

Aiken City Council Minutes

REGULAR MEETING

November 9, 2020

Present: Mayor Osbon, Councilmembers Brohl, Diggs, Girardeau, Gregory (via phone), Price, and Woltz.

Others Present: Stuart Bedenbaugh, Gary Smith, Kim Abney, Sara Ridout, Charles Barranco, Ryan Bland, Kym Rooks, Summer Gagnon, Jessica Campbell, Mary Rosbach, Pam Royal, Gary Meadows, Daniel Williams, Landon Stamper of the Aiken Standard, and about 16 citizens.

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 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 November 9, 2020, to order at 7:01 P.M. 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 stated there was a change in the agenda to continue item 3 under Old Business regarding the second reading and public hearing of an ordinance to revise a concept plan for property at 7000 Woodside Executive Court for the Woods Farm Market. Councilwoman Price moved, seconded by Councilwoman Brohl, that the agenda be approved with the change of continuing item 3 under Old Business regarding a revised concept plan for the Woods Farm Market. The motion was unanimously approved.

MINUTES

The minutes of the work session and regular meeting of October 26, 2020, were considered for approval. Councilwoman Diggs moved, seconded by Councilman Woltz, that the minutes for the work session and regular meeting of October 26, 2020, be approved as presented. The motion was unanimously approved.

PRESENTATION

Proclamation  
Hopelands Gardens Day

Mayor Osbon stated a proclamation had been prepared recognizing "Hopelands Gardens Day" and recognizing the 50<sup>th</sup> anniversary of the City of Aiken accepting Hopelands Gardens.

Councilwoman Brohl read the proclamation.

Mayor Osbon noted that there were several members of the trustees of Hopelands present. He noted that we all want to say thank you to them for their stewardship over the treasure that we have—Hopelands Gardens. He pointed out that it is amazing that 50 years later after Mrs. Iselin's vision and gift to the city that we are still able to present this

peaceful and tranquil place for our citizens, guests and visitors. It is a special part of our city. Mayor Osbon and Councilwoman Brohl presented the proclamation to the members of the Friends of Hopelands who were present.

Councilwoman Price shared with the group that her father, Donny Brooker, was the caretaker at Hopelands Gardens for many years.

Ms. Anna Dangerfield, President of Hopelands and Rye Patch, stated they were so pleased that City Council had recognized Hopelands Gardens. The Friends of Hopelands will be 50 years old next year. She said the Friends have worked as partners with the City of Aiken for 49 years, and they enjoy helping to raise funds, and their projects. They have helped with Rye Patch, the labyrinth, the stage, etc. She said there have been so many different projects, and they have developed a good relationship with the people of the city that they work with. She pointed out that Hopelands Gardens has become a very busy place with people. She said there are people with book groups, their prayer studies, and they are out there enjoying what Mrs. Iselin intended for the gardens to be. She thanked Council for the proclamation and for recognizing Hopelands Gardens.

### PRESENTATION

#### Aiken Downtown Development Association National Main Street Program

Mayor Osbon stated that Main Street SC was present to recognize Aiken Downtown Development Association and the City of Aiken as an accredited national and state Main Street community.

Mr. Bedenbaugh stated in March, the Aiken Downtown Development Association was designated as an accredited National Main Street program. To recognize this accomplishment, Jenny Boulware, of the Municipal Association of SC, was present along with Haley Knight to make a special presentation. to Council.

Ms. Knight, Director of the Aiken Downtown Development Association, thanked Council for their continued support of ADDA through all the years since 1989. She pointed out that they started having conversations at the end of 2019 as to whether Aiken was ready for designation as an accredited National Main Street community. She said she was so excited for Aiken and the ADDA to have the nationally accredited program designation. She noted the agenda packet included some of the opportunities for growth that Main Street presented to them so Council knows where they are striving to move forward in the coming years. She pointed out that ADDA is one of the strongest original non-profit Main Street organizations in the state. She pointed out that speaks well to the community in general. She pointed out that everyone in the room had been a part at some point.

Ms. Jenny Boulware stated she is Director of the Main Street South Carolina Program, which is a program of the Municipal Association of South Carolina. Earlier this year Aiken Downtown Development was recognized as a National Accredited Main Street program. Main Street America communities use the Main Street approach framework to guide local revitalization efforts. To measure their progress, they participate in a regular accreditation process that involves meeting rigorous standards. Achieving accreditation status is a mark of distinction and a powerful application tool that highlights highly achieving Main Street communities. She pointed out the signs which she has delivered are nationally branded and formally recognizes ADDA and the City of Aiken's prestigious designation. The signs represent an elevated role that all play in supporting and strengthening the downtown economy and also demonstrate the longtime commitment to continue the focus and strategic action. She pointed out receiving the sign at this time does not mean it is over. This is a forever commitment. Aiken is one of four nationally accredited Main Street communities in South Carolina. She pointed out that she had delivered two signs and understands that Aiken may want to erect more signs.

Mayor Osbon thanked Ms. Knight and Ms. Boulware for being present to recognize the national accreditation and the work of all those who made the accreditation happen. He

said Council appreciates the partnership that we have with ADDA. He said we are proud of this moment and celebrate it with ADDA.

### PRESENTATION

#### Downtown Sewer Project Sand River Sewer Project Arcadis

Mayor Osbon stated that the next item on the agenda is an update by Jim Shelton on the work done by Arcadis on the Sewer Rehab Project.

Mr. Shelton stated the update was his 8<sup>th</sup> presentation on a project that was only supposed to take 15 months, but is coming up on the third year. He said he would be giving the next to final update. He said the project is substantially completed so he would report on everything that they have found at this point. The report is no longer a progress report. He will give project completion statistics, the benefits delivered, and recommendation for follow up work. He said he really wanted to focus on what Council needs to be thinking about in terms of additional infrastructure investments that will be needed for the next couple of years and coming decades. He pointed out the system has 293 miles of sewer pipe. Of that pipe about half (142 miles) is old clay sewers that were installed in some cases more than 100 years ago. He said the project that Arcadis did prioritized the oldest pipe in the Sand River Basin, basically the core of the system. The initial contract was for 44 miles of the oldest sewer pipe. The scope of the work was increased 10% to 48.5 miles with no increase in budget. He said that is an unusual thing to happen, especially with a system as old as Aiken's, but there were a number of efficiencies that they were able to work into the contract. Of the 48.5 miles that they inspected and rehabilitated, one-fifth of them were full of roots. They used chemical treatment in order to get the roots out. The root treatments are typically good for about three years. He noted we are coming up on the end of the third year so the cycles of needing root treatment are starting to come around again. They did 46.84 joints in the pipes and addressed 801 pipes coming from the houses. They are completely done with the assessment and completely done with all of the rehabilitation work under the contract.

Mr. Shelton then reviewed the findings of the project. He said they saw about a 65% average failure rate in the joints of the pipes which is about twice the normal rate. He said a very high percentage of the joints had structural defects—cracks, fractures, etc. He said that is unusual, but they were able to develop a technique and were able to seal those. Usually you have to line them or dig them up which is much more expensive. He said they have gone back and retested those. He said they had been successful in getting 78% of those sealed. That is a huge success in efficiency. The technique that they developed is called “low pressure end element MLJ” or the Aiken technique. He said they had to do that or otherwise the project probably would have been a failure. So many of the pipes had structural defects. The technique allowed them to take care of those defects that normally would have had to be lined. The flip between the two projects is about \$2.5 million savings on a \$12 million contract.

Mr. Shelton stated he wanted to talk about the manholes. It was one of the things they did at the end of the project. Most of the manholes are in decent shape structurally. There is a sanitary sewer system, and a storm sewer system. Many of the sanitary sewers have storm sewer covers on them. Most of them are in places where they are just a little bit below the surface so they act like inlets for the sanitary sewer system. That water is rain water and should not be in the sanitary sewer system. That is why the flow to the Aiken County Treatment Plant is so high when it rains. They replaced many of the manholes, but not all of them. There are several hundred more that need to be replaced. He recommended that the rest of the storm sewer manholes on the sanitary sewer lines be replaced as we go through the paving contracts and work with DOT to make sure that gets done in a coordinated fashion. He pointed out that they identified the manholes that are structurally impaired. They applied either a cement liner or an epoxy liner depending on how the sewer was going through the lines at that point. About 76 manholes which is about 5% of the manholes required this technique. About 90% of the manholes that required this technique are to be done under this contract. 110 manholes require frames and cover replacement and raising. Under the contract they did about half of those.

Mr. Shelton noted that the houses connect to the sewer line through a lateral line. The line comes from the house as a 4-inch line and at the property line generally transitions to a 6-inch line before it connects to the sewer main in the street. It connects to the main by a tap or to a manhole. There are 407 houses within the project that went into a manhole. In those instances, they were able to get all the way to the property line. He pointed out he previously said there was a 65% average failure rate in the sewer mains. He said they tested the lateral joints and that failure rate was almost 90%. He said there were a lot of structural and leakage and joint defects in the lateral connections.

Mr. Shelton stated the program which they just completed focused on the sewer mains and the lateral tap connections. He showed a map of an area on Kershaw between Abbeville and Edgefield. He pointed out the red line is the main. The yellow lines coming off are the laterals in the GIS. The green lines are the laterals that are there that go to the houses. He said this is typical of what they see in the downtown area. The sewer lines are on one side, especially where this is a park. Then there are these long lateral lines which go under the greenway to the other side. He pointed out the yellow dashed line is the property line. Outside of that area to the house belongs to the private property owners. He pointed out the city liability is for everything inside the yellow lines. He pointed out there are a lot of places where this is the case, basically everything north of Park Avenue, where there is one side with very short lines and the other side with long lines especially where the parkways are in the downtown area. He pointed out those have not been addressed. In the course of the project, they did the lateral tap connections. In looking at where the defects are, they will be at the tap and at the 4" by 6" transition. Then the riser transition is the third worst defect. The rest of the pipe was not done as part of the contract. He said there are some issues that remain to be addressed as part of the city's responsibility with regard to managing the infrastructure. He said they had only done part of the line. The part under the greenway could be hundreds of feet long and that was not done. He said they did do the tap connections. They did the first 6 1/2 feet, including the connection and the tap on 801 laterals. Usually they see about a 50% failure rate. In Aiken they saw an 84% tap failure rate. He pointed out that everything north of Park probably has close to a 100% failure rate. He pointed out that the technique that they used for dealing with the taps was only applicable to 8" sewers. Much of this part of town has the old 6" sewer. There are no tools for addressing the laterals or taps on 6" sewers.

Mr. Shelton stated they found 2.8 miles of pipe that were so badly broken that they had to be lined; they could not be grouted. That was about 6% of the work. They were able to line all of the bad places. There is still about \$400,000 of lining work to be done. He noted they had done everything that had less than 10 years of life left. There is still work to be done, but that can wait until the 2030s. The 1.3 miles that they did was the bad stuff. The other pipes are damaged but stable.

Mr. Shelton stated what they found out of the 48.5 miles that they looked at, there are 8.1 miles that are so bad that they can't be repaired. They have to be replaced. They can be replaced with open cut or pipe bursting. He pointed out the work on Chesterfield Street in front of the new Municipal Building is an example of that work and will be a pipe bursting project. That was a 6" pipe badly fractured, so bad that they could not pipe burst but had to dig in the middle of the road to get to the pipe. He said there is over 8 miles of work that falls into that category. Most of it is 6" pipe. He pointed out that for 1.7 miles they developed another technique called a "soft packer technique." They were able to get in and do the main lines and grout those, stabilizing those. He said they got from 15 to 20 years of additional time for those pipe. That is a short time 20-year fix. He said Arcadis, consulting engineers, and City engineers have gone through and looked at every single pipe. There are about 150 to 200 manhole to manhole pipes and figured out how long they can last. He said the "soft packer technique" pushed a lot out, but we are still left with a lot of pipes that have already collapsed. He said those should be addressed in the next 0 - 3 years. He said it is impossible to predict exactly when a pipe is going to fail so failure is their considered educated opinion. He noted that the cost for those that need to be repaired in 0-3 years is \$6,710,000; 4-6 years \$4,190,000; 7-10 years \$4,240,000, 15 years \$1,780,00; 20 years \$1,120,0 and 25 years \$2,800,000. He pointed out there are about \$10.5 million worth of pipes that have already collapsed or are so

badly broken that they need to be repaired. He pointed out that Arcadis had provided the engineers a detailed plan for each category for replacements so they have the information of how to break it out by contracts once the funding becomes available to budget the work.

Mr. Shelton stated the Sand River project that was just completed was the highest priority work. He said that does not mean that there isn't other priority work. He said they did look at the Sand River interceptor basin for that portion that goes through Hitchcock Woods and comes out on Dibble Road. He said there are still 6 miles of other interceptors that are newer, but they are not constructed of clay, but constructed of concrete and more susceptible to corrosion attack, that have never been inspected. He said we don't know what the risks are in those pipes. Hopefully, they are like Sand River where 95% of the interceptors worked beautifully, but we don't know. He said it is a most critical area. This is where everybody's sewerage goes through, including Woodside. If that fails, the entire development loses its sewerage service. Those really need to be inspected. He felt that is high priority. There still remains 20 miles of other smaller diameter clay pipe that were not prioritized during the first project, but many of them are next to pipes that they did. They were not included in the 48 miles of pipe for the work they did. There are 74 miles of moderate risk clay pipe that is probably a decade off before needing work. There is also 8 miles of partially collapsed sewers that need to be rehabilitated. He said that was a review of where the infrastructure needs will be over the next 10 to 20 years.

Mr. Shelton stated Arcadis is done with the core of their work and has reached substantial completion. They still have some post construction engineering tests to do. They did smoke testing everywhere they worked. They have the cross connections to identify. They have the final GIS corrections to make. They have made all the map changes and need to correct the materials and diameters. They did flow metering before starting and after they finished. They will report how much they reduced leakage. He stated he did not expect those numbers to be very high. It is hard to get leakage out when you have the leaking covers which take in rain water. He said they are going to provide to the Engineering Department a detailed assessment for almost 1,300 pipes that were included in the project with a re-inspection cycle based on their existing condition and where they have left them, how much time there is before they have to be looked at again.

Mr. Shelton stated that he gets to come back to Aiken. As part of the contract, the work is warranted. They have already checked the work done in 2018 and all that work met the contract terms. He said they will be back to check the 2019 and 2020 work late 2021 or early 2022 to do the warranty inspections.

Councilwoman Price asked Mr. Shelton in his expert opinion what work is the critical work now that needs to be done next.

Mr. Shelton stated the challenge to answer the question is how much money will be available to do the work. He said he would do everything in the 0-3 category. He said he would also look at the interceptors because they have not been inspected. A camera should be put in them which is not expensive. The third place is there are still 20 miles of high priority clay pipe that have not been inspected, cleaned, de-rooted, or stabilized by grouting. He said that work would be close to \$10 million. He felt the city should be looking at a 5-year program for the 0-3 \$6.5 million work which would be \$1 million per year. He felt the 6 miles of large diameter interceptors could all be inspected for \$250,000. That would go a long way to knowing if there is a risk there are not. Hopefully, it is clean, but if not he would take all the money he had to take care of that.

Mr. Shelton stated he had been in Aiken for three years and he loves Aiken. He said it has been wonderful to be here, and he really appreciated the opportunity to work here. He said he looks forward to coming back.

Council thanked Mr. Shelton for his work and for the information on the status of the infrastructure.

## BOARDS AND COMMISSIONS

### Appointments

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

Mr. Bedenbaugh stated Council has 41 pending appointments to fill vacancies on different City boards, commissions, and committees. No nominations for appointments were made at the last Council meeting. A list of boards, commissions, and committees needing appointments by City Council was provided to Council as information.

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

Councilwoman Brohl stated she would like to recommend Clayton Clarkson for reappointment to the Planning Commission.

Councilwoman Diggs stated she would like to recommend reappointment of Norman Dunagan to the Energy & Environmental Committee.

Councilman Girardeau stated he would like to recommend reappointment of Judy Sennett to the Community Development Committee, Katy Lipscomb to the Design Review Board, Jack Hunter to the Planning Commission, and Melissa Viola to the Recreation Commission.

Councilwoman Price stated she would like to recommend reappointment of Larry Ogletree to the Board of Zoning Appeals, and appointment of Reverend Brendolyn Boseman to the Energy & Environmental Committee.

Councilman Woltz stated he would like to recommend appointment of Susan Trotter to the Equine Committee.

### ANNEXATION – ORDINANCE 11092020

East Pine Log Road

Jared Oswald

Virginia Acres Subdivision

TPN 122-06-08-010

Mayor Osbon stated this was the time advertised for second reading and public hearing of an ordinance to annex a lot on East Pine Log Road and zone it Limited Business (LB).

Mayor Osbon read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY LOCATED ON EAST PINE LOG ROAD AND TO ZONE THE SAME LIMITED BUSINESS (LB).

Councilman Girardeau moved, seconded by Councilwoman Diggs, that Council pass on second reading an ordinance to annex a lot on East Pine Log Road and zone it Limited Business (LB).

Mr. Bedenbaugh stated Jared Oswald, applicant, has requested annexation of a .39-acre undeveloped lot on East Pine Log Road. The applicant intends to develop the property with a residential product that will also serve as his sales office. This lot is part of the Virginia Acres Subdivision III. The applicant is requesting Limited Business (LB) zoning which is consistent with the residential and commercial uses along East Pine Log Road.

The Planning Commission reviewed this request for annexation at their October 13, 2020, meeting and unanimously recommended approval of the application for annexation and zoning as Limited Business (LB).

City Council approved this ordinance on first reading at the October 26, 2020, meeting. For City Council consideration is second reading and public hearing of an ordinance to annex Lot 11, Block B of the Virginia Acres Subdivision III (TPN 122-06-08-010) as requested by Jared Oswalt with the property being zoned Limited Business (LB).

Mayor Osbon asked for comments from the audience and Council.

Mayor Osbon called for a vote on the motion made by Councilman Girardeau, seconded by Councilwoman Diggs, that Council approve on second reading an ordinance to annex a lot on East Pine Log Road and zone it Limited Business (LB). The motion was unanimously approved.

#### CONCEPT PLAN – ORDINANCE

7000 Woodside Executive Court

Pamela Ely

Woods Farm Market

TPN 107-06-04-001

Mayor Osbon stated this was the time advertised for second reading and public hearing of an ordinance to revise a concept plan for property at 7000 Woodside Executive Court. He noted that this item had been removed from this agenda and continued to a future meeting.

#### AUDIT - ORDINANCE

FY 2019-20

Mauldin and Jenkins

Mayor Osbon stated an ordinance had been prepared for first reading to accept the FY 2019-20 Audit.

Mayor Osbon read the title of the ordinance.

#### AN ORDINANCE ACCEPTING THE FISCAL YEAR 2019-2020 AUDITED FINANCIAL STATEMENTS AND AUTHORIZING VARIANCES TO THE FISCAL YEAR 2019-2020 BUDGET ORDINANCE.

Councilwoman Price moved, seconded by Councilman Woltz, that Council pass on first reading an ordinance to accept the FY 2019-20 audit.

Mr. Bedenbaugh stated our auditor, Mauldin and Jenkins, Certified Public Accountant, LLC, has prepared the FY 2019-20 financial audit required by state law and city code.

Mr. Miller Edwards, of Mauldin and Jenkins, reviewed the audit with Council at the work session prior to the meeting. He reported that the City received an unqualified opinion with no material weaknesses and no instances of noncompliance material to the financial statements.

For City Council consideration is first reading of an ordinance to accept the FY 2019-20 audited financial statements.

Mayor Osbon asked for comments from the audience and Council.

Mayor Osbon called for a vote on the motion made by Councilwoman Price, seconded by Councilman Woltz, that Council approve on first reading an ordinance accepting the FY 2019-20 audit. The motion was unanimously approved.

#### CITY CODE - ORDINANCE

Tourism Ordinance

Mayor Osbon stated an ordinance had been prepared for first reading to amend the City Code Chapter 46, Article II related to tours.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE AMENDING CHAPTER 46, ARTICLE III OF THE AIKEN CITY CODE REGARDING TOURISM.

Councilman Woltz moved, seconded by Councilwoman Price, that Council pass on first reading an ordinance to amend the City Code Chapter 46, Article II related to tours.

Councilman Woltz stated following up to the work session discussion, there are a couple of items that have bothered people in the Horse District. He noted that one is motor coaches, and the other is care of horses on the carriage drive. He stated he felt Council was in agreement from the work session discussion, to make sure the motor coach part stays where it can only happen with special permission by the City Manager's Office. The City Manager would have to approve any motor coach tours that want to take place. No one could randomly do it. They would not be given the right to do a tour just because they are a motor coach. They would have to ask for permission, and it would have to be approved by the City Manager. On the item regarding taking care of horses for the carriage tours, Council is not the group that should be looking at that. It should be the Equine Committee. Before Council can move forward with the ordinance, he would suggest that anything regarding horses should go to the Equine Committee first for their recommendation and then come back to Council in a work session before Council action on second reading.

Mayor Osbon stated then the proposed ordinance could be approved on first reading with the ordinance being sent back to the Equine Committee for a recommendation before second reading by Council. He said he would like for Mr. Bedenbaugh to comment on the maps and exhibits to the ordinance.

Mr. Bedenbaugh stated it was felt that before the proposed ordinance comes back to Council for second reading, that we not have the maps and direction as part of the ordinance. The maps and directions would be available for public inspection and comment. The rationale is that with the maps and directions as part of the ordinance any time an adjustment needed to be made, adding or deleting a turn, street or modifying a map, the ordinance would have to come back to Council for a first and second reading. It is felt that the maps and directions could be made available to the public on the website, but not made a part of the ordinance, but as supplemental information. Any changes to the maps and directions would be handled administratively through the City Manager's Office with input from the Parks, Recreation & Tourism Department, the Public Safety Department, and the Equine Committee. Council would be informed of changes, but the ordinance would not have to be amended for changes in the tour maps and directions. Staff would be mindful that any changes to exhibits would only come after a lot of consideration from the public and from Council.

Mayor Osbon asked for comments from the audience and Council.

Ms. Lela Wulf, 171 Three Runs Plantation Drive, stated she is the Chair Person for the Equine Committee. She said she was present representing the members of the Equine Committee. She noted that the Equine Committee had been addressing the issue of the Tourism Ordinance since January. She said they had taken into consideration a lot of the issues that Council had raised. She said the goal of the proposed ordinance was to incorporate all types of tours including walking, bicycle, motorized and carriage tours under a common umbrella to ensure all tourism activity as it impacts the Horse District, for both equine and human residents, that it was consistent and something that was fair and balanced for the people who live there as well as recognizing the ability for people to come, see and tour the aspects of Aiken. It was done under a balanced thought, but recognizing that a majority of the members of the Equine Committee live and conduct business in the Horse District. They are well aware of the impact on the Horse District. As far as the concerns of the four areas for tours, the motor coaches, the carriages, the bicycles and walking tours, the intent of the motor coaches was that having them under a permitting type structure and a limited routing that would not take them on the dirt paths, but give people access, would be a way to kind of control that and know who was coming and going and not put everything under the burden of the City Manager to do that.

Regarding the carriages, it was understood that the City does not have the means or expertise to conduct evaluations or inspect carriages or have the resources necessary to ensure there is compliance with that. Instead, the city has followed other city's carriage programs where the inspections are turned over to the Carriage Association of America which is an extensive organization that has various levels and requirements for the drivers and permitting. If the drivers and carriage operators are conducting their business in line with the Carriage Association, that would be sufficient for Aiken. That would remove us from those requirements. As far as the hours of operation, the metrics and how many could be done at what time, those were all intended to put a cap on things so the residents would feel comfortable that there would not be an onslaught of tours, and that there would be some kind of maximum number. That was put in to give comfort to the residents who live in the Horse District. She stated her comments give the intent of the Equine Committee.

Mr. Dacre Stoker, 331 Kershaw Street SE, stated his residence is just on the outside of the Horse District. He said he walks in the area a lot. He knows a lot of people who are involved in the equine business. He thanked Councilman Woltz for asking that the Equine Committee consider and make a recommendation to Council on a lot of the questions regarding the ordinance. He said he had been on the Equine Committee at one time. He pointed out there is a very delicate balance in the Horse District. He said over the years in his role with the Land Conservancy he has tried to preserve the Winthrop Polo Field and essentially trying to keep people happy in that district has gotten him very close to a lot of these efforts. He said he and his wife worked very closely with Glenn Parker in 2005 when they first reached a compromise on how to keep the motor coaches out of this part of town. The main reason is the delicacy and the intricacy of thoroughbreds who are moving out of the zone a little bit because of business worldwide. Vendors moving in are show jumpers, fox hunters, and pleasure riders. Carriage drivers have been in and out, but are coming back in again. He said it is an ever changing relationship between the people who try to make a living in this part of town and live there as well and use the city and state dirt roads to conduct business. This is a very complex relationship. He pointed out when the dirt roads were fixed, there was a lot of uproar, but in the end the City did a great job on the roads. Now the City is doing a great job on the trees. He said we really have to think about how we preserve and how we balance the intrusion of tourism coming into a work zone. One of the things done with Glenn Parker was to agree that we have a lot of great things to offer in Aiken. The equestrian events are some of the best ones, the most historic, bring the most people, bring the most revenue, but the training for those events is most delicate. He asked that Council keep on that spirit. Create the tours to come see the Aiken Trials, breakfast at The Gallops, the polo matches, the Steeplechase—all these events that draw people, including soccer, baseball, softball, etc. The delicacy of the intrusion into the work zone of the Horse District is a real struggle. He said when you look at the people who live there you think they have these wonderful big houses; they are rich people and don't want people hanging around and getting in their way. The actual fact of what you have with these houses is that they have spent a lot of money restoring the houses, the stables, and the horses have to walk on City roads to go to the work places, the different tracks, fields, and Hitchcock Woods. He asked that Council please be very careful when they think about a walking tour. He said it may seem that would be an easy thing to go walk on the dirt roads. He noted that if there are 15 to 20 people and they are spread out, and there is a young thoroughbred coming along, and someone moves around quickly, the rider and the people may be at great risk. He pointed out Council has asked that the time for tours start at 11 a.m. rather than 12 noon. He stated the guys at the race track are recommending the time for tours to start be 12 noon because they still have horses going from their barns to the track. He pointed out that he felt what Glenn Parker had come up with before which was off loading motor coaches at the Depot and putting people on the trolley, and then taking the trolley on a very specific route, Marlboro, Two Notch, and Audubon, was good. The horses have gotten use to the trolley as well as the horse owners. He noted that some riders and horses are concerned about bicycles and the walking tours where people don't know how to behave around horses. He asked Council to consider what is the benefit to such a delicate area, who benefits from that. He said we are so accommodating in Aiken, and that is why it is such a wonderful place. If we accommodate too much, and we let people come in because it is a beautiful area to walk around in, we could scare off those folks who have made it so beautiful. That has

happened in Camden and parts of Florida. The irony is the people who create the working zones for themselves is a beautiful thing, but we don't want to allow people to look at it and scare off the people who made it look beautiful. It is a work environment. He said there are a number of things left to be resolved, and he was glad that Council was referring the item to the Equine Committee for more study and a recommendation.

Councilwoman Price pointed out to Mr. Stoker that Council is sensitive to what he had said and mindful of the things he had stated. She said they had put a lot of things in the capable hands of the City Manager to make decisions, and there is a great Equine Committee also that will work with him along with the staff of the Parks, Recreation & Tourism Department. She noted that everything is in capable hands for the protection that is necessary for the things that are impacted. She said she did not know how things got so twisted with the conversations with the calls that have been coming in. She felt it is all about who is communicating information that sometimes creates a hype that can be unnecessary. She asked that Mr. Stoker rest assured that Council understands clearly what is necessary to preserve and protect what we endear in this community.

Councilwoman Brohl stated she would like to dovetail on what Councilwoman Price said. During the work session Council talked about the things that Mr. Stoker brought up. She said we are all very proud of the area, the historic area, and the equine area. As much as we want to share it, we don't want to "kill the goose that laid the golden egg." She said we are watching very carefully. We are not just jumping in and deciding to do something. We are trying to consolidate the ordinance and make it easier. Previously there was nothing in the ordinance about bicycles so anyone could have done anything they wanted. That should be addressed. We are working with the Equine Committee to try to do that and with Ms. Campbell interfacing with them. The City is not just changing everything just to change.

Mayor Osbon called for a vote on the motion made by Councilman Woltz, seconded by Councilwoman Price, that Council approve on first reading an ordinance to amend the City Code Chapter 46, Article II related to tours. He said Council is asking staff to send the proposed ordinance back to the Equine Committee to review some of the questions of Council and send it back to Council with recommendations before second reading of the ordinance is held. The motion was approved with Councilwoman Gregory opposing the motion.

#### CITY CODE – ORDINANCE

Demo 200 Program

Residential Demo

Demo 2000 Program

Commercial Demo

Mayor Osbon stated an ordinance had been prepared for first reading to amend Chapter 10 of the City Code regarding a commercial demo program.

Mayor Osbon read the title of the ordinance.

#### AN ORDINANCE AMENDING CHAPTER 10, SECTION 3 OF THE AIKEN CITY CODE REGARDING DEMOLITION OF BUILDINGS.

Councilman Girardeau moved, seconded by Councilwoman Diggs, that Council pass on first reading an ordinance to amend Chapter 10 of the City Code regarding a commercial demo program.

Mr. Bedenbaugh stated the Demo 200 program has been suspended since April 2019 at the request of City Council. Staff members have met with a group of interested citizens several times and presented their recommendation at the work session on October 12, 2020. Councilman Girardeau was the Council liaison. Staff would like to recommend changes to Section 10-3 for the Demo 200 program and add a section for non-residential properties going forward, called Demo 2,000 program. The applicant for the Demo 2,000 program would have to pay \$2,000 towards the demolition. The non-residential section would include a provision for a "claw-back" if the property is sold within four years of

the demolition. It would be structured as a loan that is forgiven at a rate of 25% per year over four years that the owner retains ownership after the demolition. The agreement would be recorded at the Deeds Office so if property is sold, it would come up in a title search. It is felt that there are some commercial properties to which this program could apply. Staff looked at a "claw-back" for the Demo 200 program, but is not recommending it for the Demo 200 residential program. Staff looked back through the history of the program, and there had not been a problem of a person having a house demolished and then selling the property.

Mr. Bedenbaugh stated he had given the report that the committee put together. Staff that worked on the committee included Karl Odenthal, Teddy Umsted, Mike Jordan, Ryan Bland and Kim Abney. Councilman Girardeau was tasked by Council to be the liaison.

For Council consideration is first reading and public hearing of an ordinance to amend Chapter 10 Section 10-3 of the Aiken City Code, entitled Demolition 200 Program.

Mayor Osbon asked for comments from the audience and Council.

Councilman Girardeau stated he appreciated the work of the staff committee. He said it was recognized that demolition of commercial buildings was different from residential demolitions. He said there are some incidences where help is needed to get some of the commercial buildings down, and it would be an asset. He noted also there is a program in the ordinance of being able to be repaid should the owner sell the property after the building is demolished. He said it would be easier to sell a vacant lot in some of the commercial cases with the building being torn down. He felt the recommendation is a good program. He said we needed something that is fair and equitable.

Councilman Woltz asked if an investor buys a group of houses and wants them torn down does he fall in the commercial code or the residential code. He was concerned that an investor could be trying to make a profit buying houses and tearing them down for a cheap price and using the area for commercial activity.

Councilman Girardeau asked if there were a period of time that a person has to own residential houses before they qualify for the Demo 200 or the Demo 2000 program.

Mr. Bedenbaugh stated he thought the ordinance does not require a period of time for ownership before qualifying for the programs, but language could be added to reflect that. That has not been an issue before, but it could be an issue in the future.

There was a question as to how the Demo programs are advertised. Mr. Bedenbaugh stated presently the way the Demo 200 program has been advertised is folks get letters about the condition of their houses. They may say they don't have the money to make the repairs to bring it into compliance. It is typically heir property. Our Property Code Officers tell them about the program, and they enroll in it. If it meets qualifications for residency, then it qualifies for demolition. He said he felt the points raised are valid. A concern as to why the program was suspended was folks trying to take advantage of loopholes. If Council wants, some language to prevent someone from buying property and using the program for investment purposes, language could be added.

Mayor Osbon pointed out the intent of the program is to clean up neighborhoods and properties. He said it is a valid point to cap properties and recognize the area as residential which it is zoned as opposed to the petitioner doing the investment and demolition as a business. He said he wants to help clean the properties up. He said it does not bother him as to how long they have owned the property when they apply for the demolition program if it is cleaning up the neighborhood and taking care of empty or abandoned homes. That is what the program is for.

Councilwoman Price noted that the districts that have the largest number of abandoned and neglected homes are Districts 1 and 2. That is where a lot of the criminal matters happen in areas that we are trying to improve. Someone may find a row of houses that have been neglected and abandoned. She noted there are some properties in town that no

one has lived in for 25 to 30 years or longer. She said if we can clean the neighborhoods up that will help Public Safety with the criminal issues.

Councilman Girardeau stated he agrees with Councilwoman Price and that is why we want to have the Demo programs. It is a way to get rid of some of these dilapidated buildings. However, he does understand where Councilman Woltz is coming from. If a person has the means to buy six houses, it is not much of a stretch to say that it becomes a commercial activity. He said we would be talking about \$2,000 as opposed to \$200. They probably could afford to do that as they have a long range plan as to how to make the investment work. He noted also there is a "claw-back" provision in the Demo 2000 commercial program. It does become more of a commercial aspect as opposed to a single individual who owns a house. He felt the two programs have a place and get us to where we want to go.

It was pointed out that an example of some areas that did not work well for rehabilitation was Crosland Park as individual lots were rehabilitated. However, Toole Hill was a group area which worked well as well as Chesterfield North.

Mayor Osbon stated this is first reading of the ordinance. He asked if staff could take some of the comments made into consideration and for second reading come back with some recommendations. It may be that the ordinance is okay and no additional language is needed. He stated he would like staff to look at the ordinance if someone is looking at the program from a commercial or business standpoint for multiple properties.

Councilwoman Gregory asked how often had it happened where an investor may have taken advantage of the situation. Mr. Bedenbaugh stated to date it has not happened.

Mayor Osbon called for a vote on the motion made by Councilman Girardeau, seconded by Councilwoman Diggs, that Council approve on first reading an ordinance to amend Chapter 10 of the City Code regarding a commercial demo program. He asked that staff look at the ordinance and consider any recommendations for changes they feel should be made from the comments made by Council. The motion was unanimously approved.

BANNERS

Etherredge Center at USC-Aiken

Sally & George

The Queen's Cartoonist

Dar He

Branford Marsalis

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

Mr. Bedenbaugh stated we have received a request from Andrew Randolph, of the Etherredge Center at USC-Aiken, for permission to hang two banners in the downtown promoting events to be held at the Etherredge Center. Those events with the dates requested for the banners to be hung are:

Sally & George	November 18 - December 2, 2020
The Queen's Cartoonist	January 1 - 15, 2021
Dar He	March 3 - 17, 2021
Branford Marsalis	March 22 - April 5, 2021

For Council consideration is approval for the Etherredge Center to have permission to hang two banners in the downtown for the events and dates listed above.

Councilwoman Diggs moved, seconded by Councilwoman Gregory, that the request by the Etherredge Center for banners be approved.

Mayor Osbon asked for comments from the audience and Council.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilwoman Gregory, that Council approve the request for banners to promote events as requested. The motion was unanimously approved.

RESOLUTION 11092020A

Mason Branch Road  
Shaws Creek  
Water Treatment Plant  
Purchase of Property

Mayor Osbon stated Council needed to consider a resolution to purchase a tract of land located at Mason Branch Road.

Mayor Osbon read the title of the resolution.

A RESOLUTION AUTHORIZING THE PURCHASE OF A TRACT OF LAND  
LOCATED AT MASON BRANCH ROAD.

Councilman Girardeau moved, seconded by Councilman Woltz, that Council approve the resolution to purchase a tract of land located at Mason Branch Road.

Mr. Bedenbaugh stated the City of Aiken has owned a reservoir near Mason Branch Road for almost 40 years. This reservoir feeds into Shaws Creek which ultimately is the primary water source for our water plant located on US 1 and Shaws Creek. We have been presented with an opportunity to purchase property adjacent to our reservoir. The tract is approximately 2,489 acres and encompasses an area adjacent to Shaws Creek. There are approximately 430 acres of wetlands which would be put into a conservation easement as well as an additional buffer around our reservoir.

The negotiated purchase price is \$5,250,000 [\$5.25 million]. He said the initial asking price was \$5,500,000. He said for Council consideration is a resolution to purchase the property. Should the resolution pass, staff will come back with how we would fund the purchase. Mr. Bedenbaugh stated if Council approves the purchase, he recommended the funding be via an interfund loan from the General Fund's equipment replacement account and repaid within ten years with allocated water revenue funds from the Water & Sewer System. The interest rate we would charge ourselves would be the Local Government Investment Pool (LGIP) rate plus one percent (1%). As of October 31, the LGIP rate is 0.2091% so the initial interest rate would be 1.2091%.

With the need for a new water plant, this purchase would allow for direct control of a major portion of the primary water supply for this plant and would continue to ensure clean drinking water for the City of Aiken customers.

In addition to preserving the approximately 430 acres of wetlands area around Shaws Creek, additional income can potentially be derived through timber harvesting and wetlands mitigation credits. Council could, if so desired, also develop recreational opportunities or work with private entities for some strategic development.

For Council consideration is a resolution to purchase a tract of land located at Mason Branch Road. There have been a number of conversations with Council about this property.

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

Councilwoman Brohl noted that Mr. Bedenbaugh had negotiated the purchase price from \$5.5 to \$5.2 million. She also asked about Section Nine, Broker. She asked if the City would be paying for the marketing and sale of the property. Mr. Bedenbaugh stated it would be in the form of a credit at closing. It would not be actual cash. He said that language was put in the agreement by the Seller. Initially the language was that the property was purchased by the City directly with the Seller. He had some conversations with Mr. Cawthon regarding the matter. It will be in the form of a credit. A commission will not be added to the cost.

In response to a question by Councilwoman Price, Mr. Bedenbaugh stated the property is not under a conservation easement. The City would be purchasing the property as is. The City is under no obligation to conserve or put in any kind of conservation easement or work with any designated agency. He said he had mentioned earlier that the City would want to put a portion of the acreage in a conservation easement.

Councilman Girardeau stated the purchase is a great opportunity to protect our water supply for many, many years to come.

Councilmembers thanked Sharon Richardson, Laura Bagwell, and Joanna Samson for working with the city and encouraging the City to purchase the property for the protection of our water shed.

Ms. Joanna Samson stated she loves Aiken and has loved Aiken since she came in 2001. She said she was so gratified to see the kind of leadership that Council has taken on this issue to protect the citizens' water for 50 to 100 years and to take the leadership to look at this property responsibly. She said she was so happy as a citizen and as a member of the Land Conservancy that Council took the time to look at this property, study it, and take the leadership role.

Council thanked Joanna Samson of the Aiken Land Conservancy for their diligence and for bringing Sharon Richardson and Laura Bagwell into the conversations. It was noted that a lot of community partners and effort had gone into the purchase of the property. It was felt that in the future citizens will be thanking the Council for taking the step to purchase the property to protect our water supply.

Mayor Osbon called for a vote on the motion made by Councilman Girardeau, seconded by Councilman Woltz, that Council approve the resolution to purchase a tract of land located at Mason Branch Road. Mayor Osbon took a roll call vote on the motion. The motion was unanimously approved.

#### ADJOURNMENT

There being no further business, Councilman Woltz moved, seconded by Councilwoman Price, that the meeting adjourn. The meeting adjourned at 8:30 p.m.

  
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Sara B. Ridout  
City Clerk