

Aiken City Council Minutes

REGULAR MEETING

September 14, 2020

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

Absent: Councilmember Diggs

Others Present: Stuart Bedenbaugh, Gary Smith, Kim Abney, Sara Ridout, Charles Barranco, Kim Rooks, Mike Przybylowicz, Ryan Bland, Tim O'Briant, Gary Meadows, Pam Royal, Mary Rosbach, Joy Lester, Colin Demarest of the Aiken Standard, Channel 6 TV, and 15 citizens with only 22 in the Council Chambers at one time.

The meeting was held in the City Council Chambers at 214 Park Avenue SW; however, the number of citizens that could attend at one time was limited to 22 persons because of the COVID-19 virus and the need for social distancing. The meeting was streamed live on the City's YouTube channel for the public to view and to comment by email.

CALL TO ORDER

Mayor Osbon called the regular meeting of September 14, 2020, to order at 7:21 P.M. He apologized for starting the meeting late. He noted the executive session ran overtime. Mayor Osbon led in prayer. The pledge of allegiance to the flag was led by Chief Charles Barranco.

GUIDELINES

Mayor Osbon reviewed the guidelines for speaking at the Council meeting.

ADDITIONS OR DELETIONS TO AGENDA

Mayor Osbon recognized Mayor Pro Tem Price for any additions or deletions to the agenda. Mayor Pro Tem Price asked if there were any additions or deletions to the agenda. There being no changes, Mayor Pro Tem Price moved, seconded by Councilwoman Brohl, that the agenda be approved as presented. The motion was unanimously approved.

MINUTES

The minutes of the work session and regular meeting of August 24, 2020, were considered for approval. Councilman Woltz moved, seconded by Councilwoman Gregory, that the minutes for the work session and regular meeting of August 24, 2020, be approved as presented. The motion was unanimously approved.

BOARDS AND COMMISSIONS

Appointments

Aimee Hanna

Senior Commission

Philip Merry

David Jameson

Douglas Slaughter

Municipal Development Commission

Mayor Osbon stated Council needed to consider appointments to various city boards, commissions, and committees.

Mr. Bedenbaugh stated Council has 33 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.

Councilwoman Diggs has recommended the reappointment of Aimee Hanna to the Senior Commission. If reappointed Ms. Hanna's term would expire March 14, 2022.

To fill vacancies on the Municipal Development Commission, Council nominates Philip Merry, David Jameson and Douglas Slaughter.

For Council consideration is the reappointment of Aimee Hanna to the Senior Commission and the appointment of Philip Merry, David Jameson and Douglas Slaughter to the Municipal Development Commission.

Councilwoman Brohl moved, seconded by Councilwoman Price, that Council approve the reappointment of Aimee Hanna to the Senior Commission and the appointment of Philip Merry, David Jameson, and Douglas Slaughter to the Municipal Development Commission. The motion was unanimously approved.

Mayor Osbon asked if there were any nominations for appointments at the next Council meeting.

Councilwoman Brohl stated that she would like to nominate Angela Fleming for appointment to the Community Development Committee. She noted that she would fill the position of Ann Dicks who had asked not to be reappointed again after serving seven years on the Committee. She said she would like to reappoint Richard Funkhouser to the General Aviation Commission.

RESOLUTION

City Services
Water Service
Sewer Service
University Lane

Mayor Osbon stated at the last meeting "A Resolution Authorizing the Provision of Water and Sanitary Sewer Utility Services to Property Located on University Lane" was tabled. He said a motion needed to be made to take that item off the table.

Councilman Girardeau moved, seconded by Councilwoman Gregory, that the resolution authorizing the provision of water and sanitary sewer utility services to property on University Lane be removed from the table and considered by Council. The motion was unanimously approved.

RESOLUTION 09142020

City Services
Utility Services
Water
Sanitary Sewer
University Lane
University Parkway
Dan Rickabaugh
Zimmerman, Evans and Leopold, Inc.
Bal Mistry, S-7 Enterprises, LLC
TPN 087-19-12-009
TPN 087-19-11-003

Mayor Osbon stated a resolution had been prepared for Council's consideration approving the provision of water and sewer service to property located on University Lane off of University Parkway

Mayor Osbon read the title of the resolution.

A RESOLUTION AUTHORIZING THE PROVISION OF WATER AND SANITARY SEWER UTILITY SERVICES TO PROPERTY LOCATED ON UNIVERSITY LANE.

Councilwoman Gregory moved, seconded by Councilman Girardeau, that Council pass the resolution approving the provision of water and sanitary sewer to property located on University Lane.

Mr. Bedenbaugh pointed out for clarification for everyone, the item was tabled at the last Council meeting, not continued, so we had to go through a parliamentary procedure to get the item back on the agenda. He said the item was first before Council at the August 10, 2020, meeting.

Mr. Bedenbaugh stated a request has been received from Dan Rickabaugh, Zimmerman, Evans and Leopold, Inc, applicant, for City water and sewer service for a proposed development across University Lane in University Estates located off of University Parkway. The proposed development consists of 12 townhomes with groupings of six single-family attached dwelling units on opposite parcels across University Lane. Architectural materials will be primarily brick with vinyl siding. The parcels are located in the County outside of the city limits.

Staff has received several inquiries regarding restrictive covenants which would prohibit the proposed use, and some property owners adjacent to the proposed development have questioned the legality of townhomes. However, the covenants were amended in 2019 to allow townhomes and multifamily developments within University Estates.

Water and sewer service are available to this site and will be reviewed for City of Aiken design compliance when the site and landscape plans are submitted.

City Council has adopted a "Policy for the Provision of Water and Sanitary Sewer Service to Unincorporated Areas" which establishes the process and conditions for City services to developments outside the city limits. The proposed development would have to comply with the City of Aiken Tree Preservation and Landscaping regulations, sign requirements, and access management regulations.

The Planning Commission discussed the request for water and sewer service at their July 14, 2020, meeting. After review the Planning Commission recommended by a vote of 4-1 (Commissioners Brookshire and Matthews were not present and Commissioner Clarkson voted in opposition) to recommend approval of the application with the following conditions:

1. That an executed "Agreement on the Provision of City Services" listing conditions of approval be recorded within 90 days of approval by City Council at the Aiken County RMC Office.
2. That there be a condition that the agreement to annex the property as soon as it becomes contiguous be executed by the property owner and recorded within 90 days.
3. That the City Engineer approve the design of the water and sewer service.
4. That the site and landscape plan comply with the City of Aiken Tree Preservation and Landscaping regulations.
5. That the sign area be no larger than 24 square feet for a single sign, or a combined sign maximum of 24 square feet if a double sign, with a maximum of 8 feet in height.

That the ingress/egress drives receive SCDOT encroachment permit approval.

Mr. Bedenbaugh stated at the August 10, 2020, meeting citizens were present who were in favor and those opposed to the proposed development. Those opposed brought up that the covenants only allowed single family residences and that the covenants had been amended illegally. Research was done on the amendment to the covenants. After review of the amended covenants and the ownership of the lots, staff was satisfied and felt that the request for water and sewer service could be brought back to Council for

consideration. Staff also reviewed the line that was mentioned at the meeting as being a hole in one of the resident's front yard. The line that had collapsed was a stormwater line which was not a city line.

The attorneys for the applicant notified us and stated that the covenants were amended properly. The covenants from 1973 state that the majority of the owners of the parcels can vote to change covenants "in whole or in part." The attorneys' opinion is that the allowance for townhomes "should not be an issue."

For City Council consideration is approval of a resolution to provide water and sewer service to a proposed development of 12 townhomes on University Lane with the conditions recommended by the Planning Commission.

Mayor Osbon asked if there were any comments from the audience or comments from Council.

Mr. William Brantley, 2202 Gaston Street, Columbia, SC, stated he was present again to speak in support of the provision of water and sewer service to the proposed development of 12 townhomes on University Lane. He noted he had sent letters previously in favor of the development. He noted that he grew up in Aiken and his uncle, Gene Williams, had originally owned the property and proposed an upscale residential development. He pointed out that he still owns a lot in University Estates. He noted that in 1984 he had given the City of Aiken permission to run a sewer line through the area to serve the Hospital and others in the area. He said he had owned property in the subdivision since 1976. He pointed out that Gene Williams' dream for development of the area was never fulfilled as Mr. Williams passed away. He pointed out there are only six homes built in the area, and it had been a subdivision of 60 lots. He pointed out that two of the six homes in the subdivision do not meet the covenants as far as the square footage of the homes. He said he felt it was time for the area to be developed, but he felt it would never develop the way it was originally designed 50 years ago. He urged Council to support providing water and sewer service to the proposed development.

Mr. Chris Gray stated the owner of the lots requesting city services previously owned another lot on which townhomes were built about four years ago. At that time city services were approved for those townhomes at the entire expense of the owner. The sewer line was installed, bored under the road and connected to the city sewer line. City water was also approved for the units built about four years ago. He said the proposed development is a continuation of another phase of the project.

Mr. Dan Rickabaugh, of Zimmerman, Evans & Leopold, stated plans had already been submitted to the city for review. He said he understood the landscape plans had already been approved. That was one of the conditions. He said they had applied for the utility plan and submitted the site plans to the city as well as the county.

Councilwoman Price asked if the developer would build homes similar to the townhomes currently in the area. Mr. Gray stated the townhomes would be similar in design but with the contour of the land they would have to be built a little differently. He said the new units will be identical to the concept of the six units built on the hill. The units would be two bedrooms and two baths. The townhomes will be for sale for individuals.

Councilmembers pointed out that the area has tremendous opportunities. It was also pointed out that the area would be better if it were in the city. It was noted that the streets need a lot of work.

Mayor Osbon called for a vote on the motion made by Councilwoman Gregory, seconded by Councilman Girardeau, that Council pass the resolution approving the provision of water and sanitary sewer to property located on University Lane with the conditions recommended by the Planning Commission. The motion was unanimously approved.

BUDGET – ORDINANCE 09142020AFiscal Year 2020-21Carry ForwardUnspent Funds

Mayor Osbon stated this was the time advertised for second reading and public hearing of an ordinance to amend the City budget for Fiscal Year 2020-21.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE AMENDING THE BUDGET OF THE CITY OF AIKEN FOR THE FISCAL YEAR BEGINNING JULY 1, 2020, AND ENDING JUNE 30, 2021.

Councilman Girardeau moved, seconded by Councilwoman Price, that Council pass on second reading an ordinance to amend the City budget for Fiscal Year 2020-21.

Mr. Bedenbaugh stated information from Finance Director Kymberley Rooks regarding unspent funds from the FY 2019-20 budget had been provided to Council in the agenda packet. The General Fund had a surplus of \$1,802,287; however, after subtracting the proceeds from the sale of 135 Laurens Street SW, the remaining surplus is \$507,287, which is in line with the average general fund surplus for the last 20 years. The memo lists the items recommended for the use of unspent funds at the end of the budget for the fiscal year ending June 30, 2020. Most of the items listed were ordered, but not received in the 2019-20 fiscal year. He stated staff recommends that the FY 2020-21 budget be amended to include these carry forward funds for these items. The attachment to the ordinance lists each item and the funding for the item.

Among the Highlights:

We are recommending a 4% adjustment for all first responders (sworn officers, fire personnel and dispatchers) to help keep pace with the Aiken County Sheriff and North Augusta pay scales.

An additional 1% cost of living adjustment is recommended for all employees, including Public Safety personnel. We did not place a COLA in the initial budget for FY 2019-20 as we were working within the parameters of a tight budget but now, due to judicious stewardship of City funds, we see adequate revenues exist to provide this for our personnel. The total cost to the General Fund is approximately \$99,500.

We are also designating \$298,020 to be placed in special holding for the Municipal Building consolidation including IT needs for that project, along with the \$1,295,000 of net proceeds from the sale of 135 Laurens Street SW. This will dedicate \$1,593,020 from FY 2019-20 towards this project.

In the water and sewer fund \$81,495 will be added for economic development projects related to infrastructure improvements.

We are recommending adding \$260,000 to our stormwater system depreciation fund.

Also provided for Council information is a spreadsheet that is color-coded to illustrate the recommendations of the unspent funds. The Gold column amounts are those items/equipment that were budgeted in FY 2019-20 that did not arrive before the beginning of FY 2020-21.

Yellow items are amounts proposed for the 4% pay increase for first responders and 1% cost of living increases for all employees [including first responders]. Should Council approve both of these increases, first responders will receive a 5% pay increase. All pay increases would be reflected in the payroll dated October 2, 2020.

Blue items are committed projects while purple items are going into a special holding account for the new Municipal Building.

Council also requested the fund balance for all accounts, and that information is attached on a spreadsheet in the Council agenda.

Mr. Bedenbaugh stated that at the August 24, 2020, meeting Council discussed several items in the list for use of carry over funds. That includes the 4% salary adjustment for all first responders which we define as sworn Public Safety Officers, Fire Personnel and Dispatchers. He pointed out the City had a Comp Plan review and study in 2017. Council has made several modifications in Public Safety salaries since about 2015. It becomes an issue when neighboring law enforcement agencies make modifications in their salaries as well. That is an issue that we always have to contend with. After talking with Chief Barranco, and looking and comparing ourselves with other jurisdictions, we felt that it was an appropriate request for consideration for a 4% salary increase for all sworn officers.

City Council approved this ordinance on first reading at the August 24, 2020, meeting. For City Council approval is second reading and public hearing of an ordinance to amend the 2020-21 budget to include unspent funds from the 2019-20 budget as recommended by the City Manager.

Mayor Osbon asked for comments from the audience and Council.

Council then discussed various items in the listing of unspent funds for carry forward to budget 2020-21.

Councilwoman Brohl asked if employees got a COLA increase last year. Mr. Bedenbaugh responded that there was a 1% salary increase last year which went into effect July, 2019. The prior year was also a 1% COLA increase for all employees. Most prior years there has been a 1% COLA. It was noted that there was funding recommended in each of the funds for a 1% COLA.

Councilwoman Brohl noted that the funding recommended would be for 9 months rather than a full 12 months since the salaries were not increased in July at the beginning of the fiscal year.

Councilman Girardeau pointed out since the \$99,549 is for nine months for a 1% COLA for the General Fund employees, the amount for a full year would be \$130,000+ more which we would be committing for the next year's salaries if a 1% COLA is granted this year and each year going forward. He said he felt the salaries are two different things—Public Safety and other employees. He said if Public Safety salaries need to be increased to compete with the surrounding law enforcement salaries, then we need to correct that, but he is concerned about committing to over a \$200,000 increase every year. He noted that the \$507,287 surplus is basically because of positions not filled during the year. Mr. Bedenbaugh stated that is a substantial portion of the \$507,287. He said what we would be doing is spending roughly \$300,000 which we would be committing not just for this year, but in the future as well. He said he had expressed concern at the last meeting that we are in an unknown situation in terms of our income going forward. We don't know what the effect is going to be. He said he was fine with the Public Safety salary increases to bring them in line with others in the area, but he felt that we should take the funding allocated for a 1% salary increase for other employees and put it in holding at this time until we have the full year's budget funding going forward.

Councilman Woltz asked if the \$179,000 included benefits such as health insurance, FICA, and retirement costs. Mr. Bedenbaugh responded that it is just a pay adjustment. Councilman Woltz asked how much more would need to be added to cover the benefit costs. Ms. Rooks, Finance Director, stated adding benefits would probably be another 7.65% or 23% if including retirement and adding the cost to the pay increase. Health insurance is already a fixed cost. She pointed out that is not how we budget for the pension costs. Councilman Woltz stated we keep having to adjust Public Safety's pay. He said he was not saying they are not worth it. He said maybe it is time we step back and take a look at what we need to do so we don't keep having to face this problem. He said it seems that we do this all the time. He asked why don't we fix it rather than keep chasing it. He said we are just using a number, so it might need to be 6% rather than 4%.

He said he was assuming the percentage was based on the money we have and not necessarily how it is reflected in their pay. He said he would like to know what the real number is so we don't keep having to adjust.

Mr. Bedenbaugh stated that is a very good point, but it would also involve the other law enforcement agencies collaborating. He said the point is well taken as an exercise, but it is something that we are constantly having to address. Councilman Woltz stated he does not know what our Public Safety people make so he does not know what a 4% increase would do for making the salaries comparable to other agencies.

Councilwoman Brohl reviewed the information that was discussed at the last meeting, noting that the current entry level position starts at \$41,267. The Sheriff's Department ranges from \$38,000 to \$41,000, but they only do law enforcement. She pointed out that within three years a North Augusta officer would be at a mid-point of \$55,000 and Aiken would be at about \$50,000. She pointed out that we put a lot of time and money in training our officers for both police and fire and then they go to another agency. She said you can't blame them if they would be paid \$7,000 to \$8,000 more. She felt others will keep adjusting their salaries so we will have to keep adjusting.

Mr. Bedenbaugh stated he felt that will continue in the future as each agency will keep trying to get ahead to keep their officers. Unless we have some kind of bargaining with other agencies, he doesn't see the situation changing. He pointed out the right to work kind of puts us in this situation to some extent.

Councilman Woltz stated he felt we could hire a consultant different from the one hired before to get a different opinion and tell us where we need to be. He said he was not arguing that Public Safety did not need a raise, but he did not know what the number is.

Councilwoman Gregory stated she was glad the question came up. She felt there are three things that need to be considered. She noted that our officers are dual certified in police and fire training. They are getting paid similar amounts of money to our surrounding cities, but they are doing two jobs. Some of the cities are paying their officers more, but they are only responsible for law enforcement. We have to make sure we consider that. The second point is that our officers don't make as much money in the beginning, but as they build tenure, they level out or get more significant pay increases.

Chief Barranco stated there is a continual progression; however, other agencies' officers get there faster so you have trouble making up that money.

Councilwoman Gregory stated her final point is that she feels we need to revisit the Aiken Department of Public Safety. She feels that as we prepare for the next budget season we need to really look at their budget. She felt the adjustments are going to change because things happen all the time, but we can limit that if we fully fund the department. She felt we are short on many aspects. She felt we don't have enough officers on the force because there is so much turnover. When we lose people, it seems to be in groups. She said it costs a lot of money to lose trained officers. We have dual certification; she felt we need to focus on how we fill those gaps with officers and that takes money. She felt we need to make sure that we revisit the APDS budget. She said she wants to see the numbers. She pointed out in this climate we need to be hefty in ADPS. She asked is being dual certified the right approach. She said it sounds great and very admirable. She said it is a great presentation for the City of Aiken. She said maybe we may need to consider something where they are paid separately. We need to look at those things as we are losing officers. It is a lot on their plate for the same amount of money. She said we need to look at that in the future.

Councilman Girardeau stated he was fine with funding a 4% salary increase for Public Safety, but he did not feel that we need to commit ourselves to the \$99,500 for the next nine months out of this pool of \$507,287 which commits us to another \$130,000 the next year and the following years. He said we really need to look at the issue at the time we are doing the budget for Public Safety and the staff in general, not at this time when we have some extra money and add it when it will continue on in the future. He felt this is

not the time to be doing an additional pay raise for everybody across the board, especially in the current climate.

Councilwoman Brohl stated it seems that we all want to make sure Public Safety gets taken care of, and we don't want to lose any more officers. She said if things were not like they are today, she felt that 1% is too little to give our employees, but right now we are not sure what is down the road, and she did not want to give the other employees a 1%, which is a very small cost of living, and down the road maybe have to lay some people off. Which is better to have a job or a 1% increase at this time. She said she did not want to lose any of our people in any positions. Perhaps there won't be a problem. Maybe we could give them a bonus now, and if things turn around we could revisit and do more.

Councilman Girardeau stated that is what he is thinking about in terms of the process. He pointed out that 1% is not that much money to one person. However, if we do this for Public Safety, which he agrees we should do, that is another \$237,332 every year that we are committing to in the future out of this \$507,000. That is almost half of the surplus. He felt we should not commit another \$130,000 every year for everybody across the board in this particular scenario. He said in the next fiscal year if there is funding available, we should give the raise within that budget. That is the time to do that raise, not now, especially in the framework of what is going on in the public and the economy. He said he hoped everything will turn out well, but he is worried about it at this time. He said he is saying use some sensibility and saying let's hold the funding for the 1% and give Public Safety the 4% at this time.

Councilwoman Brohl stated she felt we are all a little apprehensive, but at the same time she did not want any of the employees thinking that Council does not think they are valuable and have done a great job. She said at the same time she can see a scenario down the road where we don't need as many people so we will have to lay off employees. They would have been much happier to keep their salary without the 1% raise rather than getting laid off.

Councilman Girardeau pointed out during the three months shut down, all the employees kept their jobs and they were paid through the whole time. Public Safety worked through the whole shut down. Solid Waste did a great job and worked through the shutdown. The other departments worked too. He said he was not saying they don't deserve it. He said he was sure everybody appreciates that they did not get laid off, and the city kept paying them and everything turned out great. He said this is the year we probably should be a little conservative.

Councilwoman Price asked Chief Barranco several questions: What is the average turnover rate? He responded that we currently have five Public Safety Officer openings. He said he has a lot in training right now. Due to COVID the training is backed up. He said the department ended up doing their own in-house Fire Academy so we did not have to send them to the state level which saved some money, but it drained some resources too. He said he has three who will be going to the Criminal Justice Academy. We just graduated five from the Criminal Justice Academy. If COVID had not hit, he did not know that we would have felt this strain as strong.

Councilwoman Price pointed out a couple of years back, the department was short of staff and Council said put ample people in the pipeline so you would not run short of officers. She pointed out that quite a number of our officers leave to go to the Savannah River Site as they can make up to \$30 an hour out there. We are naïve if we think they are not chasing the pay increase when you can make that kind of money per hour. The dual responsibility does not give her heartburn recognizing that they have to get certification in the fire area. She felt they are overly taxed in that area in terms of responses to fires in this time. Chief Barranco stated when they do their work orders they factor the fire component into the law enforcement. That does not do away with any of the training that they have to do to be able to maintain the certification. He said our fires are down slightly over several years. He said when he first got hired at Public Safety, there were a lot more structure fires. With the building codes and different improvements, he felt we are seeing some reduction in fires.

Councilwoman Price stated the other strength that we have with our officers is the relationship building with our citizens which is extremely key to the operations of any city. If you don't have a relationship with the citizens, then you will run into trouble at some time. She pointed out that Chief Barranco had been proactive as Chief in terms of helping to establish that rapport with all of our citizens. Being a Public Safety Officer is not just riding in a car and giving tickets and chasing people, but it is also the extra relationship building. Councilwoman Price stated regarding the pay scale, with the experience over the weekend with the gun fire taking place, she felt we need to pay our officers a decent wage. It is a job where the officers do not know whether they will return home in the evening. Their life is not theirs when they work as a Public Safety Officer whether it is police or fire. Based on the jeopardy that our officers are in on a daily basis, she does not question the need for paying our officers a good salary.

Chief Barranco pointed out that the Community Services Division is where the vacancies are. He said they had put most of the officers who were in the Community Services Division on the road to answer the calls for service. Being able to build the Community Services Division back to be able continue the relationship building with the community is a priority for the department.

Councilwoman Brohl stated she felt that everyone on Council wants the Department of Public Safety to have what they need, and they would see to that.

Councilman Girardeau stated he felt this is a good time to take the money and adjust the salaries of the Public Safety Officers. Councilman Girardeau said he would like to make a motion that Council delete the 1% salary increase for all employees in the budget adjustment listing and approve the rest of the listing for carry forward funds to the 2020-21 budget. The motion was seconded by Councilman Woltz.

Councilman Woltz stated he would like to see us hold all the 1% funds in the listing until the end of the year to see how things go to see if we can use it for employees for a bonus at the end of the year.

Councilwoman Brohl stated we want all of our employees to get something, but maybe not right now considering the economy, but hold the funds to later to see how things go. Perhaps later we may be able to give more.

Councilwoman Gregory stated ideally ADPS should be separate from the rest of the listing. She pointed out that the scope of jobs for the staff in the City of Aiken is significantly different.

Mayor Osbon pointed out that we have had conversations about salary studies in the future. He pointed out a part of any salary study is a cost of living because if you don't do that it falls out of the range and band of which those positions are ranked and you don't keep up with what the salaries should be. Then in a few years we will find ourselves way behind, not just in Public Safety, but in every other position as well. He pointed out that a 1% COLA is the least we can do.

Mayor Osbon stated that Councilman Girardeau had made a motion to amend the Exhibit A listing of carry forward funds by deleting the 1% salary increase for all employees from the listing for all funds and approving the rest of the listing as recommended by staff. The 1% funds will be held in reserve for review at a later date. The motion was seconded by Councilman Woltz.

Councilman Girardeau stated he understood that a holiday bonus had been budgeted for the end of the year. Mr. Bedenbaugh stated a \$25 bonus had been budgeted. Councilman Girardeau stated a bonus is a set amount, and we would not be committed to anything next year. Then we could look at a COLA in next year's budget at budget time.

Councilwoman Gregory stated everything being talked about is hypothetical and in the future. She pointed out employees want the money, and they deserve the 1%. She said the pay grades are set across the board, and if we start showing a deficit, we will

eventually have to play catch up. She said she felt Council needs to move forward with the 1% for all employees. When budget time comes, we need to make sure we look at all of the aspects and really study them and proceed the way we should whether it is ADPS or employees across the board.

Mayor Osbon called for a vote on the motion made by Councilman Girardeau, seconded by Councilman Woltz, that Council approve amending the ordinance Exhibit A by deleting the 1% salary funds from all funds listed and that the funds be held in reserve until a later date and that the rest of the listing on Exhibit A be approved as recommended by staff. Voting in favor of the motion was: Councilman Woltz, Councilwoman Brohl, and Councilman Girardeau. Opposed to the motion was: Councilwoman Price, Councilwoman Gregory, and Mayor Osbon. He stated the motion failed since there was a tie vote.

Mayor Osbon stated we would go back to the original motion to approve the Exhibit A listing as recommended by city staff unless someone wanted to make a motion to amend the listing and vote on the items separately.

Councilman Woltz moved that the question be divided and that Council vote on the items in the Exhibit A listing for a 1% COLA for all employees separately from the 4% COLA for sworn Public Safety employees. The motion was seconded by Councilwoman Gregory. The motion was unanimously approved.

Mayor Osbon stated Council would have two votes on the amendment. The first would include all the carry over funds and the 4% salary adjustment for Public Safety first responders minus the 1% COLA for all employees in the various funds. The motion was unanimously approved.

Mayor Osbon stated the second part to vote on is approval of the 1% COLA listed in Exhibit A in the various funds and if the motion does not pass the funds would be held in reserve for consideration at a later date. Those voting in favor of the motion were: Councilwoman Price, Councilwoman Gregory and Mayor Osbon. Those opposed to the amendment were: Councilman Woltz, Councilwoman Brohl, and Councilman Girardeau.

Mayor Osbon stated the second motion failed and the 1% money in the Exhibit A listing would stay in the funds until Council addresses the matter at a later time.

CITY CODE – ORDINANCE 09142020B

Amendment

Chapter 11

Municipal Development Commission

Mayor Osbon stated this was the time advertised for second reading and public hearing of an ordinance to amend Chapter 11 of the Aiken City Code entitled “Municipal Development Commission.”

Mayor Osbon read the title of the ordinance.

AN ORDINANCE AMENDING SECTION 11-2 OF THE AIKEN CITY CODE REGARDING THE MEMBERSHIP OF THE MUNICIPAL DEVELOPMENT COMMISSION.

Councilwoman Gregory moved, seconded by Councilwoman Price, that Council pass on second reading an ordinance to amend Chapter 11 of the Aiken City Code entitled “Municipal Development Commission.”

Mr. Bedenbaugh stated Council created the Municipal Development Commission in August 2019. The commission has been actively meeting and has made a recommendation to Council to amend its enabling ordinance to allow for a more efficient operation by the board. Specifically, the Commission recommended that its voting membership stay at nine. The current three City Council members would gain *ex officio* status, which would necessitate three additional appointments to be made.

At the August 24, 2020, City Council meeting, Council amended the ordinance on first reading regarding the membership of the Municipal Development Commission. The ordinance was amended for the Municipal Development Commission to continue to have nine voting members, however, none would be City Councilmembers. The City Manager would serve as an ex-officio non-voting member of the Commission.

Council asked that the Commission recommend three persons to Council to fill the three former Councilmember positions on the Commission.

City Council approved this ordinance on first reading at the August 24, 2020, meeting. For Council consideration is second reading and public hearing of an ordinance to amend Chapter 11 of the Aiken City Code, entitled "Municipal Development Commission" regarding membership of the Commission.

Mayor Osbon asked for comments from the audience and Council. He noted there is still one vacancy on the Municipal Development Commission, and the Commission will be asked to submit a name of a person to fill that vacancy to City Council. He pointed out that state statute requires that Council vote to approve the members of the Commission; however, the Commission has been asked to make a recommendation to Council. He noted there is nothing in the ordinance that we have that would preclude them from creating their own bylaws for the organization.

Mayor Osbon called for a vote on the motion by Councilwoman Gregory, seconded by Councilwoman Price, that the ordinance as amended be passed on second reading to amend Chapter 11 of the Aiken City Code entitled "Municipal Development Commission." The motion was unanimously approved.

LEASE AGREEMENT – ORDINANCE

Renewal
Aiken Aviation, Inc.
Fixed Base Operator
FBO
Aiken Regional Airport

Mayor Osbon stated an ordinance had been prepared for first reading to enter into a Lease Renewal Agreement with Aiken Aviation, Inc. as the Fixed Base Operator for the Aiken Regional Airport.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE MODIFICATION OF LEASE TERMS TO AIKEN AVIATION ENTERPRISES, INC. FOR THE PREMISES KNOWN AS THE AIKEN REGIONAL AIRPORT.

Councilwoman Gregory moved, seconded by Councilman Girardeau, that Council pass on first reading an ordinance to enter into a Lease Renewal Agreement with Aiken Aviation, Inc. as the Fixed Base Operator for the Aiken Regional Airport.

Mr. Bedenbaugh stated Since 1999, Aiken Aviation, Inc. has served as the Fixed Base Operator [FBO] for the Aiken Regional Airport. During that time, many improvements have occurred at the airport, including the construction of a new terminal building, expansion of the airport runway, construction of new hangars, terminal apron expansion and installation of an instrument landing system and glide slope. Mr. Bedenbaugh stated as we prepare to embark on future improvements at Aiken Regional Airport, he and the FBO have been involved in detailed negotiations for a new lease. The current lease is scheduled to expire in February, 2024.

Highlights of a potential lease expansion include:

1. A 25-year extension effective upon Council approval, which would result in a new lease expiration date of October 2045.

2. An increase in annual revenue of approximately \$25,000 which includes higher rental fees for leased space and fuel flow fees. A new feature to this lease is a special events flow fee of 10 cents per gallon during the week of the Masters Tournament.
3. The FBO will be given City-owned equipment in order to maintain the grass cutting, thereby saving on our indirect costs of staff time and equipment usage.

The lease has been reviewed and accepted by both the SC Aeronautics Commission and the FAA. He noted that the FBO has a list of folks who are interested in leasing hangar space.

Mr. Bedenbaugh noted that Joy Lester, the staff person who serves as the Airport Manager, is present for any questions as well as Mike Laver, the FBO for the Airport.

For Council consideration is first reading of an ordinance to enter into a lease agreement with Aiken Aviation, Inc. as the Fixed Base Operator for the Aiken Regional Airport.

Mayor Osbon asked for comments from the audience and Council.

Councilwoman Brohl stated regarding the minimum monthly rental, that the rate is listed as \$300 per month or 3% of the Lessee's net annual income, what has the rate normally been each month over the past three years. She said she realizes that it fluctuates each month.

Mr. Laver responded that for the last three years the 3% has come into effect. They have always exceeded the minimum.

Mr. Bedenbaugh stated he agreed with Mr. Laver. He pointed out that the lease includes an escalation clause every five years for the rental as well as fuel. He said once the lease is approved, the fuel flow fee will increase one cent. It was 5 cents per gallon for 13 years. He pointed out it had increased on January 1, 2019, to 7 cents per gallon. Mr. Laver did not have to increase the fuel flow fee at that time as technically the lease only calls for review every five years. In 2010 we were in the midst of the Great Recession, and we didn't want to address it. Then there were some issues in 2015 so we did not want to address it at that time.

Mayor Osbon called for a vote on the motion made by Councilwoman Gregory, seconded by Councilman Girardeau, that Council approve on first reading an ordinance to enter into a Lease Renewal Agreement with Aiken Aviation, Inc. as the Fixed Base Operator for the Aiken Regional Airport. The motion was unanimously approved.

MEMORANDUM OF UNDERSTANDING

Joye in Aiken
Juilliard in Aiken

Mayor Osbon stated the next item was a request to renew a Memorandum of Understanding with Joye in Aiken.

Councilwoman Price moved, seconded by Councilman Woltz, that Council approve a request to renew a Memorandum of Understanding with Joye in Aiken.

Mr. Bedenbaugh stated Joye in Aiken [formerly Juilliard in Aiken] has brought Aiken tremendous positive publicity since its inception in 2009. It is now time for us to renew our Memorandum of Understanding we have had with them. The proposed MOU will last for five years and our responsibilities will continue to include staff assistance, transportation for performers and their instruments and various promotional efforts.

We have reviewed this MOU and recommend Council's acceptance.

For Council approval is a request to renew the Memorandum of Understanding with Joye in Aiken.

Mayor Osbon called for a vote on the motion made by Councilwoman Price, seconded by Councilman Woltz, that Council approve a request to renew a Memorandum of Understanding with Joye in Aiken. The motion was unanimously approved.

MEMORANDUM OF UNDERSTANDING

Aiken Symphony Orchestra
ASO

Mayor Osbon stated the next item was a request to approve a Memorandum of Understanding with the Aiken Symphony Orchestra.

Mayor Osbon noted that Councilman Woltz would recuse himself because a family member is a board member of the Aiken Symphony Orchestra. Councilman Woltz left the Council Chambers.

Councilwoman Gregory moved, seconded by Councilwoman Price, that Council approve a Memorandum of Understanding with the Aiken Symphony Orchestra.

Mr. Bedenbaugh stated Aiken Symphony Orchestra (ASO) has requested a Memorandum of Understanding (MOU) with the City. They have requested use of the Amentum Center of Performing Arts for two dates in their upcoming season.

The City has MOU's with other local cultural organizations, which serve to better communicate and coordinate use of facilities and to expand and strengthen the arts in Aiken. The proposed MOU will last for five years. The first concert is scheduled in October, 2020, with limited seating of 84 to allow for social distancing.

We have reviewed this MOU and recommend Council's acceptance.

For Council consideration is a request to approve the Memorandum of Understanding with Aiken Symphony Orchestra.

Mayor Osbon called for a vote on the motion made by Councilwoman Gregory, seconded by Councilwoman Price, that Council approve a request for a Memorandum of Understanding with the Aiken Symphony Orchestra. The motion was unanimously approved, with Councilman Woltz not participation in the voting.

Councilman Woltz returned to the Council Chambers.

RESOLUTION 09142020C

County Transportation Committee
CTC

Mayor Osbon stated Council needed to approve a resolution to designate spending of one-time County Transportation Committee (CTC) funds.

Mayor Osbon read the title of the resolution.

A RESOLUTION AUTHORIZING THE CITY OF AIKEN TO RECOMMEND TO THE AIKEN COUNTY TRANSPORTATION COMMITTEE THE EXPENDITURE OF FUNDS ALLOCATED FOR FISCAL YEAR 2020-2021.

Councilman Girardeau moved, seconded by Councilwoman Brohl, that Council approve the resolution to designate spending of one-time County Transportation Committee (CTC) funds.

Mr. Bedenbaugh stated the Aiken County Delegation has notified us that the County Transportation Committee (CTC) has allocated C-Funds in the amount of \$292,469.08 for the year 2020-21 to the City of Aiken. This money can be used for road projects, including, but not limited to, resurfacing of roads, intersection improvements, acquisition of rights-of-way for new road construction and other road improvements.

Staff recommended that these funds of \$292,469.08 be used as funding for the reconstruction of the Fairfield Street bridge.

For City Council consideration is approval of a resolution designating the 2020-21 CTC funds for the Fairfield Street Bridge project.

Mayor Osbon asked if there were any comments from the audience or comments from Council.

Councilwoman Price stated for clarification, would approval of this resolution tie us with the presentation that was made in the work session with any commitment. Mr. Bedenbaugh stated it would not.

Mayor Osbon called for a vote on the motion made by Councilman Girardeau, seconded by Councilwoman Brohl, that Council approve the resolution to designate spending of one-time County Transportation Committee (CTC) funds for the reconstruction of the Fairfield Street bridge. The motion was unanimously approved.

BANNERS

The Return – Aiken Prayer

Magnificent Strings

Domestic Violence Awareness Month

Earth Day

Mayor Osbon stated Council needed to consider requests for permission for banners to be placed in the downtown promoting various events.

Mr. Bedenbaugh stated we have received four requests to place banners and ribbons in the downtown promoting the following events:

1. We have received a request from Roger Rollins, of The Return - Aiken Committee, for permission to hang a banner in the downtown at Laurens and Park to promote The Return - Aiken Prayer event. The Return - Aiken Prayer event will be held on September 26, 2020, at the Smith-Hazel Park Pavilion. The event will be from 10 a.m. to 1 p.m. The request is for the banner to be displayed from September 12 through September 26, 2020.
2. A request has been received from Deedee Vaughters, Executive Director of the Aiken Symphony Orchestra, for permission to hang a banner in the downtown to promote the "Magnificent Strings" concert which will be held on October 18, 2020. She is asking for permission to hang the banner from October 4 - 18, 2020.
3. A request has been received from Jessica Coach, Executive Director of the Cumbee Center, for permission to place purple ribbons on the light poles along Laurens Street and Richland Avenue. October is Domestic Violence Awareness Month, and they would like to place the ribbons in the downtown area to bring awareness to Domestic Violence Month. They would like to place the ribbons on the light poles from October 2 - 16, 2020.
4. A request has been received from John Carman, Chair of the Energy & Environmental Committee, for permission to hang 3 banners in the downtown on the traffic light poles and 2 banners, one on each end of The Alley arches to promote Earth Day. The request is for the banners to be displayed from March 21 - April 18, 2021.

For City Council consideration is approval for permission to hang banners promoting Return - Aiken Prayer event, the Aiken Symphony Orchestra concert "Magnificent Strings," Earth Day, and purple ribbons to bring awareness to Domestic Violence Awareness Month.

Mayor Osbon asked for comments from the audience and Council.

Councilwoman Price moved, seconded by Councilwoman Gregory, that Council approve the requests for banners and ribbons to promote events as requested. The motion was unanimously approved.

RESOLUTION 09142020D

Dominion Energy
Toolebeck Road
TPN 137-19-01-010

Mayor Osbon stated Council needed to approve a resolution to purchase property from Dominion Energy on Toolebeck Road.

Mayor Osbon read the title of the resolution.

A RESOLUTION AUTHORIZING THE PURCHASE OF A TRACT OF LAND
LOCATED ON TOOLEBECK ROAD.

Councilman Girardeau moved, seconded by Councilwoman Brohl, that Council approve the resolution to purchase property from Dominion Energy on Toolebeck Road.

Mr. Bedenbaugh stated Council has been very clear that the City should grow through targeted annexation. Recently, Council authorized the provision of sewer service to a future residential development of +/- 60.6 acres on Toolebeck Road that is currently not contiguous to the City of Aiken. As a condition of sewer service, the property must be annexed once contiguous. He said he reached out to Dominion Energy to see if they would let us purchase a small strip of property that is +/- 0.15 of an acre for \$5,000 that would allow for continuity between our existing corporate limits to this undeveloped property.

Dominion has agreed to the sale. Mr. Bedenbaugh recommended Council approve this transaction for ultimate annexation of the +/- 60.6 acres that will ultimately see a residential development. He pointed out the development will receive sanitary sewer service from the City of Aiken, but water will be provided by the Montmorenci-Couchton Water District. Annexing the property would provide the opportunity to grow our city.

The costs related to this transaction would come from Economic Development funds.

For Council consideration is a resolution to purchase property from Dominion Energy on Toolebeck Road.

Mayor Osbon asked if there were any comments from the audience or comments from Council.

Councilman Girardeau thanked Mr. Bedenbaugh for checking on purchase of the property so other property can be annexed. He said it is part of the movement to grow to the east.

Councilwoman Price asked if the development would be residential. Mr. Bedenbaugh responded the development would be single family residential similar to Deodar Plantation. There would be about 200 single-family units.

Mayor Osbon called for a vote on the motion made by Councilman Girardeau seconded by Councilwoman Brohl, that Council approve the resolution to purchase property from Dominion Energy on Toolebeck Road. The motion was unanimously approved.

RESOLUTION 09142020ESouth Carolina Transportation Infrastructure BankSCTIBUniversity ParkwayRichland Avenue WMedical Park DriveRobert M. Bell Parkway

Mayor Osbon stated Council needed to approve a resolution to authorize the City of Aiken to enter into an agreement with the South Carolina Transportation Infrastructure Bank.

Mayor Osbon read the title of the resolution.

A RESOLUTION AUTHORIZING THE CITY OF AIKEN TO ENTER INTO AN AGREEMENT WITH THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK.

Councilman Woltz moved, seconded by Councilwoman Brohl, that Council approve a resolution to authorize the City of Aiken to enter into an agreement with the South Carolina Transportation Infrastructure Bank.

Mr. Bedenbaugh stated at their July meeting, the SC Transportation Infrastructure Bank [SCTIB] approved an amended agreement for the University Parkway project. This agreement reduces the scope of the project which will now run from Richland Avenue West to Medical Park Drive. When first approved the SCTIB over 10 years ago, the project scope was from Richland Avenue West to Robert M. Bell Parkway. Over time for a number of reasons, the project has not been started; and now the cost of the project has exceeded the amount of money allocated from the City, the County and the Infrastructure Bank. The City and County funds come from the 1% sales tax money that has already been collected and set aside for the project. The Infrastructure Bank approved the scope reduction. As part of the approval the City must execute an amended and restated Intergovernmental Agreement for the project. The Infrastructure Bank funding is \$3.6 million; the City of Aiken funding is \$3 million; and Aiken County funding is \$3 million.

The project is scheduled to start around April 1, 2021 and will expand the roadway in this section to 5 lanes.

For Council consideration is a resolution authorizing the City of Aiken to enter into an agreement with the South Carolina Transportation Infrastructure Bank for the widening of a portion of University Parkway.

Mayor Osbon asked if there were any comments from the audience or comments from Council.

Mayor Osbon called for a vote on the motion made by Councilman Woltz seconded by Councilwoman Brohl, that Council approve a resolution to authorize the City of Aiken to enter into an agreement with the South Carolina Transportation Infrastructure Bank for funding to widen a portion of University Parkway. The motion was unanimously approved.

INFORMATIONPlanning Commission Action AgendaHitchcock WoodsSand RiverChristmas in Hopelands

Mr. Bedenbaugh stated he had several items for Council. One is a reminder that on Monday, September 21, 2020, at 5 p.m. a joint meeting is scheduled for the Council and Planning Commission Action Agenda session. The meeting will be held at the Price Center on Edgefield Avenue.

Mr. Bedenbaugh also reminded Council that the Hitchcock Woods Foundation is available to give tours of the Sand River where erosion has occurred. He asked that Council let staff know if they would like to take the tour.

Mr. Bedenbaugh noted that Jessica Campbell has been elected as Vice President of the South Carolina Parks & Recreation Association and is in line to become President.

Mr. Bedenbaugh stated staff wanted to get some feedback from Council about potential plans for Christmas in Hopelands due to the COVID 19 pandemic and how we can take into account the pandemic in planning Christmas in Hopelands. Staff wanted to share some ideas with Council and get some Council feedback.

Ms. Campbell joined the meeting remotely since she was out of town attending the Parks & Recreation Association meeting. She noted that staff was preparing for Christmas at Hopelands this year. They are looking at modifying the program this year. She said they have to seek approval from the SC Department of Commerce since this would be an event that would have a gathering of over 250 individuals. She said the proposal is to not run the shuttle service and to not offer cookies and hot chocolate. The proposal is to extend the dates of the program to run from December 1 – 27 and allow individuals to park at the gardens as well as on the grass area adjacent to the Green Boundary Club to come and enjoy the lights.

Council discussed the proposal and thought the ideas were great. There was a question regarding the Christmas trees downtown. Mr. Bedenbaugh stated we would have the same trees we had last year. The green tree would be in the center of Laurens and Richland.

Mayor Osbon suggested that the City Manager summarize the proposal and send the proposed ideas for Christmas at Hopelands to Council tomorrow. Then Council can give feedback.


Mr. Bedenbaugh stated we want to have a Christmas at Hopelands event, but realize this year, given the Governor's executive order parameters and other issues related to COVID 19, we need to do it a little differently.

There was a question as to whether a limit would be set as far as how many people can go in at one time and monitor accordingly. Ms. Campbell responded there would be a limit based on the acreage of the facility and the square footage of the pathways. She said we could have 4,157 attendees per night at one time. There is not a likelihood of that because the parking will help dictate that. The maximum is 300 cars at the Green Boundary Club parking lot and approximately 90 cars between Rye Patch and Hopelands. She stated a typical night in the past has been 2,000 per night when we run the bus.

Mr. Bedenbaugh stated he would send an email out summarizing the proposal for Christmas at Hopelands and ask that Council share any ideas they have.

ADJOURNMENT

There being no further business, Councilwoman Gregory moved, seconded by Councilman Woltz that the regular meeting adjourn. The meeting adjourned at 8:50 p.m.


Sara B. Ridout
City Clerk