standing item of concern to him was whether we could just put on the website if they want to contact Dick Dewar to use the [ddewar@cityofaikensc.gov](mailto:ddewar@cityofaikensc.gov). He said he did not think that was on the website now.

Mr. LeDuc stated it is not on the website. He said a number of years ago Council discussed that, and there was a mixed emotion as to whether we should put everybody's email address on the website and therefore people from throughout the world could just be emailing Council directly and possibly clogging up the system; or, whether we should go ahead and have it so the emails go to the website and then all the trash and things not directed to a Council member or a staff member could be dealt with. He said we could put everybody's email address on the website and anybody could email as much as they want.

Councilman Dewar stated several years ago Aiken County got the transparency award. He said the City of Aiken is much more transparent than they are. He felt the City of Aiken should have gotten the award. He said he called the people and asked why the City did not get the award. One of the things they said was that the Council members email addresses were not on the website. He said there were two or three things that they pointed out that we would never get the Sunshine Award because we did not have the email addresses and the other transparencies.

Councilman Ebner asked how far back we are archiving the emails. He asked if we are going back five years or if there is a line in the sand where we start with the technology to say from a certain date forward we will keep. He said 2007 is a year that is in the back of his mind. He said he has a world of emails. He said we get in a contest if he has an email and the city does not. He asked whose email is right. He asked if there was a guideline where this starts or is it today.

Mr. Smith stated once the server gets into place and it gets set up, that is when they are going to start archiving those emails and whatever they have on the system. Councilman Ebner stated then whatever is already in the system will go into the archives. Mr. LeDuc stated they will be archived up to five years. He said that Archives and History says that administrative type correspondence is to be kept for five years. He said if Archives says correspondence is five years, we will say five years. He said the cost is about \$15,000 a year to archive the emails from that year. Every year we will have to add another \$15,000 to archive the emails.

Councilman Ebner stated he had sent a request on all the Gem Lakes emails from 2007, actually from about June, 2007, when we started discussions on roads around the city. He said he sent a request in for emails for anything around Gem Lakes from the beginning of 2007. He asked if that is a legitimate request because this is an area that has been under contention since that timeframe. Mr. LeDuc stated we have saved all of those. He said those are the ones that Mr. Smith has been going through. Councilman Ebner stated this is a particular instance that we know has been viable. He said he was on that side of the desk before.

Councilman Homoki said in following up on what Councilman Dewar said, if Council gets an email from a concerned citizen about a certain subject and it goes into the city web, and they forward it to our private email, if he answers that individual with his private email which he usually uses that never gets back into the city system. Mr. Smith stated that is correct. Councilman Homoki stated that is what needs to be fixed because if that gets fixed then everything else will be documented to the city server.

Mr. Smith stated on his personal email in his office he has three or four different email addresses, but they all come to his computer. If you don't click on the address, you can't tell which address it came to. He said this may require some thought on the part of Council members as to whether it was sent to their personal email or another email address. He said you can't stop a constituent from sending an email to your personal email address if they have it. If they have it, they can use it. If the Council member is savvy enough to check it before he sends it back to the citizen he should get it back into system again.

Councilman Dewar stated there is no way to get it back into the system if you are initiating the email from home unless you copy yourself at [dickdewar@cityofaikensc.gov](mailto:dickdewar@cityofaikensc.gov). Mr. Smith stated a Council member could be using their City of Aiken address if you go to the server. Councilman Dewar stated he did not know how to do that from his home computer. Councilman Merry stated if you want to get technical you can make your outlook or whatever service you use to monitor your email, you can make it point to as many different email addresses that you want. He said the easiest thing to do is when you reply just copy the City of Aiken address. Councilman Dewar stated if there is a way that Council should do it, then give Council a memo and he will do it. He pointed out that Council should get their business cards changed so they will reflect the City of AikenSC.gov addresses. Mr. Bedenbaugh stated that the IT staff can provide Council with a link that will allow them to check their city email account from their home computer. He said it is a hyperlink that they can send to Council. He said Council would have to type in their user name and password as you would with your private email account.

Councilman Dewar stated if he sends an email address to a non-city employee, what he is hearing is that somehow we want to keep a record of that, and we want to keep it in a perfect world on the city server. He said the only way you can do that is to copy somebody with the cityofaikensc.gov. Mr. Bedenbaugh stated that is one way. Mr. Smith stated we will get the IT people to give Council the full answer.

Mr. LeDuc asked Mr. Smith if he needed any direction from Council so he could follow up on the policy. Mr. Smith stated he did not.

#### HOSPITALITY TAX

Councilman Ebner stated when Council met on March 19, 2015, they talked about the Hospitality Tax. He said one of his concerns for clarification, is whether the budget balances without the Hospitality Tax or is it part of the budget balance. He said the reason he asks the question is if it is part of the budget balance, he did not think it would be wise to wait until the end of May or early June on first reading to discuss the tax. If it is above and beyond and the budget is balanced without a 1% tax, then he does not mind waiting to discuss it at that time.

Mr. LeDuc stated Council discussed a number of things on March 19. One of the things talked about was if the hotel and the parking lot are to move forward, the parking lot

would be a public parking lot to be used by the public, not exclusively for the hotel. He said recently there were requests from some churches saying they need another place to park downtown. He said they would be able to use the parking garage. He said we have had citizens asking for additional parking for decades. He said the garage would be a public parking garage that we would be building. The Hospitality Tax could be used and would have to be used for the garage. He said that would be the major item that we would need to have in the budget for the Hospitality Tax. Council had also discussed in the proposal some economic development for new businesses, new opportunities. The plan was to start putting that in the budget so Council would have the ability whether a new project came or new opportunities arose with other businesses, or industry that a certain amount of money could be set aside for that.

Mr. LeDuc stated he had given this a lot of thought since last Thursday, and today a couple of emails have come across his desk concerning this. He said he would prefer that on April 13 he give Council some information as to how the money could be used. In this particular case we would have first reading of an ordinance approving the Hospitality Tax. The reason for that is if you wait until July 1 for the new budget year, at that point we will have to send letters out, and we will not be able to get this funding until probably sometime in August or September. We will have lost an opportunity in that case. It will also then help us to balance the budget, and to provide some of the things that Council has requested within this year's budget. He said he and Mr. Smith had met on this matter and talked about where we could use the money. He said an interesting thing he saw as he was going through the South Carolina law, was the definition of a tourist. He said a tourist is defined as anyone living outside the city limits. He said anyone in the County of Aiken would be considered a tourist. He said when anyone outside the city comes to the theater, the festival area, a ballgame, or participates in our sports, they are considered tourists and therefore everything we do with PRT, a lot of things in Buildings and Grounds, are considered tourist related because county residents and out of state residents are using the facilities. He said using the funding for a number of things, it would be much better if we could go ahead and make a decision on that at the next meeting and the following meeting as it would take two readings of an ordinance to approve the tax.

Councilman Ebner asked if the budget that Mr. LeDuc is working on for the 2015-16 fiscal year would require the Hospitality Tax to balance the budget. Mr. LeDuc stated it does not. Councilman Ebner stated that was his key concern. He said he did not want us to go into the next year without a balanced budget. He said this will probably bring a roar in the room when Council talks about it. Mr. LeDuc stated the proposed budget does not have anything for economic development or parking garage either.

Councilman Dewar stated his concern for the Hospitality Tax, and he is not sure how he feels about it, is that he would hope that it would be in the budget as a separate fund, a Hospitality Tax Fund. Mr. LeDuc stated it has to be separate by law. Councilman Dewar stated all the money would go in the separate fund, and then Council would approve whatever money comes out of the fund. Mr. LeDuc stated he would have for Council on April 13 a standalone budget which would be 014. That would be a standalone budget showing the money coming in and how it would be spent.

Councilman Dewar stated the diagram that Councilman Merry gave to Council contains some incentives for business licenses. He said he was not sure that we can do what Councilman Merry outlined in his proposal. He said he would like to find out. Mr. LeDuc stated that could not be done though the Hospitality Tax. Councilman Dewar stated what was proposed was changing business license rates for the big users, increasing them very slightly, and using some to subsidize smaller businesses to give them a credit. Councilman Dewar stated he did not know if that could be done. He said the City Attorney would have to look at the law. Mr. LeDuc stated there are eight different rates. Rate 8 is a lot of variety of professionals, etc. He said Rates 1 through 7 have to have an increasing increment between each rate. We can't say that for the Walmarts, Sams, and other large big box companies, we will charge them much less than some other rate. We have to stick by the tried and true. He said that does not mean that we can't rebate some funding if we want to look at certain restaurants and other things because of the extra work that it would take to put together the numbers and writing the checks for the Hospitality Tax. Councilman Dewar stated that is one of the things that

Councilman Merry talked about, and his concern, along with Councilman Ebner's is that he wants to make sure that if we do a Hospitality Tax that we are putting it basically the way that Councilman Merry laid it out so we are using some for economic development. He said if we could use some for the drainage at Teresa's he would consider that economic development because if we don't do it, the property will not get developed and the same thing across the street. He said the money needs to be channeled for that benefit.

Mr. LeDuc stated what will happen is that Council would see a 014 budget. It would be things primarily for parks and recreation, flowers, trees, Hopelands Gardens, and that would free up money within the General Fund budget that allows us to do the economic development. He said what Councilman Dewar is talking about could not be put in Accommodations or a Hospitality Tax, as it is not allowed by state law.

Councilman Merry stated what it does is money that you are already spending in the General Fund is now funded by the Hospitality Tax and that money is left in the General Fund to do something different with so you can make a dollar for dollar use of that money for economic development or for Teresa's improvement or other storm water infrastructure improvements. It is money that is no longer needed to be spent from the General Fund that you can now spend on those items. Councilman Dewar stated it is very likely to get lost in the shuffle, and that is what he is talking about.

Mr. LeDuc stated that is why we have to come up with a clarity so it shows that. We may have to create another budget that will transfer, for example, \$1 million from the General Fund to an Economic Development Fund so you can track where this money is going and how it will be used. We will select another number for an Economic Development budget.

Councilman Merry stated he felt that all were clear in the meeting on March 19 on this and all agree on this. He said Mr. LeDuc is going to get back to Council with a concept with the wording and clarification. Once Council has that we can tweak it and make it suit Council. He said presently we only have a starting point.

Councilwoman Price asked if Mr. LeDuc was going to come back to Council with a recommendation. Mr. LeDuc stated that is his intent.

Councilman Ebner stated there is one thing that he said at the March 19 meeting, and he would repeat it again. He said as Council they have a preponderance not to follow the rules sometime. He said with the Hospitality Tax Council really needs to know how this will work. He said revenue coming in is pretty easy. You get a check. He said how we "shuffle" the money from one account to the other; we need to do a good accounting for that. He said this can come back to haunt us. He said he understands the city had a Hospitality Tax in the past. He said if we don't have daylight or sunshine or a LED light shining on this so citizens can see what it is, it will turn into a nightmare. Councilman Merry stated for Council to see what Mr. LeDuc comes up with.

Mr. LeDuc stated there are state statutes as to what the money can be used for and what it cannot be used for. Those regulations have to be followed just like we have with the Accommodations taxes. We have funneled money to help pay for some of the PRT and the Buildings and Grounds expenses. Some of it also goes for infrastructure "bricks and mortar" as has been discussed in the past. He said there are some other things he will discuss at the next meeting. Once the tax has been in place for a year, 50% of it can be used for police, fire, EMS, and other salary type positions that support tourists and individuals coming to the community. He said that is what Councilman Merry was talking about. We would be taking some of the General Fund money and using it eventually in the Accommodations and Hospitality Tax that would then free up some of the money to do some of the things that Council has been wanting to do.

Councilman Dewar stated we have been talking about using almost half of that money for a garage over a four or five year timeframe. Mr. LeDuc stated that is correct. Councilman Merry stated he is okay with discussing the matter on April 13 for first

reading, but Council will need to have it on or before April 13 so Council can have time to review it.

Mr. LeDuc stated his next step is two-fold. One is that he will be sitting down with Councilman Merry and going over some of the list that he presented. Secondly, he is already preparing a list and an actual line item listing of how the money can be spent that fits within the state law for the City Attorney to review.

Councilman Homoki stated it has been said that we will have a separate budget basically for the Accommodations Tax and the Hospitality Tax, and we will have a balanced budget. He stated when the City starts collecting money from the Hospitality Tax, then all of a sudden the budget will have to be reworked or make modifications to the budget to take money out of the General Fund budget and redesignate it for a different purpose as you get money from the Hospitality Tax and you can supplement the existing budget.

Mr. LeDuc stated that is correct. He said currently he has a budget that is very close to being balanced assuming no Hospitality Tax. He said he would now develop a whole new budget that would be if we had a Hospitality Tax. He said he would have two different budgets that are ready for Council.

Councilman Homoki asked if he was saying that we would have a budget that we would modify almost every month as we go along. Mr. LeDuc stated that is not true. He said Council would be approving a budget before the end of the fiscal year that either will have a Hospitality Tax or not have a Hospitality Tax. That would be presented on April 13 as to what would be done with the Hospitality Tax and how you could mirror some economic development through that. Depending on what information he gets at the April 13 meeting from Council, then we will have another meeting that will go over the entire budget to explain what would be done next year. He said it will be a lot of work on the part of the Interim City Manager. He would probably have Mr. Bedenbaugh and Ms. Abney and her staff and others to help. He said he would have something for Council in a couple of weeks.

Councilman Ebner stated he felt it is important that the news media include information about the Hospitality Tax in their write up of this meeting and that it will be on the agenda for April 13 because a lot of people are going to be interested in that. It is very important that we start off on the right foot with it.

Councilwoman Price stated she had just googled it, and the State of South Carolina is very specific about how these monies are spent. Mr. LeDuc will bring those rulings to Council so they will know specifically how they can spend those dollars. She said if you go online, it will tell you specifically how it can be spent.

#### WOODEN BRIDGES

South Carolina Department of Transportation

SCDOT

York Street

Fairfield Street

Union Street

Councilman Ebner noted that Council had received a copy of a letter from the South Carolina Department of Transportation regarding the wooden bridges in Aiken. He asked what is the next step on the bridges. He said there are some profound statements in the letter. He asked if the letter had been sent out to the community yet. Mr. LeDuc stated he had just received the letter today. He said he wanted to give Council a copy so they would be aware of the letter. Councilman Dewar noted that Phil Johnston had received a copy of the letter. Mr. LeDuc stated obviously there are a number of people in the community that were on the list from the Historic Aiken Foundation, to our local Senator, and others. He said he wanted Council to see the letter. He said the letter essentially says that they could do the York Street bridge and bring it up to the design standards, low limit standards, and there would be a slight grade increase which probably would have very little effect on most of the surrounding properties.

Mr. LeDuc stated on Fairfield Street they were originally talking about a 5 to 6 foot grade differential, and essentially the slopes approaching the bridge would have been several feet higher than the surrounding properties. They would now go ahead and lower the speed limit, and reduce some of the low limits. They do not say exactly how much, but they suggested that they lower the height from what they had previously. How much it would be lowered, would have to be determined. Then their third proposal is to eliminate traffic on the Union Street bridge altogether. At some point in time we will have to sit down with SCDOT. He said we have done this in a couple of committee meetings, one with a large group of citizens, and one with a couple of Council members. He said to answer Councilman Ebner's question the next step is to get the group together and go over the proposals.

Councilman Dewar stated he sees some serious issues in the letter. Mr. LeDuc stated if Council has any thoughts on this, please let him know. Otherwise, we will probably have a committee meeting. He said previously when the citizens came they brought a large contingent, about 15 people. He said this will be something of which Council needs to be the driver.

Councilman Ebner stated he felt that city staff as a whole needs to be involved. He said the matter involves Engineering and Utilities, Public Safety, Public Services, and Parks, Recreation and Tourism as all are involved in this. He said obviously if the Union Street bridge gets closed it gets tied into the Railroad Depot and Tourism Office. He felt it would be wise internally that some brainstorming go on prior to the committee meeting. He felt it would be wise for the City to have some ideas prior to the committee meeting. Mr. LeDuc stated we just got the letter. He said he would expect to be talking to Mitchell Metts. He said he had talked to him on the phone already asking him to put everything in writing so we could get more clarity. He said also staff will be talking about the matter and be getting back to Council on it.

#### BICYCLE LANES

Councilman Ebner stated he had one more item—the famous bicycle lanes. He said there is one thing that Council needs to be aware of. He said every once in a while some of this paper shows up in the Information Package and rather than information, it becomes the law of the land. He said back in January when we had a work session Mr. LeDuc furnished Council with an ordinance as well as a document dated June 18 that said City Council approved bike lanes and guide lanes on a number of city streets. He said he felt all the documentation needs to be put together and resent to Council. He said it goes back to early last year. Then on January 23 there was a work session. Now these two sheets of paper show up in the Agenda package. He said he was concerned about what credibility these have. He asked if the “Bicycle Infrastructure Decision Logic” and “Bicycle Infrastructure Funding Logic” is what we are going to use. He asked if that is why it was in the agenda packet.

Mr. LeDuc stated that Tom Lex worked this information up as a possible format that could be used in the future to go through projects. It is not necessarily anything that the city will use. Each project has to be looked at by Council on an individual basis. He stated as he said earlier his feeling is that it is important to bring these type of projects before Council so Council can go ahead and decide on a case by case basis as to what Council wants to do.

Councilman Ebner stated in his 5 years on Council when this stuff gets into the agenda of the meeting, the next interpretation is not just for information, but becomes the law of the land. He said he wonders when he sees it in the agenda packet. He said the whole package needs to be put together as to what the current policy is of the city. He said the current policy is different from the ordinances passed by Council. He said the document is dated June 18, 2014. He said a package was sent to Council for the January 23, 2015, work session. He said that is his concern. He asked how we keep this under control when the next thing comes in front of City Council is a bike lane on a certain street.

Mr. LeDuc asked Councilman Ebner if his concern was this particular document or how the bicycle infrastructure will be approved. Councilman Ebner stated he was concerned that this information becomes a part of the way the city operates.

Councilman Merry pointed out that Council has to put stuff in an ordinance to make it a law and the material in the packet is not law. Mr. LeDuc stated the papers were in the agenda packet for Council's information.

Councilwoman Price stated she would think the proper procedure is if someone is going to offer information that a presentation be made to Council first with questions. Then it is in the meeting notes. She said she supports bike pathways in Aiken, but there are questions. She said this is received as information at this time. Councilman Dewar stated the process seems to be pretty well done, and it is just for Council's information. Mr. LeDuc stated they are not asking for approval of this. It is just information. Councilman Dewar stated Councilman Ebner's concern is that if it is there, it automatically slides by.

Councilman Ebner stated as time passes and he is gone, and all of a sudden there is a bike lane down Park Avenue and no parking, he felt someone will probably be upset. Mr. LeDuc stated Mr. Lex is present if Council wanted to ask him some questions.

Councilman Ebner stated he did not want to ask Mr. Lex any questions, but thought the matter should be brought up at the next Council meeting. Mr. LeDuc asked Councilman Ebner if he wanted the matter on the agenda. Councilman Ebner stated he felt all the information needs to be put together and given to Council.

Mr. Tom Lex, of the Bicycle and Pedestrian Advisory Committee, stated the charts shown and included in the agenda packet are for information. In previous meetings there were comments and concerns raised about there was no process as to how they were going to go through defining where bike lanes, share the lane, etc. and how the process would work. He said having heard that in a number of meetings, he took the liberty of putting down a proposed process on paper so that it could be put before Council to look at and see if that could be a place to start to create the defined process. He said there are two pages of information—one is the decision logic and the other the funding logic. He said this is a proposal coming out of the Bicycle-Pedestrian Advisory Committee, and it goes through a process of determining if the lane will be a share the lane or a bike lane, with the check points in the process for City Council to be involved and to weigh in on the recommendations. He said if we are looking for bike lanes, the whole issue of parking is included and whether that will be impacted. He said they tried to put the right check points in the process so we don't end up repeating the process we went through. He said it was an attempt to put a process on paper of the decision logic that the city could use and try to put in some formalized procedure that City Council approves.

Councilman Dewar asked Mr. Lex if he planned to put the process in the plan. He asked if it would be in the BPAC. Mr. Lex stated it would not go into the Bicycle-Pedestrian Plan per se. It would really be a procedure that the city has in place to say when they come in with a recommendation the process has to be followed. Councilman Dewar stated the reason he mentioned that is that the procedure is an ideal procedure for any city, including North Augusta, or any municipality. Councilman Merry stated it is good logic. He said he had followed it, and it is a good logic path for the process.

Councilwoman Price stated she would have thought there should have been a cover letter explaining the reason for the process. Mr. Lex stated he reviewed it with the City Manager and the Assistant City Manager, and basically left it with them. He said he did not submit it by email or a letter. It was really a sit down session with the idea that it was a starting point, and whether they wanted to put it in the procedure or not and present it to City Council. He said that was the background.

Councilman Ebner stated he did not make his point clear. He would start again. He said currently we have two ordinances that are approved in relation to bicycles. One was the initial one in 2014. One was recently about getting the grants. Then in between that there is a June 18 letter issued by the city staff outlining the next streets to be done. Then

we get this piece of information in this agenda. He felt this should be put in a package, and as we add to it, it should be collected together. He said there is nothing wrong with the format, but he felt it should have the other documents with it. He said he thought one document was in February or March of 2014 with the first ordinance. The second ordinance was a couple of months ago when we authorized to apply for the grants. Then on January 23, 2015, Mr. LeDuc sent a package for our work session. In that package was the June 18, 2014, outline of what the city staff said Council approved. He felt we need to be keeping that together. He said he would use Mr. Lex's words from before—I do due diligence and I do risk analysis and we usually keep all that together. He said that is how he keeps up with dates. It is in a neat little file. He said he felt as Councilwoman Price said, we need to keep it all together as we discuss it at Council. He felt it would be wise to at least reissue that and include these two papers as part of that if this is what the intent is. We need to keep up with it over time. He said this is going to go on for years, and we intend it to. As we move into the next process, like Mr. Lex said we need to be a little more due diligence on it. He said his request would be that we have staff put all these documents together for Council. It would be under Petitions and Information section. That way it becomes a part of the agenda.

Mr. LeDuc asked a question so he is clear as to what Councilman Ebner wants. He said Councilman Ebner wants in the next Council agenda everything that we have concerning bike lanes and paths from the very beginning. Councilman Ebner stated there are two ordinances that he is aware of since he has been on Council. The first one Council passed he thinks was in early 2014. He said he could look up the date. He said an ordinance was passed. Mr. LeDuc asked if Councilman Ebner wants that as information. Councilman Ebner stated Council is getting this piecemeal. His concern is whether the two pages in this agenda are part of what we are going to do. If it is, it should be with the June 18, 2014 document that outlines what staff thought City Council approved. Then we had the work session in January, 2015, where Mr. LeDuc put a package together for Council for review. He said now we have these two pages of information. He felt we should put all that together, just what has been approved.

Mayor Cavanaugh stated Councilman Ebner is wanting to be sure all the information is all kept together. Mr. LeDuc stated we have a file in our office that keeps all the information about bike paths together. Mr. LeDuc asked if Councilman Ebner wants the information all together for the next meeting, and if he wants it for the next Council agenda to approve it. Councilman Ebner said to just put the information in Petitions as a group of paper work of where we are today. He said we get pieces of this, but we don't have the whole package put together every time. Usually when we build on one ordinance to the next, we have all the documents behind it. Mr. LeDuc stated we will try to meet the request. Councilman Ebner stated he would help with his request.

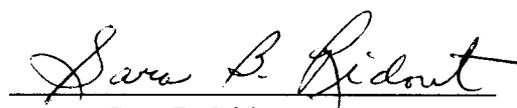
#### AIKEN STANDARD

##### Awards

Councilwoman Price stated she had a comment. She did not know whether the city had formally done this or not. She pointed out that the Aiken Standard crew should be congratulated for all the awards they have received recently. She said they have done a great job. She said there were 10 awards.

#### ADJOURNMENT

There being no further business, the meeting adjourned at 9:02 P.M.



Sara B. Ridout  
City Clerk