

Aiken City Council MinutesREGULAR MEETING

October 14, 2019

Present: Mayor Pro Tem Diggs, Councilmembers Girardeau, Gregory, Price, and Woltz.

Absent: Mayor Osbon and Councilman Dewar.

Others Present: Stuart Bedenbaugh, Gary Smith, Kim Abney, Charles Barranco, Sara Ridout, Al Cothran, Mike Przybylowicz, Ryan Bland, Gary Meadows, Wes Funderberg, Tim O'Briant, Lex Kirkland, Jessica Campbell, Joy Lester, Tracy Lott, Colin Demarest, of the Aiken Standard, and about 45 citizens.

CALL TO ORDER

Mayor Pro Tem Diggs called the regular meeting of October 14, 2019, to order at 7:02 P.M. She noted that Mayor Osbon's father passed away on Saturday evening, and they are having visitation tonight. She noted that she would be presiding over the meeting in Mayor Osbon's absence. Reverend Paul Bush led in prayer. The pledge of allegiance to the flag was led by Officer Marquis Davis.

GUIDELINES

Mayor Pro Tem Diggs reviewed the guidelines for speaking at the Council meeting.

ADDITIONS OR DELETIONS TO AGENDA

Mayor Pro Tem Diggs stated a motion needed to be made to delete Item 1 under Petitions and Requests – Appeal of Business License by Cornerstone Ready Mix Concrete. Councilman Woltz moved, seconded by Councilwoman Price that the agenda be amended to delete Item 1 under Petitions and Requests. The motion was unanimously approved.

MINUTES

The minutes of the work session and regular meeting of September 23, 2019, were considered for approval. Councilwoman Price moved, seconded by Councilwoman Gregory, that the minutes for the meeting of September 23, 2019, be approved as presented. The motion was unanimously approved.

PRESENTATIONJohn McMahan
Hopelands Gardens Concert Series

Mayor Pro Tem Diggs stated that Council would like to recognize John McMahan.

Mr. Bedenbaugh stated we have a special presentation to John McMahan. He has been the "sound guy" for the Hopelands Gardens Concert Series for over four decades. Mr. McMahan has been a dedicated volunteer who operated the sound system for the performances in Hopelands for the past 45 years. We would like to honor Mr. McMahan for his faithful, dedicated service as a volunteer.

Mayor Pro Tem Diggs presented a plaque to Mr. McMahan for his dedicated service as "sound guy" for the Hopelands Garden Concert Series from 1974 to 2019.

SCRPA of Excellence Award
Parks, Recreation and Tourism

Mayor Pro Tem Diggs stated that the next item on the agenda is a presentation of the Excellence Award to the City of Aiken Parks, Recreation and Tourism Department.

Mr. Bedenbaugh stated we are honored to have Mr. Jim Headley, South Carolina Recreation and Parks Association (SCRPA) Executive Director, present at the meeting tonight to recognize our Parks, Recreation and Tourism Department. Aiken's PRT Department was recognized at the annual SCRPA conference in Myrtle Beach and was presented the 2019 Parks Excellence Award for over 30,000 population. This award was presented recognizing the renovated and revitalized Eustis Park complex.

Mr. Jim Headley stated it was a pleasure to be here for a celebration. He noted that the PRT staff gives so much of their time. They are there prior to the event and afterwards for clean up. He said with Jessica Campbell's leadership, it is an honor and pleasure to have her as Director for the City of Aiken PRT Department. He pointed out that she also serves on the Board for the SCRPA Association. He said on behalf of the SCRPA membership, over 1,100 members, it was a great honor to present the 2019 Parks Excellence Award for population over 30,000 to Aiken. He said the Association's vision statement is creating community through people, parks, and programs. He said the Eustis Park Project does all of that. He pointed out that he had watched revitalization of it and the addition of the Lessie B. Price Senior/Youth Services Center on the corner and connecting the whole area will really help that community create the vision that it needs and deserves.

Mr. Headley then showed the video that was shown at the annual recreation conference.

The award was then presented and pictures taken with Council and Recreation staff present at the meeting.

Aiken County Homeless Coalition

Mayor Pro Tem Diggs stated the next item on the agenda is a presentation by the Aiken County Homeless Coalition.

Mr. Bedenbaugh stated a presentation on the Aiken County Homeless Coalition would be given by Ms. Roxanna Sirk.

Ms. Sirk stated the Aiken County Homeless Coalition is a grassroots organization made up of individuals concerned and dedicated to addressing the needs of those who are homeless, including families, children and students. The goal of the Coalition is to prevent, support and when possible revert homelessness in our community. The Coalition is a relatively newly organized entity with no intention of becoming a 501(c)(3) entity. She said while there are no simple solutions to address the problem of homelessness and its effect on individuals in our community; awareness of this issue is critical if we are to provide relief. The Coalition works to provide a platform to exchange information, enhance and support the delivery of existing community services and resources, and raise awareness of the realities and difficulties of the unseen and unheard homeless community. She said they also believe that dialog is the key in developing and creating change. The Coalition welcomes the opportunity to work with the local county, municipal governments, private groups and agencies to identify housing needs and collaborate on solutions including innovative and alternative concepts.

Ms. Sirk mentioned two major initiatives the Coalition had held and spearheaded. Since May of 2019 on one Sunday a month, the Coalition has organized, with the help of members of the community, a Sunday meal. The idea arose from the fact that area soup kitchens do not operate on Sundays thereby posing a challenge to those who rely on such programs. Area churches and organizations have responded to the challenge by providing a home cooked meal and staffing in a local area church where those who are homeless can safely gather to eat and socialize. During several of these dinners toiletries, food and even Hepatitis A vaccines have been made available to the homeless. Flu shots will be available at the October meal where they expect to see a continued increase in those seeking such assistance. The second initiative is the point-in-time count—pit. This is a program required by the US Department of Housing and Urban Development. The Coalition has been involved with this for the past two years. Pit count is a volunteer led effort to try to capture an accurate picture of the number of homeless individuals living in

the community based on certain criteria. The data collection is used to gauge the extent of homelessness and help determine the services needed. She said, however, they had found that the data collection effort has its challenges and limitations as it does not realistically portray an accurate picture of the homelessness in the county. She said they have, however, used the community tradition of an outreach activity as an awareness tool. During the count they have organized and provided health screenings, mental health screenings, coats, gloves, toiletries to reach out to the individuals who otherwise will not be seen.

Ms. Sirk stated she is the Chair of the Aiken County Homeless Coalition. She said they are committed to the idea that all people have the right to be heard and to be treated with decency and respect. They further believe that it is the duty of a decent and respectful people to consider the needs of those truly in need. To this end they raise their voice to address their needs. She pointed out she and other members of the Coalition are present representing the Coalition to bring awareness to Council who has the ability and means to consider the plight of our brothers and sisters who are homeless or on the verge of homelessness and those who deal with housing and securities. She said they would like to extend an invitation to dialogue with them. She said they are also invited to participate with them and attend their monthly meetings, a Sunday meal, or volunteer with them during the PIT count. She pointed out that the Sunday meals are on the third Monday of each month at 125 Union Street at St. Mary's Mother Teresa Hall. She asked Council to come to observe and to volunteer. She stated the PIT count is on the week of January 22, 2020. They are gathering groups in order to facilitate activities so we can draw the homeless individuals to come. She pointed out that the meals they provide are only addressing the issue in the City of Aiken. She said they are trying to expand to Midland Valley and also to North Augusta.

Mayor Pro Tem Diggs stated she is also a member of the Aiken County Homeless Coalition. She thanked Ms. Sirk for making the presentation on the homeless in Aiken.

BOARDS AND COMMISSIONS

Appointments

Phil Haggerty

Building Code Appeals Committee

Graham Reynolds

General Aviation Commission

Mayor Pro Tem Diggs 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. Two appointments are presented for Council's consideration and vote at the meeting tonight.

Councilman Girardeau has recommended the reappointment of Phil Haggerty to the Building Code Appeals Committee. If reappointed Mr. Haggerty's term would expire May 12, 2021. He has also recommended the reappointment of Graham Reynolds to the General Aviation Commission with the new term to expire September 1, 2021.

For City Council consideration is the reappointment of Phil Haggerty to the Building Code Appeals Committee and Graham Reynolds to the General Aviation Commission.

Councilman Woltz moved, seconded by Councilwoman Price, that Council approve the reappointment of Phil Haggerty to the Building Code Appeals Committee and Graham Reynolds to the General Aviation Commission. The motion was unanimously approved.

Mayor Pro Tem Diggs asked if there were any recommendations for appointments at the next Council meeting.

Mayor Pro Tem Diggs stated she would like to recommend the appointment of Dr. Lisa Handy to the Equine Committee for consideration at the next meeting.

ANNEXATION – ORDINANCE 101420191746 Two Notch Road SEMarvin MooreXinwen ZhaoTPN 122-09-02-020

Mayor Pro Tem Diggs stated this was the time advertised for second reading and public hearing of an ordinance to annex property at 1746 Two Notch Road SE and zone it Residential Single-Family (RS-10).

Mayor Pro Tem Diggs read the title of the ordinance.

AN ORDINANCE TO ANNEX PROPERTY LOCATED AT 1746 TWO NOTCH ROAD, SE AND TO ZONE THE SAME RESIDENTIAL SINGLE-FAMILY (RS-10).

Councilwoman Gregory moved, seconded by Councilman Girardeau, that Council approve on second reading an ordinance to annex 1746 Two Notch Road SE and zone it Residential Single-Family (RS-10).

Mr. Bedenbaugh stated pursuant to the city's Water/Sewer Annexation Policy, Resolution 09122016D, Marvin Moore and Xinwen Zhao, owners, are requesting annexation of property at 1746 Two Notch Road SE and zoning as Residential Single-Family (RS-10). This property is located in Section 2 of the Virginia Acres Subdivision.

The Planning Commission at their meeting on September 10, 2019, considered this request for annexation and recommended unanimously that the property be annexed and zoned Residential Single-Family (RS-10).

City Council approved this ordinance on first reading at the September 23, 2019, meeting. For Council consideration is second reading and public hearing of an ordinance to annex property at 1746 Two Notch Road SE owned by Marvin Moore and Xinwen Zhao and zone it Residential Single-Family (RS-10).

Mayor Pro Tem Diggs asked for comments from the audience and Council.

Mayor Pro Tem Diggs called for a vote on the motion by Councilwoman Gregory, seconded by Councilman Girardeau, that Council approve on second reading an ordinance to annex property at 1746 Two Notch Road SE and zone it Residential Single-Family (RS-10). The motion was unanimously approved.

ANNEXATION – ORDINANCE 10142019A416 Pine Avenue SEHaley CulpTPN 122-05-11-001

Mayor Pro Tem Diggs stated this was the time advertised for second reading and public hearing of an ordinance to annex property at 416 Pine Street SE and zone it Residential Single-Family (RS-8).

Mayor Pro Tem Diggs read the title of the ordinance.

AN ORDINANCE TO ANNEX PROPERTY LOCATED AT 416 PINE AVENUE, SE AND TO ZONE THE SAME RESIDENTIAL SINGLE-FAMILY (RS-8).

Councilman Girardeau moved, seconded by Councilwoman Price, that Council approve on second reading an ordinance to annex 416 Pine Avenue SE and zone it Residential Single-Family (RS-8).

Mr. Bedenbaugh stated pursuant to the city's Water/Sewer Annexation Policy, Resolution 09122016D, Haley Culp, owner, is requesting annexation of property at 416 Pine Avenue SE and zoning as Residential Single-Family (RS-8). This property is located in the Forest Heights Subdivision.

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The Planning Commission at their meeting on September 10, 2019, considered this request for annexation and recommended unanimously that the property be annexed and zoned Residential Single-Family (RS-8).

City Council approved this ordinance on first reading at the September 23, 2019, meeting. For Council consideration is second reading and public hearing of an ordinance to annex property at 416 Pine Avenue SE, owned by Haley Culp and zone it Residential Single-Family (RS-8).

Mayor Pro Tem Diggs asked for comments from the audience and Council.

Mayor Pro Tem Diggs called for a vote on the motion by Councilman Girardeau, seconded by Councilwoman Price, that Council approve on second reading an ordinance to annex property at 416 Pine Avenue SE and zone it Residential Single-Family (RS-8). The motion was unanimously approved.

LAND DEVELOPMENT REGULATIONS – ORDINANCE 10142019B

Performance Guarantees

Mayor Pro Tem Diggs stated this was the time advertised for second reading and public hearing of an ordinance to amend the Land Development Regulations regarding Performance Guarantees.

Mayor Pro Tem Diggs read the title of the ordinance.

AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AIKEN REGARDING PERFORMANCE GUARANTEES.

Councilwoman Price moved, seconded by Councilwoman Gregory, that Council approve on second reading an ordinance to amend the Land Development Regulations regarding Performance Guarantees.

Mr. Bedenbaugh stated the Land Development Regulations [LDR] requires performance bonds, letters of credit and other sufficient surety to guarantee completion of development infrastructure such as roads, storm water and sanitary sewer, water and sidewalks. We amended the LDR in October 2017. The consequence of that amendment was that the timing of the guarantees are issued before the grading permit is issued. Subsequent to the amendment, we have found that our timing for requiring guarantees could be more appropriate; and our process is significantly more onerous than other communities in the CSRA.

This amendment would still require performance guarantees, but change the timing to allow site improvements to be done prior to the issuance of surety while still permitting staff to have the ability to ensure the improvements are adequate or bonded when timed with the issuance of other permits, such as building permits.

City Council approved this ordinance on first reading at the September 23, 2019, meeting. For Council consideration is second reading and public hearing of an ordinance to amend the Land Development Regulations regarding performance guarantees.

Mayor Pro Tem Diggs asked for comments from the audience and Council.

Mayor Pro Tem Diggs called for a vote on the motion by Councilwoman Price, seconded by Councilwoman Gregory, that Council approve on second reading an ordinance to amend the Land Development Regulations regarding Performance Guarantees. The motion was unanimously approved.

CITY CODE – ORDINANCE 10142019CSpecial Tax Assessment
Rehabilitation
Historic Properties

Mayor Pro Tem Diggs stated this was the time advertised for second reading and public hearing of an ordinance to amend the City Code regarding special tax assessment for rehabilitation of historic properties.

Mayor Pro Tem Diggs read the title of the ordinance.

AN ORDINANCE AMENDING THE AIKEN CITY CODE REGARDING SPECIAL REAL PROPERTY TAX ASSESSMENTS FOR REHABILITATED HISTORIC PROPERTIES.

Councilman Girardeau moved, seconded by Councilman Woltz, that Council approve on second reading an ordinance to amend the City Code regarding special tax assessment for rehabilitation of historic properties.

Mr. Bedenbaugh stated the Design Review Board has reviewed and recommended to City Council that the City Code be amended regarding the Special Tax Assessment for Rehabilitation of Historic Properties. The Special Tax Assessment for Rehabilitation of Historic properties is designed to promote rehabilitation of historic (landmark or contributing) properties by freezing the assessed value of the property when the owner makes improvements valued in excess of 20% of the appraised or assessed value.

The Design Review Board at their meetings in May and July, 2019, considered amendments to the existing ordinance in an effort to ensure transparency and consistency in its implementation, while preserving the fundamental incentive of a ten-year freeze on the property tax value of participating properties. Since the inception of the Tax Incentive Program for Historic Preservation 22 properties have received final certification to receive the special tax assessment. Two more have received preliminary certification. The recent application for assessment brought to staff's attention that there are some discrepancies between the letter of the law and the actual practice since the inception of the program.

The Design Review Board has recommended some changes to the ordinance to provide specific direction regarding the applicability to those properties having received final certification before the implementation date of the text amendment whose assessment period has not yet expired (seven properties).

City Council approved this ordinance on first reading at the September 23, 2019, meeting. For City Council consideration is second reading and public hearing of an ordinance to amend the City Code regarding the Special Tax Assessment for Rehabilitation of Historic Properties.

Mayor Pro Tem Diggs asked for comments from the audience and Council.

Mayor Pro Tem Diggs called for a vote on the motion by Councilman Girardeau, seconded by Councilman Woltz, that Council approve on second reading an ordinance to amend the City Code regarding special tax assessment for rehabilitation of historic properties. The motion was unanimously approved.

LEASE AGREEMENT – ORDINANCE 10142019D1613 Two Notch Road
Aiken Community Theatre
Price Avenue
TPN 122-09-01-001 (PO)

Mayor Pro Tem Diggs stated this was the time advertised for second reading and public hearing of an ordinance to approve a lease agreement for use of property at 1613 Two Notch Road by the Aiken Community Playhouse.

Mayor Pro Tem Diggs read the title of the ordinance.

AN ORDINANCE APPROVING A LEASE OF 1613 TWO NOTCH ROAD TO THE AIKEN COMMUNITY PLAYHOUSE.

Councilwoman Gregory moved, seconded by Councilwoman Price, that Council approve on second reading an ordinance to approve a lease agreement for use of property at 1613 Two Notch Road by the Aiken Community Playhouse.

Mr. Bedenbaugh stated Aiken Community Theatre (ACT) has made a request to enter into a Lease Agreement for the building located at 1613 Two-Notch Road on the corner of Price Avenue. This building was originally constructed and occupied by the Aiken Community Playhouse from 1968 until 2003 before they moved downtown to the facility on Newberry Street. In the interim between 2003 to 2017 the facility on Two Notch Road served primarily as a facility for our ceramic classes. Since 2017, ACT has occasionally rented the space for rehearsals and made some minor interior improvements. They wish to expand their use of the facility and are willing to make capital improvements so that it can function as a performing arts theater. While there is no annual rental charge, ACT will pay \$30 per hour for each city staff member needed.

City Council approved this ordinance on first reading at the September 23, 2019, meeting. For City Council consideration is second reading and public hearing of an ordinance to approve a lease agreement for use of property at 1613 Two Notch Road by Aiken Community Theatre.

Mayor Pro Tem Diggs asked for comments from the audience and Council.

Councilman Woltz noted that in the downtown facility on Newberry Street a few times the City has wanted to use the facility, but there have been conflicts. He wondered if there were any provisions in the proposed lease for the City to be able to use the facility on Two Notch Road if needed. He noted that he did not see that in the lease. He wondered if that should be added to the lease.

Mr. Bedenbaugh stated the proposed lease does not provide for City use if needed. He said if it is Council's desire, we could amend the lease to provide for City use of the facility if needed. He said at this point he did not think there may be a need for City use of the facility. However, during the course of the lease City use of the facility may be needed.

Councilman Woltz stated he would suggest that a provision be added to allow City use of the facility if needed. Councilman Girardeau asked if the City had used the facility in the past since it became vacant. Ms. Campbell, PRT Director, stated the facility has been vacant since PRT used it for the ceramic program. She noted there are a lot of capital improvements that will need to be done for the Playhouse to utilize the facility. Presently they can use it for rehearsal space, but in terms of opening it for public performances or another entity to use the facility a lot of work would need to be done. She pointed out when improvements are made, and we feel that the Playhouse is ready to open it up for public performances, then the City could revisit the possible use of the facility by the City.

Councilwoman Gregory asked how long the lease is for. Mr. Bedenbaugh responded that the lease is for 5 years. Councilwoman Gregory stated she had read that the Playhouse is willing to make the capital improvements so they can function.

Ms. Campbell stated she thought there is language in the lease that the Playhouse present to the City what the capital improvements are so the City can be sure they are in agreement with them as they progress.

Councilwoman Price asked if the Playhouse already has the capital funds to make improvements to the facility. Mr. Thurmond Whatley, representing the Playhouse, stated the Playhouse does not have funds to make improvements to the facility at this time. A

Capital Campaign Committee has been established, but until the lease is formalized they have not taken any action to announce a capital campaign. He said once they have a plan for the changes they would like to make in the facility, with the approval of the City and City Council, they would be able to pursue funding at that point. Funding is not in hand for improvements at this time.

Councilwoman Gregory asked then if the capital improvements aren't made, will the lease stand as it is for five years. Mr. Whatley stated the facility would not be suitable for the Playhouse to do what they would like to do if it stays in its current condition. He pointed out that they are not proposing a grandiose refit of the facility. It would essentially be a stage where the old stage used to be. Later some seating would be installed. Depending on the funding and the community's response, there would be some repair work to the interior for better insulation and better lights, etc. He pointed out that any theatrical equipment that the Aiken Community Theater may take to the facility, at the end of the lease if it is not renewed, they would remove their equipment, but the changes to the interior of the building otherwise would remain with the facility.

Ms. Campbell asked Mr. Whatley to elaborate on what the Aiken Community Theater would be able to do with the facility in its current condition without capital changes. Mr. Whatley responded that currently they have filled up the theater on Newberry Street because their programming has grown so well. They have a problem with room for rehearsals. They do 10 plays a year which is big for a community our size. They cannot adequately rehearse all of their shows in the Newberry facility. He said the Parks, Recreation & Tourism Department has been allowing them to use the Two Notch Road facility as rehearsal space which has been a great asset to them. He pointed out that it had been noted in discussion that if they could have a stage and some comfortable area for people to sit, we could do workshops, small performances, etc. at the Two Notch facility. He said at this point that is their highest use of the Two Notch Road facility. Based on the success of any capital campaign they might be able to do other improvements to the facility. However, at this time they are looking at improvements primarily for rehearsals, workshops, and simple performances.

Councilwoman Gregory stated she thinks about the building being empty and not used and deteriorating. She said she likes the vision for the building and what they are doing, as well as the building being repurposed. She noted that in five years they can make adjustments in the lease if needed. She said at this time the request seems to be the right direction for the community, the theater, and for the building. In response to a question regarding the size of the Two Notch facility, Mr. Whatley responded that they could probably put 150 seats in the building and have comfortable seating. Ms. Campbell noted that the floor is sloped and set up for theatrical style seating.

Councilman Girardeau asked if Councilman Woltz was suggesting that a stipulation be put in the lease to allow City use if needed such as the stipulation on the Newberry Street facility. Councilman Woltz stated he was suggesting that just in case the City may have a need for use of the facility.

Mr. Bedenbaugh stated Council could approve the lease agreement for the Two Notch Road facility as it is and staff could prepare a Memorandum of Understanding that would allow the use of the facility by the City for X number of days in a defined period of time and other stipulations.

Mr. Gary Smith, City Attorney, suggested that Council consider passing the proposed ordinance and lease as is on second reading with a provision delegating the authority to the City Manager and the City Attorney to negotiate a Use Agreement with the Aiken Community Theater that would be added as addendum to the lease prior to being signed.

Mr. Bedenbaugh stated the amendment to the lease could be brought back to Council as information possibly at the next meeting.

Mayor Pro Tem Diggs called for a vote on the motion by Councilwoman Gregory, seconded by Councilwoman Price, that Council approve on second reading an ordinance to approve a lease agreement for use of property at 1613 Two Notch Road by the Aiken

Community Playhouse with a provision delegating the authority to the City Manager and the City Attorney to negotiate a Use Agreement with the Aiken Community Theater that would be added as addendum to the lease prior to being signed. The motion was unanimously approved.

CAPITAL PROJECTS SALES TAX – ORDINANCE 10142019E

CPST IV

Interfund Loan

Pool

Smith-Hazel Center

Swimming Pool

Mayor Pro Tem Diggs stated this was the time advertised for second reading and public hearing of an ordinance to authorize an interfund loan for Capital Projects Sales Tax IV project – Smith-Hazel Swimming Pool Project.

Mayor Pro Tem Diggs read the title of the ordinance.

AN ORDINANCE TO AUTHORIZE AN INTERFUND LOAN FOR CAPITAL PROJECTS SALES TAX FUNDS PROJECTS.

Councilwoman Price moved, seconded by Councilman Girardeau, that Council approve on second reading an ordinance to authorize an interfund loan for Capital Projects Sales Tax IV project – Smith-Hazel pool upgrades.

Mr. Bedenbaugh stated on November 6, 2018, the voters of Aiken County passed the fourth round of Capital Projects Sales Tax (CPST). On November 26th, Joy Lester presented a list of projects that we would like to start work on before the funds are received in late 2019 or early 2020. The projects included the Smith-Hazel Pool upgrades (Pool and Related Building) with a cost estimate of \$500,000 in late 2017. After issuing an RFQ and soliciting quotes we discovered that the cost estimate given in 2017 was well below the actual final quote of \$1.2 million. Due to a higher bid than anticipated we need an additional \$750,000 to complete the project. We were faced with having to bring this to Council because one of the matters when the project was started was with the hope and expectation that the project would be completed by the swim season around Memorial Day 2020. This item was discussed with Council in a work session on September 23, 2019. The higher than expected cost for the project was weighed against the timing of the project. The recommendation is that we borrow some additional funds ahead. It still leaves us within budget for the projects at Smith-Hazel. However, to complete some of the other portions of the renovation project, we are going to pursue some grants from Land and Water Conservation fund grants to complete some of the exterior work that was on the ballot, including improvements and upgrades to the walking track, the tennis courts and basketball courts.

The total interfund borrowing would not exceed \$750,000 and would be borrowed from the General Fund Equipment Replacement and Special Holding Funds. Repayment would be at the LGIP rate.

Council approved this ordinance on first reading at the September 23, 2019, meeting. For Council consideration is second reading and public hearing of an ordinance to authorize an Interfund Loan to provide funding for the CPST IV project - Smith-Hazel Pool upgrades.

Mayor Pro Tem Diggs asked for comments from the audience and Council.

Councilwoman Gregory stated she wanted to reiterate that the project was not mis-quoted or mis-budgeted. It really is a completely different scope. That is why the price has significantly increased. She said in her opinion the scope is something that she feels the city should pursue.

Councilwoman Price stated she wanted to repeat something that was said at the last meeting about this project and that is that the project does a lot for the north side of our

community and will help to improve the image and increase economic development opportunities on the northside. She said also we were lacking activities for many children who did not have transportation this past summer. They have been looking forward to that pool opening and swimming. She noted that for families making minimum wage and working several jobs, the swimming pool is their only outlet. Many folks go to the beaches, lakes, etc., but there are kids that never leave Aiken, South Carolina, and that pool is their beach. She thanked Councilman Girardeau for making those comments because it had touched a lot of hearts.

Mayor Pro Tem Diggs stated the Smith-Hazel pool has always been open to the public for anyone to swim there. It is also a place where kids, especially on the northside, learn to swim. There are no families with pools in the backyards. The Smith-Hazel pool is like their country club, where they hang out, their family life, where swimming classes are conducted, and also summer camps take advantage of bringing their groups to the swimming pool. She said she was real glad to see us going a step further and adding a splash pad. She pointed out that the current pool house certainly needs improvements. She said the pool would be an asset for District 1, but especially for the City of Aiken. She said she appreciates the support from fellow Councilmembers for the swimming pool projects.

Mayor Pro Tem Diggs stated Councilman Dewar is absent, but he had sent some thoughts about the proposal to replace the Smith-Hazel pool. She read Councilman Dewar's statement: "I think this should be a fixed price contract with no provision for change. I also advocate a daily penalty (\$5,000) if the project is not completed by May 31. Finally, we should ask our staff to aggressively monitor the progress of this project and make periodic reports to Council. In a perfect world, I think spending an extra \$775,000 to meet an artificial deadline is an abuse of taxpayer money. With added effort we should be able to get this project far closer to the original cost. The addition of features of the pool not discussed by Council was not appropriate."

Councilman Girardeau stated he felt the project would be a positive as discussed. He said it would bring the community up and that is an area that will grow. He said houses in the area will get fixed up. It is already happening and more will come. He felt the pool project will benefit that. He pointed out, however, we need to address the parking at some point. He felt there really is not adequate parking for those who want to drive there. He said it is the only pool within the city, and he felt the project is positive all the way around.

Councilwoman Gregory stated the South's Best Small Town should have a community pool.

Councilwoman Price stated you hear us talk about Districts. She noted that each Councilmember represents a District. For the most part the issues differ in terms of focus and need, depending on which district you represent. She pointed out Councilwoman Gregory has been dealing with culling deer, but we all can put our hats on and try to understand what each person is enduring based on their constituency base. She said that is the beauty of Council as they can shift. They have driven the community and seen the need and problems and they can shift based on the need and empathize and sympathize with folks as we address those problems. She said that is what we have in terms of beauty of the Council that serves the City of Aiken.

Councilwoman Gregory stated it is important that the job of Council is safety through Public Safety, parks and recreation through community needs of our children and elders, and infrastructure. She felt those are the priorities of Council. She felt the swimming pool project falls within the priorities of a City Council. She stated she did not agree that we are being overcharged because we need the pool project done by a certain time. She said we are pressuring, and there may be some costs attributed to that, but it is not fair for us to be the City of Aiken and get accolades and not be able to provide a basic right to the children of this community, not to mention elders that may want to go to a swimming pool. She felt if one sees the plans and understands the plans, they will understand the price tag. It is a different scope. She said they have revamped a project that is many levels above what was intended to do. She said it is real important that the community

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understand that. She said again she feels it is important for our children to have this option because as Councilmembers Price and Diggs had mentioned not everyone has the opportunity to have a pool in their backyard, or to go to the beach or lake. We should provide that option.

Mayor Pro Tem Diggs stated she did not agree with Councilman Dewar's statement that it is an abuse of taxpayers' money. She said she had had comments from people who had contacted her after the first reading of the ordinance that the pool project is a waste of taxpayer money. She pointed out these people pay taxes too so why can't we have a pool and make sure that all the needs in the city are met.

Councilman Woltz stated one of the biggest comments he had had on this project is that there are not enough fixtures in the bathrooms. He said he agrees with that.

Ms. Campbell, Parks, Recreation & Tourism Director, stated staff had had a meeting with the contractors today and the plan has been revised to add additional toiletry in both the men's and women's bathrooms.

Mayor Pro Tem Diggs called for a vote on the motion by Councilwoman Price, seconded by Councilman Girardeau, that Council approve on second reading an ordinance to authorize an interfund loan for Capital Projects Sales Tax IV project – Smith-Hazel swimming pool project upgrades. The motion was unanimously approved.

SALE OF PROPERTY – ORDINANCE 10142019F

S.C. Highway Department
SC Department of Transportation
Hitchcock Parkway
Bypass
SC 118

Mayor Pro Tem Diggs stated this was the time advertised for second reading and public hearing of an ordinance to sell property to the S.C. Highway Department for right-of-way for Hitchcock Parkway Road improvements.

Mayor Pro Tem Diggs read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO CONVEY REAL PROPERTY TO THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION.

Councilman Girardeau moved, seconded by Councilwoman Price, that Council approve on second reading an ordinance to sell property to the S.C. Highway Department for right-of-way for Hitchcock Parkway Road improvements.

Mr. Bedenbaugh stated at the last meeting he was asked to have someone from SCDOT at this meeting to answer questions regarding the proposed purchase of right of way. He said he did contact a SCDOT engineer, but he does not see him in the audience. He said Council could discuss the item, and if they wished to continue the item to the next meeting that could be done.

Mr. Bedenbaugh stated as part of the Hitchcock Parkway [SC 118] intersection and safety improvements project, SCDOT must purchase rights-of-way near key intersections. One such location is at the intersection of SC 421 and Hitchcock Parkway. The City of Aiken owns property on the western side of the Hitchcock Parkway near the traffic signal at SC 421. The property is adjacent to Peggy's Pond which is between SC 421 and Dibble Road. The right-of-way agent for SCDOT is offering us \$2,800 for the +/-0.21 acre parcel. He pointed out the project is scheduled to begin in the summer of 2020. He noted that the exhibit showing the location was included in the agenda packet. He pointed out that at the last meeting Council had questions about the location of the guard rail. He pointed out no one is present from SCDOT to answer the questions; however, the guard rail would not be in the center of the road, but would be located on the side of the road to protect people from going down the deep embankment in the area from Dibble Road to SC 421. He said if Council would like they could continue the item.

However, if Council feels that they have enough information, they can vote and proceed with the sale of property to the DOT for the Hitchcock Parkway project. Councilmembers indicated they were fine with the information they had on the request.

We recommend accepting this offer as improvements at this intersection are needed.

City Council approved this ordinance on first reading at the September 23, 2019, meeting. For City Council consideration is second reading and public hearing of an ordinance to sell property to the South Carolina Department of Transportation for Right-of-Way for Hitchcock Parkway road improvements.

Mayor Pro Tem Diggs asked for comments from the audience and Council.

Mayor Pro Tem Diggs called for a vote on the motion by Councilman Girardeau, seconded by Councilwoman Price, that Council approve on second reading an ordinance to sell property to the S.C. Highway Department for right-of-way for Hitchcock Parkway Road improvements. The motion was unanimously approved.

DEVELOPMENT AGREEMENT – ORDINANCE

Beaufort Street, LLC
Black Ventures, LLC
Beaufort Street
TPN 121-07-03-001
Pressley Station
Sewer Lift Station

Mayor Pro Tem Diggs stated this was the time advertised for second reading and public hearing of an ordinance to enter into a Development Agreement with Beaufort Street LLC for Pressley Station on Beaufort Street.

Mayor Pro Tem Diggs read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO ENTER INTO A DEVELOPMENT AGREEMENT WITH BEAUFORT STREET, LLC FOR THE DEVELOPMENT OF PROPERTY LOCATED ON BEAUFORT STREET NE (TPN 121-07-03-001).

Councilwoman Price moved, seconded by Councilwoman Gregory, that Council approve on second reading an ordinance to enter into a Development Agreement with Beaufort Street, LLC.

Mr. Bedenbaugh stated Council had discussed this matter briefly in the work session. He stated he would like to state for the record where we were on September 23 and where we are now. At the September 23, meeting Council approved first reading of this ordinance for a Development Agreement with Black Ventures, LLC. Subsequent to first reading one of the development partners withdrew from the project, and staff was notified of that last Wednesday. Late last Thursday, staff received a call that the owner of the property, Beaufort Street, LLC wished to continue with the Development Agreement as written. He noted that Mr. Tilden Hilderbrand, the engineer for the project, is present as well as the property owner.

Mr. Bedenbaugh stated Beaufort Street LLC is developing approximately 9 acres on Beaufort Street known as Pressley Station. This project would be single-family housing located in the eastern part of our City. In order for the project to be built we must upgrade the sewer lift station. As part of our staff review, we determined that a new lift station will need to be constructed in that area. Beaufort Street LLC has offered to pay for the cost to upgrade the lift station, and design, permit and install the sewer lift station. Upon completion of the lift station inspection and review of the cost, the city will remit to the developer up to 70% of the cost. The development agreement for Council consideration will have the City reimburse up to 70% of cost for the lift station back to the developer because it is estimated that approximately 30% of the cost will be the portion of the capacity for Pressley Station on the upgraded lift station. The City will

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determine costs by certified payments from the developer to the lift station contractor. The account used to make this payment will be 002-3182-468.76-02 Sewer System. This lift station will enable additional development and access to sewer for this area.

City Council approved this ordinance on first reading at the September 23, 2019, meeting. For City Council consideration is second reading and public hearing of an ordinance to enter into a development agreement with Beaufort Street LLC. This is a significant development project and one that has been waited on with some anticipation.

Mayor Pro Tem Diggs asked for comments from the audience and Council.

Mr. Matthew Smothers, 121 Rogers Avenue, Hartsville, SC 29500, stated he was thankful and is ready to get the project started. He said they are getting ready to start pulling the service permits soon. He said once the permits are in order, the project will take between 180 to 250 days to have infrastructure in.

Mayor Pro Tem Diggs called for a vote on the motion by Councilwoman Price, seconded by Councilwoman Gregory, that Council approve on second reading an ordinance to enter into a Development Agreement with Beaufort Street, LLC for development of Pressley Station on Beaufort Street and upgrade of the sewer lift station off of Willow Run Road. The motion was unanimously approved.

BUDGET - ORDINANCE

FY 2019-20

Woodward House

Roof

Paint Project

Banks Mill Road

Parks, Recreation & Tourism

Administrative Office Building

J.E. Stewart Builders

Mayor Pro Tem Diggs stated an ordinance had been prepared for first reading to adjust the budget for the Woodward house roof and painting exterior project.

Mayor Pro Tem Diggs read the title of the ordinance.

AN ORDINANCE AMENDING THE BUDGET OF THE CITY OF AIKEN FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2020.

Councilman Girardeau moved, seconded by Councilman Woltz, that Council approve on first reading an ordinance to adjust the budget for the Woodward house roof and painting exterior project.

Mr. Bedenbaugh stated the fiscal year budget for 2019-20 included \$55,000 for maintenance to the Woodward House (the PRT Administration offices) on Banks Mill Road. We received three sealed bids, and J.E. Stewart Builders was awarded the bid. The total for a new roof and exterior paint came in at \$78,633, placing it over budget by \$23,633. The project is broken down as:

- \$41,315 for a new-shingled roof. The front porch roof support has failed, resulting in approximately \$14,000 of additional costs.
- \$37,318 for exterior paint. The Woodward House has lead paint, resulting in approximately \$10,000 of additional costs.

Additional funds are needed to complete the project; a budget adjustment is necessary and has been prepared for Council consideration. The funds will come from Building Depreciation, so we will increase the Depreciation Transfer In revenue account (001-0000-391-30-30) and increase the Building Improvements expense account (001-5150-455-72-02) in the General Fund to pay this increase in costs.

For Council consideration is first reading of an ordinance to adjust the budget for the Woodward House roof and paint project.

Mayor Pro Tem Diggs asked for comments from the audience and Council.

Mayor Pro Tem Diggs called for a vote on the motion made by Councilman Girardeau, seconded by Councilman Woltz, that Council approve on first reading an ordinance to adjust the budget for the Woodward house roof and paint project. The motion was unanimously approved with a vote of four members. Councilwoman Price had left the Council Chambers.

BUDGET - ORDINANCE

Fiscal Year 2019-20

Interfund Loan

Roll Carts

Councilwoman Price returned to the Council Chambers.

Mayor Pro Tem Diggs stated an ordinance had been prepared for first reading to amend the budget for fiscal year 2019-20 and approve an interfund loan for the purchase of roll carts.

Mayor Pro Tem Diggs read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO AMEND THE BUDGET FOR FISCAL YEAR 2019-20 AND TO AUTHORIZE THE CITY TO LEND UP TO \$726,830 TO PROVIDE FINANCING TO FUND THE PURCHASE OF ROLL CARTS FOR GARBAGE AND RECYCLE COLLECTION.

Councilman Girardeau moved, seconded by Councilwoman Gregory, that Council approve on first reading an ordinance to amend the budget for fiscal year 2019-20 and approve an interfund loan for the purchase of roll carts.

Mr. Bedenbaugh stated the 2019-20 budget included the purchase of new garbage trucks. We have ordered three New Way Roto Pac garbage trucks for our Solid Waste Division and ultimately will eliminate the need for any "toters" or maintenance workers to be on the back of the trucks. We are confident we will gain in both safety and efficiency by moving to all automated trucks for solid waste. We also expect to be able to utilize as many as six maintenance workers in other needed roles. These employees will transition to become a litter crew and additional assistance for the Buildings and Grounds Division, which greatly needs additional manpower to properly maintain our historic parkways. In the short term these employees may also help with the transition to the automated trucks by going out ahead and ensuring carts are correctly placed. Most of the old rear loader trucks will be sold via GovDeals with proceeds going back into the Solid Waste Depreciation Account. We will keep four rear loader trucks in reserve as backups until the recycle trucks can be replaced in the FY 20-21 budget.

To make this change, we are requesting approval to accelerate our cart replacement. The cart replacement money we collect each month will allow us to pay back a proposed interfund loan and allow us to purchase the carts this year. While the automated trucks will function with the existing carts, it will be hard on the older models that are not made as well. The older carts will break down and become somewhat misshapen over time. Ideally we need to switch out these older models so that we can provide our citizens carts that function well and hold up to the automated trucks. Ultimately we believe accelerating the cart replacement is in the best interest of our customers and in the efficiency of our operation. The new solid waste rate of \$20.38 included funds for cart replacement of \$0.78 per bill per month. To supply all residents with a new roll cart, we will need to order:

Green roll carts	417 ~ 48 gallon size	
	7,923 ~ 96 gallon size	
Blue roll carts	278 ~ 48 gallon size	
	5,282 ~ 96 gallon size	
Total	13,900	\$784,830

Since we had not planned to purchase new carts for all of the remaining customers, the current budget only includes \$58,000 for roll carts, so a budget adjustment and interfund loan for \$726,830 will be necessary. With the funding source of the cart replacement fee of \$0.78, the loan would be paid back in 7 years. The carts have a guaranteed 12 year life. We recommend the interfund loan be at the LGIP interest rate with no additional interest added to keep the cost at a minimum. The loan could be repaid early if additional funds are available through future growth.

Mr. Bedenbaugh stated staff had done a lot of research on the automated trucks since Lex Kirkland became Interim Public Services Director. It is felt the automated system will benefit us. It will free up some of the staff as well. They will not have to ride on the back of the garbage trucks and ultimately they can work in our Grounds Division.

For Council approval is first reading of a budget adjustment and interfund loan agreement for cart replacements.

Mayor Pro Tem Diggs asked for comments from the audience and Council.

Councilman Woltz stated he felt this is great that we are going to an automated system, but he felt we also need to strengthen our Solid Waste Program as to what we pick up, what we don't pick up, and the amount that we pick up. He said Council needs to stand behind the department in doing that. He said we can't have someone calling and saying they didn't have the cart out and ask that we come back and pick it up. He said we need to put that in place when we roll out this program and stand behind it and give these people some backup. He said he had talked to one of the workers on a grapple truck the other day. He was working at 7:30 p.m. The worker said he was happy to be able to get a Saturday off as they are so far behind. The worker spent a long time filling his truck up more than one time at the same spot. He said we need to back them up and if the citizens put more out they need to be charged for it. He said it should be published in the paper for a period of time that we are going to do that. Even if we get calls from someone asking us to help them out this time, we have to say no and move forward.

Councilwoman Gregory stated Council had talked about that for the two years that she has been on Council and no decision had been made on that. She said she agrees with Councilman Woltz. We are only complicating the operation. We have a good operation, and if we can streamline those things it would be a lot more effective.

Mr. Bedenbaugh stated he thought the comments are music to staffs' ears. He said staff would be glad to bring to Council before the end of the calendar year, a recommendation on yard waste specifically as well as touch on some of the other issues that Council raised. It was suggested that new regulations start on January 1, 2020. Mr. Bedenbaugh stated staff will bring some recommendations that would meet the citizens' needs, but also help the operation run more efficiently. The more efficiently we run, the less often we need to come to Council for rate increases. When staff has to come to Council for a rate increase if the system is run efficiently the rate increase should not be as drastic as the last rate increase.

Mr. Bedenbaugh pointed out that today is Lex Kirkland's first day as Public Services Director.

Councilman Girardeau stated if we are behind now just think what it will be in a month to try to keep up with it.

Councilman Woltz noted that we will have to work out things such as getting the carts to the curb properly. Mr. Bedenbaugh stated that is a good point, and we are looking at options. Early in the process we will have some city staff that will be on the back of the truck for a couple of weeks to make sure everyone has an understanding of how the carts are supposed to be rolled out and where. He said he felt that once this is implemented, he felt the citizens would appreciate it.

Mayor Pro Tem Diggs called for a vote on the motion by Councilman Girardeau, seconded by Councilwoman Gregory, that Council approve on first reading an ordinance to amend the budget for fiscal year 2019-20 and approve an interfund loan for the purchase of roll carts. The motion was unanimously approved.

SALE OF PROPERTY – ORDINANCE

Prothro Rental Properties, LLC

Berkeley Street

Richland Avenue E

Park Avenue SE

TPN 121-11-02-002

Mayor Pro Tem Diggs stated an ordinance had been prepared for first reading authorizing the City of Aiken to convey real estate to Prothro Rental Properties, LLC.

Mayor Pro Tem Diggs read the title of the ordinance.

AN ORDINANCE APPROVING THE SALE OF PROPERTY BETWEEN PARK AVENUE AND RICHLAND AVENUE TO PROTHRO RENTAL PROPERTIES, LLC.

Councilman Girardeau moved, seconded by Councilwoman Price, that Council approve on first reading an ordinance to authorize the City of Aiken to convey real estate on Berkeley Street to Prothro Rental Properties, LLC.

Mr. Bedenbaugh stated approximately 40 years ago, the City abandoned the one block of Berkeley Street between Richland Avenue East and Park Avenue SE. Prothro Rental Properties LLC, which owns property on either side of this abandoned roadway approached the City to purchase this property. There are no city utilities within the right of way. The appraised value of this property is \$48,000 and after review by staff, we recommend selling the property to Prothro Rental Properties, LLC. This will place this property on the tax rolls. He pointed out that appraisal of abandoned right of way is a very specialized type appraisal. The property contains a little over two acres. Prothro owns property on either side of the right of way. Presently there is some sort of structure on the abandoned right of way owned by the city. He said that would need to be addressed if the property stays in the city's control.

For Council consideration is first reading of an ordinance authorizing the City of Aiken to convey abandoned right of way on Berkeley Street to Prothro Rental Properties LLC.

Mayor Pro Tem Diggs asked for comments from the audience and Council.

Councilwoman Price asked who is the spokesperson for this item. She said the document has a lot of parts that she does not understand. She said she was trying to figure out the connection of the city selling this land to other parcels in the area. She wondered what is planned for the property.

Ms. Mary Guynn, Attorney, 210 Colony Parkway, Aiken, SC 29803, stated the adjacent pieces of property beside the right of way have been in the Prothro family for a very long time. For simplicity's sake they formed the LLC so they did not have to get a lot of signatures of a lot of family members. The property which they wish to purchase has been a platted road right of way. If Council approves the request and the family purchases this property, they still could not develop the property at that point. Under South Carolina law if a road has been platted, it can only be used for road purposes unless you go through the formal abandonment process. She pointed out a case in Windsor with the corn farmers that went on for years and went all the way to the Appellate Court. She

said there is no surety that they could ever develop the property. They are interested in exploring the options. The appraisal does reflect the limited use. It was a very expensive appraisal and very hard to find an appraiser that would qualify to appraise road right of way. The family does want to acquire the property. There is a building in the middle of the property now which has been taxed to the Prothro for a number of years. She noted that Carl McMillan could probably speak more to what they would intend to do if they were able to acquire the property and abandon the right of way.

Mr. Carl McMillan, 132 Dupree Place, Aiken, SC, stated he represents the Prothro family. It is their intent to sell the property as a city block as that is what it would be with acquiring the right of way. One section that is closest to the Livery Barn has limited value or use because of the way it is shaped. He noted that they still have to purchase the property and go through the abandonment process which is a six month process. The long term goal would be to market this city block. It is the gateway to Aiken. It is outside the Opportunity Zone. It is felt it would be a great development opportunity in whole. What the final product would be, they don't know at this point. He pointed out that the property has been owned by the Prothro family for many, many years. They own two other properties that are within the Opportunity Zone that will be for sale as well. It is felt this property is a clean slate to work with, and it does have some potential for the family as well as the community.

Councilwoman Price noted Mr. McMillan had stated the property is the gateway into the city on the east side of town. She stated that is why she had questions wondering what this will be as a gateway on the east to our city.

Mr. McMillan stated at this point they don't know what it will be. They do feel that the only opportunity to make any sort of impact with the property is to combine the parcels into one parcel.

Mayor Pro Tem Diggs called for a vote on the motion by Councilman Girardeau, seconded by Councilwoman Price, that Council approve on first reading an ordinance authorizing the City of Aiken to convey real estate on Berkeley Street to Prothro Properties, LLC. The motion was unanimously approved.

SALE OF PROPERTY – ORDINANCE

Coinbow Associates, Inc.
Old Airport Road
Citizens Park
TPN 137-17-03-001 PO

Mayor Pro Tem Diggs stated an ordinance had been prepared for first reading to authorize the City of Aiken to convey real estate on Old Airport Road to Coinbow Associates, Inc.

Mayor Pro Tem Diggs read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO CONVEY REAL PROPERTY TO COINBOW ASSOCIATES, INC.

Councilman Woltz moved, seconded by Councilman Girardeau, that Council approve on first reading an ordinance to authorize the City of Aiken to convey real estate on Old Airport Road to Coinbow Associates, Inc.

Mr. Bedenbaugh stated recently we were approached by representatives of Coinbow Associates, who are purchasing approximately 50 acres of property at the curve on Old Airport Road across from Citizens Park. It was discovered that the City owns a strip of property approximately 0.38 acre on the opposite side of Old Airport Road across from Citizens Park. This small piece was separated from Citizens Park many years ago when the footprint of Old Airport Road was relocated by SCDOT. We now have three pieces of property that potentially could be in the interest of adjacent property owners.

As part of Coinbow's purchase, they initially inquired about an easement to access their property from us, but after discussion with staff and the City Attorney, we believe it is best to convey the property to the buyer for \$1,000. We believe this is a fair price, as the property is too small to place any structures and will allow Coinbow direct access to Old Airport Road, place this piece of property on the tax rolls and eliminate our need to maintain this parcel.

For Council consideration is first reading and public hearing of an ordinance authorizing the City of Aiken to convey real estate on Old Airport Road to Coinbow Associates Inc.

Mayor Pro Tem Diggs asked for comments from the audience and Council.

Mary Guynn, 210 Colony Parkway, stated the proposal is for Coinbow to purchase the entire .38 acre sliver of property. She said she had reached out to the other landowners who have a portion of the property in front of their property, including Todd Gaul and Mike Caldwell of Designer Lots. She pointed out that her client is under contract to purchase the foreclosed property. The bank is pressing hard on them to get the sale closed. She stated they had to get an extension to be able to bring the matter to City Council for action. She pointed out that in the interest of time they would be acquiring the entire .38 acre sliver and then they would go to the neighbors to see if they would like to acquire the extra portion. She pointed out that the property is not platted on the aerial maps. The 15 acres that her client is purchasing is in the county. It would be their preference that this also be in the county so they don't have one tiny piece in the city and the rest in the county. They may seek to annex to the city at some point in the future when they know their plans for the property.

Mr. Bedenbaugh pointed out that if the developer asks for city services, since they are contiguous to the city, in order to receive city services they will need to annex to the city.

Mr. Gary Smith stated it is Council's preference to have an appraisal anytime the city sells property, but he felt there is really nothing else the city could do with this property.

Mayor Pro Tem Diggs called for a vote on the motion by Councilman Woltz, seconded by Councilman Girardeau, that Council approve on first reading an ordinance to authorize the City of Aiken to convey real estate on Old Airport Road to Coinbow Associates, Inc. The motion was unanimously approved.

RESOLUTION 10142019H

Deed of Dedication

Dupont Landing

Streets

Curbs and Gutters

Aiken High School

TPN 120-14-15-009

Mayor Pro Tem Diggs stated a resolution had been prepared for Council consideration to accept a Deed of Dedication for streets, curbs, and gutters in Dupont Landing.

Mayor Pro Tem Diggs read the title of the resolution.

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DEED OF DEDICATION FOR STREETS, CURBS AND GUTTERS IN DUPONT LANDING FROM DUPONT LANDING, LLC.

Councilwoman Price moved, seconded by Councilman Girardeau, that Council approve the resolution accepting the Deed of Dedication for streets, curbs, and gutters in Dupont Landing.

Mr. Bedenbaugh stated Dupont Landing, LLC by The Bennett Group, LLC, Managing Member, the developer of Dupont Landing located off of Dupont Drive behind Aiken High School has requested that the City accept a deed of dedication that includes the streets and roads and curbs and gutters in Dupont Landing. The streets included in the

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deed of dedication are Bennett Avenue, Benedict Street, Claflin Drive and Voorhees Street.

City Engineering staff has reviewed the roads, streets and curbs and gutters in Dupont Landing and is recommending that the City accept this deed of dedication.

For Council consideration is approval of a resolution accepting the deed of dedication for the streets and curbs and gutters in Dupont Landing.

Mayor Pro Tem Diggs asked for comments from the audience and Council.

Mayor Pro Tem Diggs called for a vote on the motion by Councilwoman Price, seconded by Councilman Girardeau, that Council approve the deed of dedication for streets, curbs, and gutters in Dupont Landing. The motion was unanimously approved.

RESOLUTION 10142019I

Deed of Dedication
Fox Haven Section 3
Metro Homesites, LLC
TPN 138-06-04-002

Mayor Pro Tem Diggs stated a resolution had been prepared for Council consideration to accept a Deed of Dedication for streets and utility lines and related infrastructure in Fox Haven Section 3.

Mayor Pro Tem Diggs read the title of the resolution.

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DEED OF DEDICATION FOR STREETS AND UTILITIES IN FOX HAVEN, SECTION THREE FROM METRO HOMESITES, LLC.

Councilman Girardeau moved, seconded by Councilman Woltz, that Council approve the resolution accepting the Deed of Dedication for streets and utility lines and related infrastructure in Fox Haven Section 3.

Mr. Bedenbaugh stated Metro Homesites, LLC is the developer of Fox Haven Section 3. They are requesting that the City accept a deed of dedication that includes streets, sanitary sewer and storm sewer lines, and related infrastructure and appurtenances in the development known as Fox Haven, Section 3, located adjacent to Deodar Plantation off of East Pine Log Road.

Our Engineering staff has reviewed this request and is recommending that the City accept this deed of dedication.

For Council consideration is approval of a resolution accepting the deed of dedication for the streets, sanitary sewer, storm sewer lines, and related infrastructure and appurtenances in Fox Haven, Section 3.

Mayor Pro Tem Diggs asked for comments from the audience and Council.

Mayor Pro Tem Diggs called for a vote on the motion by Councilman Girardeau, seconded by Councilman Woltz, that Council approve the deed of dedication for streets and utility lines and related infrastructure in Fox Haven Section 3. The motion was unanimously approved.

EXECUTIVE SESSION

Mayor Pro Tem Diggs stated Council needs to go back into executive session to complete discussion of items.

City Council needs to go back into Executive Session pursuant to Section 30-4-70(a)(2) to discuss negotiations incident to proposed contractual arrangements and proposed sale

of real property. Specifically, City Council will discuss a possible contractual arrangement with the Aiken Steeplechase Association and the proposed sale of real estate owned by the City of Aiken.

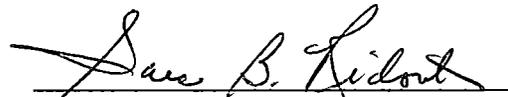
Councilwoman Price moved, seconded by Councilman Girardeau, that Council go back into executive session to continue discussions. The motion was unanimously approved.

Council went into executive session at 8:50 p.m.

After discussion, Councilman Woltz moved, seconded by Councilwoman Price that Council come out of executive session. Council came out of executive session at 9:43 p.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:45 p.m.


Sara B. Ridout
City Clerk