

Aiken City Council MinutesEXECUTIVE SESSION

June 12, 2017

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

Others Present: John Klimm, Stuart Bedenbaugh, Gary Smith, Tim O'Briant, John McMichael, Michelle Jones, John Poole, and Sara Ridout.

CALL TO ORDER

Mayor Osbon called the meeting to order at 6:02 P.M. He announced that City Council needs to go into Executive Session pursuant to Section 30-4-70(a)(2) to discuss negotiations incident to a proposed contractual arrangement and proposed sale or purchase of property and to receive legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim. Specifically, City Council will discuss a proposed contractual arrangement with the owners of real estate regarding the possible purchase of land in Aiken County.

Councilman Dewar moved, seconded by Councilwoman Diggs, that Council go into executive session to discuss matters regarding the possible purchase of land in Aiken County. The motion was unanimously approved.

Council went into executive session at 6:03 P.M.

After discussion Council returned to the Council Chambers at 6:49 P.M. Councilwoman Diggs moved, seconded by Councilman Merry that Council come out of Executive Session.

Council came out of Executive Session at 6:50 P.M.

Aiken City Council MinutesREGULAR MEETING

June 12, 2017

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

Others Present: John Klimm, Stuart Bedenbaugh, Gary Smith, Charles Barranco, Jessica Campbell, Kim Abney, Michelle Jones, John McMichael, Nola Grant, Ryan Bland, Tim O'Briant, Michael Smith of the Aiken Standard, and about 100 citizens.

CALL TO ORDER

Mayor Osbon called the regular meeting to order at 7:03 P.M. Mr. John McMichael, Business Vitality Manager, led in prayer. The pledge of allegiance to the flag was led by Chief Charles Barranco.

### PRESENTATION

Joan LaCombe  
City of Aiken Poet Laureate  
Poem  
Flag Day

Mayor Osbon stated the city's poet laureate, Joan Lacombe, had written a poem about Flag Day. He noted that Flag Day is June 14, 2017. Ms. LaCombe read the poem.

### GUIDELINES

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

### ADDITIONS OR DELETIONS TO AGENDA

Mayor Osbon recognized Mayor Pro Tem Ebner for any additions or deletions to the agenda. Mayor Pro Tem Ebner asked if any Councilmembers had any additions or deletions to the agenda. Councilman Ebner noted that the presentation by Ms. Joan Lacombe was moved up on the agenda. Councilman Ebner moved that the agenda be approved as revised. The motion was seconded by Councilwoman Diggs and unanimously approved.

### MINUTES

The minutes of the Work Session and Regular meeting of May 8, 2017, the Special Meeting of May 17, 2017, and the Work Session of May 30, 2017, were considered for approval. Councilwoman Price moved, seconded by Councilman Merry, that the minutes of the meetings on May 8, May 17, and May 30, 2017, be approved. The motion was unanimously approved.

### PROCLAMATION

Homeownership Month  
June, 2017

Mayor Osbon stated a proclamation had been prepared for Council's consideration proclaiming June, 2017 as Homeownership Month. Councilman Merry read the proclamation.

Mayor Osbon and Councilman Merry presented the proclamation to President Wilber Lane and Association Executive Kristyne Shelton of the Aiken Board of Realtors.

### RECOGNITION

Public Safety

Mayor Osbon stated that recently the Public Safety Department held its Annual Awards Meeting and recognized several officers for their service to the community. He said City Council would also like to recognize those officers.

Mayor Osbon and Mr. Klimm, City Manager, recognized the award recipients.

Chief Barranco noted the following awards:

Life Saving Award – Awarded to individuals who saved the life of another human being. Receiving the award were: PSO Travis Rice, Sgt. Daymon Spann, PSO Chase Breeden, and PSO Aaron Hunkins.

Medal of Merit – Considered the third highest award an individual in the Department can receive for an act of heroism. Those receiving the award were: PSO Chase Breeden, Lt. Craig Burgess, Sgt. Mike Grabowski, PSO Takima Butler, PSO Marcus Lawrence, and Sgt. Bryan Griswold.

NOVA Award – Recognizes an outstanding new non-sworn employee who has demonstrated a positive attitude and performed with dedication to the Department's mission. Receiving the award was: Driver/Operator Cecil Scott.

Rookie of the Year – Recognizes an outstanding new sworn employee who has demonstrated a positive attitude and performed with dedication to the Department's mission. Receiving the award was: PSO 1<sup>st</sup> Class Alan Willing.

Officer of the Year – Recognizes a sworn officer who has demonstrated exceptional achievement and/or exceeded the duty requirements expected of the position throughout the past year. Receiving the award was: Sgt. Bryan Griswold.

Mayor Osbon thanked all of the officers for their work every day in serving the citizens of Aiken.

### PRESENTATION

#### Public Safety Building Beaufort Street

Mayor Osbon stated the next presentations are recommendations relative to the future of the Public Safety Building.

Mr. Klimm, City Manager, stated the city received a consultant report last year that documented the unsatisfactory present condition of our Department of Public Safety Headquarters building and recommended that we consider demolishing and rebuilding the Headquarters at the present site. While the recommendation that was made was justified, it cost between \$14 and \$18 million and with inflation it was felt it was prohibitive. Due to the high cost it was felt that this option could only be realized if we waited a minimum of three to five years for a funding source capable of carrying the borrowing cost of the project. Because of that reason we researched other alternatives focusing on the possibility of using an existing building within the city. After an extensive evaluation of existing properties in the city capable of meeting our present and future Public Safety needs which is a minimum of 45,000 sq. ft., we concluded that the site at 834 Beaufort Street NE which was formerly occupied by Food Lion offers the best opportunity to meet the need of the Department of Public Safety. Staff recommends purchasing this property after it is rehabilitated and will present to Council our rationale for this recommendation.

Mr. Klimm stated staff will present to Council their contention that our present Department of Public Safety Headquarters is inadequate to meet our present needs, that it cannot meet future needs, and that we need to resolve the many outstanding building related issues that have impacted our employees. He stated they would also review the results of the initial space needs study completed last year. Mr. Klimm stated he would argue that the study which led to a recommendation to demolish and rebuild the Department of Public Safety building at the present site on Laurens Street was both too narrowly focused in scope and also financially unrealistic, potentially costing the taxpayers millions of dollars more than the alternative approach. Mr. Klimm stated we contend that the alternative approach on Beaufort Street is the best option that utilizes an existing building of the right size within the City of Aiken and is within an area of the highest incidents of crime. This is without jeopardizing our Insurance Services Organization (ISO) rating. It is felt we would achieve substantial cost savings with this alternative plan. He noted that the substantially larger new site would be advantageous for our city operations. He said that is why we are advocating the alternative plan. He said we would argue that we can finance this option without increasing the tax millage rate, and that we will be able to complete the project much earlier than the original plan. He said we would argue that the Beaufort Street site would best meet our present and future departmental and community needs. He said he would argue that the comprehensive Public Safety strategy which was born out of our departmental operational audit addresses the three most important issues facing Public Safety. Those are Public Safety management and crime, employee compensation and retention, and work place adequacy for our employees. The overall three prong Public Safety strategy combines an operational management change to data base management. Secondly, we

address the issue of employee compensation and turnover with the adoption of a long term compensation plan, funding of which is included in next year's budget. Thirdly, we address the issue of adequacy of office space and working conditions that our employees have commented and complained about and offer an alternative that they need and deserve with a newly rehabilitated 46,000 sq. ft. building. In doing so we are directly addressing the concerns that employees have repeatedly mentioned over the past few years, but we are doing so in a financially responsible and responsive way.

Mr. Klimm stated a panel is prepared to present the project to Council in detail. Chief Barranco will act at the moderator of the panel. He will present an initial review of existing building conditions with the assistance of Investigator Dobbs and Driver/Operator Miller. Next we will have a brief review of our consultant's Space Needs Study that was done last year and its recommendations by CPST Manager Joy Gillespie. Then we will hear from Jason Long of Southeastern Development who has site control over the Beaufort Street property representing the developer, and Mr. Mark Chostner hired by the City as an owner's representative for the project. Mr. Chostner is an expert in development estimating, development scheduling, cost control and accounting. Mr. Klimm pointed out that Attorney Gary Pope will discuss the project financing.

Chief Barranco reviewed where we are today and where we would like to move forward. He showed pictures of the elevation of the current facility 40 years ago. He reviewed some of the challenges of the present building which was built in 1975 on 1.33 acres. The current space is about 22,000 sq.ft. which includes the addition made in 1994. He reviewed some of the issues in the current building over the last several years. He pointed out cracks were found in the foundation around the fire bay and a firm was hired to reinforce the foundation. A major sewer issue occurred and the Public Works Department had to come in and rebuild the line. For the last few years there have been major heating and air issues, with costs over \$100,000 over the last two years. We are at capacity with handling the amount of electricity coming into the building and are overcrowded. He showed pictures of various rooms in the Public Safety Building and the crowded conditions.

Investigator Celeina Dobbs and Driver/Operator Charles Miller reviewed some of the current issues with the Public Safety Building. Investigator Dobbs stated she began her career at Public Safety in 2001 as a Public Safety Cadet. She pointed out because of limited space the female Cadets have to share the same bunk room and sleeping quarters as the males as well as a single bathroom. Mr. Miller stated he started work with the city in 1972 as a Driver/Operator where he worked 24 hours on/24 hours off at the building on Park Avenue. He pointed out the limited facilities to shower after a fire. He noted when Public Safety moved to the new facility on Laurens Street in the 1970's the new facilities were great, but staff has outgrown the facility now some 40 years later. He noted they are now down to one shower at this building.

Chief Barranco pointed out that when Municipal Resources Inc. came in to audit the Public Safety operations, both police and fire, one of the first comments made by the evaluators was that the department was out of space. That was in December, 2015 and then discussions started about what to do to move forward for added space for the Public Safety operations. Out of that came a recommendation that Joy Gillespie, Capital Projects Sales Tax Manager, will review. Ms. Gillespie noted that in March, 2016, RFPs were developed for the Public Safety feasibility study. Hussey Gay Bell was hired to develop the final report and presented it to Council in October, 2016. Based on that report there were three options presented with one recommendation. The recommendation was for a new building which would require demolition of the existing building and build a new building of approximately 46,000 sq. ft. Based on the Space Needs Analysis the current facility is about 22,000 sq. ft. and in talking with the various divisions of Public Safety they developed a 40,000 sq.ft. space needs analysis. The recommendation for the facility was approximately \$14 million. The facility would have been a three-story facility, and we would have had to purchase property adjacent to the current headquarters station which would have been an additional cost. Based on the cost of the proposed facility and no current funding, we were just waiting on the next step by Council as to what to do. It was anticipated another 5 years before we would have funding for the building and with

construction escalation the cost would put the new facility out of reach. Ms. Gillespie noted there was an additional report that was done with the Space Needs and Feasibility Study. Basically it recommended that even if one of the options was to try to keep a portion of the present facility, it would still have to basically be gutted for renovation. The present facility is out of electrical capacity, the lighting is insufficient, some of the mechanical systems which had recently been replaced could possibly be adapted for a portion of the present facility. However, the plumbing as well as any fire protection would all need to be replaced.

Mr. Jason Long, of Southeastern Development, stated he had toured the present Public Safety facilities and had seen their needs first hand. He reviewed how his company had arrived at the location on Beaufort Street as the proposed location for a new Public Safety Headquarters Station. He stated a consideration was location which would not impact the ISO rating for the City of Aiken. Other considerations were good access to the by-pass and good access in and out of the property for Public Safety vehicles. They looked at taking an old property and making it a useful property. Another attribute of the Beaufort Street property is the size of the building which would almost double the size of the Laurens Street building with the existing foot print and with a proposed addition for fire bays would double the size of the Laurens Street building. The size of the building on Beaufort Street is almost 40,000 sq.ft. located on almost 11 acres as opposed to the 1.3 acres on Laurens Street. They looked for property that did not have any major red flags or major flaws they could see in their initial look. He noted the reason for looking at existing buildings as opposed to building a new building is the value of the replacement cost. He said you have to acquire land, go through engineering and an architect, etc. to get plans to build, site work, install utilities, pave parking lot, and the vertical cost. He said with the structure that is on the Beaufort Street property, we would be starting out further ahead than if we were building from ground up. Another value to the Beaufort Street property versus using the existing location, is there would be one move. If the current facility were to be leveled and a new building constructed on the existing property, there would be multiple moves of personnel. He said he had looked at a lot of properties, and he had not seen one that was set up ready for Public Safety to move in. Mr. Long stated his company had put this property under contract in order to arrive at some budget figures for the proposed Public Safety building. He pointed out that staff had toured an existing property that his company had repurposed in Augusta, Georgia, in an old shopping center on Walton Way Extension to see if this was what the city was looking for. He said a space planner had been employed to look at the attributes needed for the Public Safety Department to see if they could fit into the Beaufort Street property. He said they had been through several iterations of the space plan. He noted the plan is to add four new fire bays to the side of the building which gets the total square footage just over 44,000 sq.ft. From the plans produced, a budget has been prepared for the building which is based on experience his company has in redeveloping and repurposing property. He reviewed the costs for the various items. He said his company has the property on Beaufort Street under contract for \$600,000 through negotiation with the owner. There is \$1.2 million in the budget for soft costs which includes architectural, financing costs, engineering, etc. Site work cost including the parking lot, site work for the new fire bays is around \$844,000. The cost to renovate the existing building is about \$6.1 million. This is improving and turning the existing building into new office space, based on the plan they had produced with a new HVAC, new roof, as well as the new 4 bay fire building on the side of the building. It is felt that through repurposing an old building there is a win-win and we are providing a new facility with more room for Public Safety which is under the initial budget for a new building on Laurens Street.

Mr. Mark Chostner, representative for the city for the project, stated Mr. Long had reviewed the budget and purchase of the facility. He said once the city purchased the property as a turn key package at \$8.8 million, there would be some city direct purchase items which are typical of a large capital project which is the fiber cabling, etc. for IT as well as some small things such as signage and moving costs. That would amount to about \$1.2 million. There would be some costs with the old building such as moving the generator, taking some systems down, etc. There is about a 4.5% contingency for the project. With those costs that would bring the project cost to about \$10,546,000. He said in working with Southeastern Development and city staff, it is felt that the project would

be about a 22 month project, including construction, design, move in, and setting the dedication. He said April, 2019, is the target date for the project.

Mr. Gary Pope, Attorney for financing, stated the South Carolina Constitution imposes some limits on what cities can do to go about financing projects. For a project like the Public Safety Building, an essential government service project which does not necessarily produce revenue, the options would be take out a General Obligation Bond or to enter into an Installment Purchase Contract to purchase over time. He said the city's financial team, First Tryon Financial Advisors, and his firm were asked to come up with solutions for the city's overall capital budget that do not impose additional limits on the city's resources and can be done within the existing city's resources. From looking at the various options and in discussions with the city's financial advisor, the recommended path for the city is Installment Purchase Contract, whereby the city would purchase the building over a period of time at the determination of the city as to 10, 15 or 20 years. Financing costs would be included within the purchase contract. This is a proven structure which has been used in many cities for an essential government facility such as public safety. It works very well and you have the benefit of retaining bonding capacity to do other projects on the capital plan.

Mr. Klimm reminded Council that there would be a work session on Thursday, June 15, 2017, at 4 p.m. to discuss in detail the issues surrounding the financing for the public safety building. He asked Attorney Pope to briefly discuss the issue of procurement.

Mr. Pope noted that the city's procurement code provides for a variety of conditions and terms that relate to the purchase of goods and services and other items that a public entity such as the city is required to have by state law. The purchase of real estate is considered to be a very specific item that is not contemplated under the city's current procurement code and is not necessarily common in any procurement code in most public entities in South Carolina. The very specific nature of a real estate transaction lends itself to a purchase arrangement whereby the city would want to purchase by ordinance in order to purchase it with the full effect of a local law and to take into account that it is a serious and significant undertaking to purchase real estate when you are a governmental entity.

Mayor Osbon asked if Council had any questions.

Councilman Merry asked Mr. Chostner if the proposed budget and arrangement with the developer included the costs for fiber optics, moving generator, etc. Mr. Chostner stated Southeastern's budget did not include the items that he had mentioned. Southeastern's total purchase would be the \$8,817,000 which includes the land, site work and upfit of the building. Councilman Merry pointed out that a 4.5% contingency figure had been used. He wondered if that would be sufficient. Mr. Chostner stated he was comfortable with the 4.5% contingency after looking at the numbers and what he knows right now.

Councilwoman Diggs asked the anticipated cost for furnishing the Public Safety Building. Mr. Chostner stated FF&E is around \$350,000 which includes furniture, fixtures, and equipment. Furniture including desks and chairs is about \$250,000. He noted that if there is some furniture in the current headquarters that can be used, it will be taken to the new building. Furniture will not all be new.

Councilman Ebner pointed out regarding procurement, that he would like the letter from Keith Powell to be included in the minutes. He asked Mr. Gary Smith, City Attorney, if he had reviewed the proposal for the Public Safety Building, to which Mr. Smith stated that he had. He said he had helped Keith Powell draft the document along with Gary Pope and all three had reviewed it.

June 12, 2017

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23 May 2017

Attorney-Client Communication

TO: John Klimm, Aiken City Manager

Each parcel of real property is considered by the law to be "unique" in that no two parcels are alike. In the State Procurement code, "Real property" means "any land, all things growing on or attached thereto, and all improvements made thereto including buildings and structures located thereon." Real property is excluded from the State procurement code. Likewise, the Aiken City Procurement Code applies to "the purchase of supplies, materials, and equipment and contractual services," and does not include real property.

SC State laws provide that, "Any municipality desiring to become the owner of any land ...for any authorized corporate or public purpose ... within and without the corporate limits in the county in which it is situated and in any adjoining county or counties," and that "[a]ny municipality of this State may purchase or construct ... armories, fire stations and fire fighting vehicles ... or other public buildings or structures and in furtherance thereof may purchase or construct any necessary part of any such system, either within or without the limits of such county or the corporate limits of such city or incorporated town."

Although the transaction described does involve "upfitting" the real property to suit the City, the gravamen of the arrangement is a real property transaction and not primarily a procurement of supplies, materials, and equipment and contractual services." The unfettered judgment of City officials, and ultimately the Council, as to suitability of the acquisition of a unique land location, being done to meet core City police and fire needs, supports a finding that the transaction does not lend itself to a standard competitive arrangement under the procurement code. Nonetheless, the transaction would be more "protected" from criticism as an "end-around" the procurement code if the Council would approve the transaction as an *ordinance* in the Council's legislative authority, rather than as a "resolution." An ordinance drives home the political uniqueness of the contract and indirectly implicates the governing body's power to directly act to approve contracts for the City as a legislative function rather than as an administrative procurement function.

Should the City desire to proceed under the procurement code nonetheless, this appears to be a situation where a "sole source" procurement would be appropriate - again, given the uniqueness of the transaction. I do not think this is necessary for a real property transaction, but you will find the criteria in that section of your code will typically be satisfied by most real property acquisitions.

In addition, it sounds like other procurements may be used at a later date to acquire more specific types of personal property and equipment for the facility.

C Assistant City Manager; City Attorney; City Bond Counsel

Councilwoman Price noted that Mr. Long had mentioned that 2,500 sq.ft. had been eliminated from the building. She pointed out that 44,000 sq.ft. had been mentioned. She wondered if the building was more than that, and it was reduced to 44,000 sq.ft. Mr. Long stated that 2,500 sq.ft. was removed from the building which was the right hand bay. It was an effort to make the space as most efficient as possible and eliminate some cost too.

Councilwoman Price stated she had heard that the city was going to use the current Public Safety Headquarters building as part of the financing of the building on Beaufort Street when we sell the Laurens Street building. Mr. Klimm stated that had not been discussed and that was not contemplated.

BOARDS AND COMMISSIONSAppointmentsDr. Elise FoxEnergy and Environmental Committee

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

Mr. Klimm stated Council has 11 pending appointments to fill vacancies on different City boards, commissions, and committees. One appointment is presented for Council's consideration and vote at the meeting tonight.

Councilman Dewar has recommended the appointment of Dr. Elise Fox to the Energy and Environmental Committee to replace Melanie Rattanachane who is moving out of town and has resigned from the committee. If appointed Dr. Fox would be filling the unexpired term of Melanie Rattanachane and the term would expire December 31, 2017. If Council desires Dr. Fox could be appointed to fill the unexpired term and a two year term so this appointment would not have to be considered again before December, 2017. If appointed for the unexpired term and the two year term, Dr. Fox's term would expire December 31, 2019.

For Council consideration is the appointment of Dr. Elise Fox to the Energy and Environmental Committee to fill the unexpired term and a full two year term with the term to expire December 31, 2019.

Councilman Dewar moved, seconded by Councilman Merry, that Council appoint Dr. Elise Fox to the Energy and Environmental Committee to fill the unexpired term and a full two year term with the term to expire December 31, 2019. The motion was unanimously approved.

Mayor Osbon asked if there were any nominations for committees for consideration at the next meeting.

Councilman Merry stated he would like to nominate Pat Andringa to the Arts Commission to fill the position of Linda Purdy who has resigned. He would also like to nominate Bob Brookshire to the Energy and Environmental Committee to fill the position of Andrew Hallen who has resigned.

Mayor Osbon stated he would like to nominate Hank Moormann to continue on the Building Code Appeals Committee, reappoint Doris Begley to the Arts Commission, and reappoint McDonald Law to the Design Review Board.

CITY CODE – ORDINANCEElectronic CigarettesSmoking RegulationsVapor Cigarettes

Mayor Osbon stated this was the time advertised for second reading and public hearing on an ordinance to amend the City Code regarding electronic cigarettes in the smoking regulations.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE AMENDING SECTION 22-65 OF THE AIKEN CITY CODE TO REMOVE ELECTRONIC CIGARETTES FROM THE SMOKING REGULATIONS.

Councilman Merry moved, seconded by Councilman Homoki, that Council approve on second reading an ordinance to amend the smoking regulations to remove electronic cigarettes from the smoking regulations in enclosed public places.

Mr. Klimm stated at the April 24, 2017, Council meeting, Council approved on second reading an ordinance amending the smoking regulations restricting the use of electronic cigarettes in all enclosed public places in the city. We have received a request that Council reconsider this ordinance which bans the use of electronic cigarettes in all enclosed public places in the city.



The ordinance passed on April 24, 2017, included e-cigarettes on the list of smoking products which are prohibited from use in enclosed public places. The proposed ordinance before Council would remove e-cigarettes from this list of prohibited smoking products. By passing this ordinance use of e-cigarettes would be allowed in enclosed public places.

City Council approved this ordinance on first reading at the May 8, 2017, meeting. For City Council consideration is second reading and public hearing of an ordinance to amend the smoking regulations to remove electronic cigarettes from the smoking regulations in enclosed public places.

Mayor Osbon asked for comments from the audience and Council.

Councilman Ebner pointed out that the ordinance specifically says lighted tobacco or burning tobacco. He pointed out that boiling tobacco is okay and boiling nicotine is still okay. He noted that is what vaping is. The next wave of vaping is the boiling of it. He pointed out that independent businesses can limit this as they can put a sign up and say no vaping inside. He pointed out that several businesses already have signs up indicating no vaping in their building.

Mayor Osbon pointed out that one of the main points when considering this is that Council was under the impression that the ordinance was banning vaping in the city parkways, but that prohibition has already gone into effect for city parks, Citizens Field and those areas. He pointed out that each individual business has the option to choose whether or not to allow vaping in their business.

A representative from the vaping business was not present at this meeting.

Councilman Dewar pointed out that vaping is still putting nicotine in the air and that seems inconsistent with prohibiting smoking in enclosed places. He noted that he would not want to be sitting next to someone vaping.

Mayor Osbon called for a vote on the motion by Councilman Merry, seconded by Councilman Homoki, that Council approve on second reading an ordinance to amend the smoking regulations to remove electronic cigarettes from the smoking regulations in enclosed public places. Those in favor of the motion were Councilmen Merry, Homoki, and Osbon. Opposed were Councilmembers Price, Dewar, Diggs, and Ebner. Mayor Osbon changed his vote to the prevailing side so he could bring the matter up for reconsideration. The vote was 2 in favor and 5 opposed to the motion. The motion failed.

#### CROSLAND PARK – ORDINANCE 06122017

Second Baptist Community Development Corporation  
1406 Wyman Street  
1269 Alfred Street  
660 Sommer Street  
679 Sommer Street

Mayor Osbon stated this was the time advertised for second reading and public hearing on an ordinance to transfer four unimproved lots to Second Baptist Community Development Corporation.

Mayor Osbon read the title of the ordinance.

#### AN ORDINANCE APPROVING THE SALE OF FOUR PROPERTIES IN CROSLAND PARK TO SECOND BAPTIST COMMUNITY DEVELOPMENT CORPORATION.

Councilwoman Diggs moved, seconded by Councilwoman Price, that Council approve on second reading an ordinance to transfer four unimproved lots to Second Baptist Community Development Corporation.

Mr. Klimm stated after recent discussions regarding housing in Aiken, Second Baptist Community Development Corporation (CDC) has expressed an interest in acquiring four city-owned properties in Crosland Park that are presently vacant lots. The properties are 1406 Wyman Street, 1269 Alfred Street, 660 Sommer Street and 679 Sommer Street.

Staff is recommending that the City transfer these properties to Second Baptist CDC for \$1.00 per property. Second Baptist has been a long time partner of the City in the Northside Revitalization and has a proven track record with other housing partners. Their success can be seen in the Dupont Landing project. Second Baptist CDC has made workforce housing more accessible in Aiken through their partnerships with Nehemiah CRC and the Bennett Group.

Currently the City of Aiken and Second Baptist CDC have partnered for the Neighborhood Initiative Program (NIP) in Crosland Park and the 400 and 500 blocks of Abbeville Avenue with an agreement with Second Baptist CDC and Nehemiah CRC to develop the Abbeville area into workforce housing.

City Council approved this ordinance on first reading at the May 8, 2017, meeting. For City Council consideration is second reading and public hearing of an ordinance to transfer four unimproved lots in Crosland Park to the Second Baptist Community Development Corporation.

Mayor Osbon asked for comments from the audience and Council.

Councilman Ebner pointed out that the other lots in Crosland Park that are community lots will be transferred to the general account as they are for the Safe Routes to School, the POA, etc.

Councilmember Price pointed out that it is to the city's advantage to have this partnership with Second Baptist and the Nehemiah project. She noted that she gave some visitors a tour of Dupont Landing recently, and they were surprised to see what we have done with the partnership. She pointed out that every property in Dupont Landing was immaculately manicured.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilwoman Price, that Council approve on second reading an ordinance to transfer four unimproved lots to Second Baptist Community Development Corporation. The motion was unanimously approved.

#### TAX MILLAGE RATE – ORDINANCE 06122017A

62 Mills

Budget

FY 2017-18

Mayor Osbon stated this was the time advertised for second reading and public hearing on an ordinance to set the tax millage rate for fiscal year 2017-18.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY CITY PURPOSES IN THE CITY OF AIKEN FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, SET THE MILLAGE AT SIXTY-TWO (62) MILLS AND TO PROVIDE FOR THE EXPENDITURES THEREOF.

Councilman Ebner moved, seconded by Councilman Merry, that Council approve on second reading an ordinance to set the tax millage rate at 62 mills for fiscal year 2017-18.

Mr. Klimm stated each year as Council adopts a budget for the City of Aiken for the next fiscal year, Council sets a millage rate by a separate ordinance. Staff has discussed and reviewed with Council at several meetings the proposed revenue and expenditures for the FY 2017-18 budget. It is being recommended that the millage rate remain at 62 mills. The City's millage rate has been at 62 mills since 2012. The last increase in the millage rate was in 1989 when it was set at 120 mills. The millage rate has been lowered several times since 1989 from 120 mills to 62 mills.

City Council approved this ordinance on first reading at the May 17, 2017, Special Meeting. For Council consideration, is second reading and public hearing of an ordinance to set the FY 2017-18 millage rate at 62 mills.

Mayor Osbon asked for comments from the audience and Council.

Mayor Osbon called for a vote on the motion by Councilman Ebner, seconded by Councilman Merry, that Council approve on second reading an ordinance to set the tax millage rate at 62 mills for fiscal year 2017-18. The motion was unanimously approved.

BUDGET – ORDINANCE 06122017B

FY 2017-18

Mayor Osbon stated this was the time advertised for second reading and public hearing on an ordinance to adopt a budget for the Fiscal Year 2017-18.

AN ORDINANCE ADOPTING A BUDGET PROPOSED BY THE CITY MANAGER, CONTAINING ESTIMATES OF THE PROPOSED REVENUES AND EXPENDITURES BY THE CITY OF AIKEN FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, AND ENDING JUNE 30, 2018, AND DECLARING THAT IT SHALL CONSTITUTE THE BUDGET OF THE CITY OF AIKEN.

Councilwoman Diggs moved, seconded by Councilman Ebner, that Council approve on second reading an ordinance to adopt a budget for Fiscal Year 2017-18.

Mr. Klimm stated this was the sixth discussion about next year's budget. He highlighted some of the proposed changes in the budget which were mentioned in earlier work sessions. He noted there were several major priorities and initiatives in the proposed budget which were Council's priorities. He noted that the budget largely maintains the current operating expenses while recognizing the health and safety of our citizens is the first responsibility of local government. He pointed out the chief priority of the budget before Council focuses on the Department of Public Safety and its mission to protect and serve the people of Aiken along with a long overdue focus on upgrading aging water, sewer and stormwater systems.

**Public Safety.** Following an intensive operational audit review of the Department of Public Safety, Mr. Klimm stated he and Chief Barranco had crafted a multi-plan to foster continuing improvement and innovation in law enforcement. The plan focuses on implementing a new data base management system which promotes accountability and gives our officers the tools they need to succeed. Over the years Public Safety has had difficulty in retaining officers despite the expense and time involved in completing their training. Efforts to create a comprehensive compensation structure that rewards longevity and other service metrics in a concrete way will be implemented across the organization, but will start first with Public Safety. The budget package also designates funds to address the failure of the current Public Safety Headquarters to meet basic acceptable standards.

**Infrastructure.** Over the last year we have seen much progress in the area of infrastructure repair under the able leadership of George Grinton by first instituting an infrastructure assessment methodology and for the first time implementing a long range plan to begin to address the water, sewer and stormwater needs of our city. The budget includes funding for Phase 1 of the infrastructure rehabilitation.

**Pension Reform.** Other major initiatives have been reviewed in the budget and includes an initiative bringing forward pension reform. As discussed in the work session, this does not affect Public Safety because the Department of Public Safety employees are part of the State Pension system. They have been contributing to their pension for years. The pension reform package that is part of this budget includes long range pension reform for the City pension system which presently does not require any employee match in the pension system. At the request of several Councilmembers we have included in the budget to move forward towards a defined contribution plan as opposed to a defined benefit plan impacting new employees only and designed in a way that matches the principle components of the State Pension system that the Public Safety Department is a part of.

**Tree Program.** Through a new initiative and the generosity of Mr. Rob Johnston, we will be implementing a tree program to protect the beautiful trees that make Aiken a very unique place. We will do a thorough inventory of all of the major trees in the City of Aiken and include with the inventory a methodology to maintain our tree stock.

Council approved this ordinance on first reading at the Special Meeting held on May 17, 2017. For City Council consideration is second reading and public hearing on an ordinance to adopt a budget for fiscal year 2017-2018.

Mayor Osbon asked that some items mentioned in the work session be repeated. He asked about Rye Patch and Hopelands. Mr. Klimm stated we will be working with the Friends of Hopelands and Rye Patch on their target project for the year which is restoration of the Carriage Museum. The Friends have generated a significant amount of private sector contributions, and the public sector component is included in the budget. If the budget is approved, it will allow the Friends to go forward to take the jewel at Hopelands and Rye Patch and restore a building that is in need of significant renovation.

Mr. Klimm stated part of the comments that we have heard very clearly, not only from employees in Public Safety, but also across the organization, is the fact that we don't have a compensation pay plan in the City of Aiken. We not only do not have a plan, but there are inequities and cases of unfairness that people doing like work and like responsibilities in one department might be paid lower or higher than another department. It is a major flaw in our Human Resource operation. We have committed to our employees that the historic failure needs to come to an end. It starts with the proposed budget which includes significant additional funding so we can implement as of July a long range compensation plan that gives an indication to our dedicated employees that if they do their job and do it well, they can count on a level of compensation and not have to guess about the vagaries of the city's finances or the support that may or may not exist with a future Council. He pointed out a 24 step plan has been drafted with significant input of our senior managers in Public Safety, and also our other employees because it is our goal to implement a compensation plan across the organization. Recently we talked about the issue of turnover, and we have evaluated our rate of turnover. What we really want to focus on is what is considered voluntary turnover. Some turnover is from retirees, death, injuries, entry into the military, spouses being transferred to another area, etc. We can't do much about those terminations, but those classified as voluntary terminations is an area we can impact and influence. It is felt that one of the components to lessen or reduce the amount of turnover, according to the employees themselves, is implementing a meaningful compensation plan that they can count on. A new compensation plan is in the budget for Public Safety, and we have committed to draft plans for all the departments next year.

Mayor Osbon asked what is our public investment in the budget to shore up our infrastructure. Mr. Klimm stated within the budget there is a request for \$11 million for the highest priority infrastructure projects which have been reviewed in several meetings. He noted that the possibility of Capital Projects Sales Tax IV had been discussed, and if the citizens do consider CPST IV the recommendation will be that as much as possible go towards our aging infrastructure. If we can do that, we feel that we can make significant progress with our aging infrastructure. He pointed out that it is felt that Phase 1 of the infrastructure projects is contained in the budget and is a doable and achievable collection of projects.

Councilwoman Price asked whether the amendment regarding sidewalks on Hampton Avenue had been included in the budget. Mr. Klimm responded that it will be included in the budget.

Ms. Kim Abney, Finance Director, pointed out that in the back of the budget there will be a list of all the capital projects. She said she would reduce the funds listed for Dougherty Road Improvements by \$250,000 and list the amount for sidewalks along Hampton Avenue.

Councilwoman Price stated she would like to amend the motion to approve the budget by including funding in the amount of \$250,000 for sidewalks on Hampton Avenue. Councilman Ebner accepted the amendment. Councilwoman Price noted that Ms. Parks who is present has been working on getting sidewalks for Hampton Avenue for twenty years.

Mayor Osbon asked for comments from the audience and City Council.

Ms. Teri Sullivan, 44 Kimwood Court, stated she had noted that there is another \$750,000 in the budget for a proposed parking garage which has not yet been voted on by Council. She pointed out the parking garage is part of the renaissance project. She said she loved Aiken and has plans to retire here. She wants to see Aiken thrive, but she does not believe the idea called renaissance will accomplish that. She felt there are many problems with the renaissance plan, and she felt

that no one seems to be concerned with what three to four years of demolition and construction, noise and mess will do to the downtown area. She felt that people might not continue to come downtown to shop and eat with all the construction and she was concerned what construction for three to four years might do to the small businesses downtown and that they might close. She pointed out that she had recently written a letter to the Aiken Standard outlining 10 reasons to oppose the renaissance, and she asked Council to consider those points. She pointed out that Mayor Osbon was elected to lead the city into the future, but she felt he could not lead by recusing himself. She felt the proposed plan would shut down businesses and one, Warneke Cleaners, is a main competitor of Mayor Osbon's business, Osbon Cleaners. She stated no one believes that the plan would be going forward if Osbon Cleaners were located where Warneke Cleaners is located where it has been for over 70 years. She pointed out Warneke Cleaners does all their cleaning in their location on Newberry Street, and it would not be possible for them to shut down for any period of time and relocate. She noted the plan is for their building to be demolished so Warneke Cleaners cannot stay downtown. She stated if the renaissance plan goes forward, Mayor Osbon's legacy will be as a one-time Mayor who shut down a competitor. She said Mayor Osbon is a kind, moral and reasonable person. She appealed to Mayor Osbon's decency and fairness and called on him to publicly unrecuse himself from the plan, oppose it and stop it before another dime or another minute of public resources is spent on it.

Ms. Jennie Stoker, 331 Kershaw Street SE, also stated she felt it was a shame that Mayor Osbon recused himself from discussions on the renaissance because he was probably one of the voices of reason on Council who does not take it as a preconceived notion. She stated she would like to follow up on a conversation with Mr. Klimm regarding the Tourism Division which is to be moved from the Recreation Department and be combined under the City Manager's office in the Community Development and Tourism Division which will market the city. Mr. Klimm stated the Community Development Committee works with Sabina Craig regarding the Community Development Block Grant Program regarding housing. Mr. Klimm stated the present division of Tourism is to be moved from Parks and Recreation and put under the City Manager's operation. The division will include the Communications Manager, the Business Vitality Manager and Tourism staff. The division will be called Community Affairs and Tourism.

Ms. Stoker pointed out that the new division would market the city towards business growth. Mr. Klimm stated the Tourism Division and communications staff were already doing that. Ms. Stoker stated she would like for the city to consider the residential component of the community and the city's obligation to protect the interest of the residential community as well as the business community. That would be the interest of the people who live here now versus the people that want to move here. She said she was representing residents who choose to live here because of the exceptional quality of life versus the cost of living in Aiken versus what we get for it. She pointed out that the quality of life we enjoy in Aiken has been a highly valued asset for a very long time and sets Aiken apart from almost every other city in South Carolina. She felt she speaks for a lot of people whose preferences are for preservation and enrichment of the quality of life. She said she does not buy the business community conviction that cities have to grow larger or die. She felt that you have to nourish the quality of life for present citizens and that should be the primary responsibility versus making the city into something that other people are going to want to move here. She pointed out regarding the downtown revitalization, she felt that the current scale of the project is overkill. If it is overbuilt and there is a downturn in the economy that stifles the anticipated demand for the new facilities, she would assume that the Tourism Division would be positioned to solicit bodies to come and support the overbuilt downtown which she felt might have negative impact on the interests of the present residents. She said people don't want the city to sacrifice their neighborhoods and their quality of life they enjoy to lure customers for the downtown.

Mr. Ron Feller, 3 Birkdale Court W, stated his concern is about the renaissance and the financial future of the community. He said he would like to see Council have a public forum on the renaissance so the citizens can understand the matter, and he would like to see a projection of the cost of the project in the future and how the costs will be covered. He felt the citizens should understand the renaissance before funds are spent on the project.

Mayor Osbon stated he agreed with the request.

Ms. Jane Vaughters, 708 Hayne Avenue, stated she had several questions. She asked the cost of the proposed parking garage. She wondered what portion of the cost of the garage the \$750,000

in the budget covers. She also pointed out that at the meeting in April regarding the parking garage the understanding was there would be alternative locations for a parking garage, but there were no alternatives suggested, and she was very disappointed there was no information but the one proposal. She expressed concern about the cost of the parking garage and all the other projects proposed for the downtown and expressed concern about the projects which she felt sound like years of development. She pointed out that Aiken is already the prettiest town in South Carolina, and is unique and special. She felt we need to consider the residents who are here now and not people who might come here at some time in the future. She expressed concern about there being a new Publicity Director, and a Business Vitality Director. She felt we need to get down to work and stop hiring so many directors. Ms. Vaughters stated she had seen that the Capital Budget increases from \$9.68 million to nearly \$27.6 million. She wondered how that could happen without a tax increase. She pointed out there will be a city election in November for some Council seats, she wondered why we could not have the issue of the downtown redevelopment on the ballot for a vote by the citizens. She felt there needs to be citizen input on the downtown redevelopment.

Mr. Klimm responded that we should have a definitive cost for the parking garage in the next month. We are in the process of designing the parking garage. Industry standards for parking garages is that they usually run somewhere between \$15,000 and \$30,000 per space. He said the question is how big the parking garage will be and whether there will be any unique costs associated with the parking garage such as land and demolition cost. He pointed out there was a public hearing on the parking garage in April where over 100 people were present. He noted that Council directed him to begin negotiations with the parking component, and he is waiting for a response with the questions Ms. Vaughters had asked. In response to a question as to how many phases there are, Mr. Klimm stated there are hundreds of millions of dollars that will have to be spent over the next 30 years. He stated \$11 million is included in the proposed 2017-2018 budget for infrastructure projects. In answer to the question regarding the transfer of the Tourism Division, Mr. Klimm stated it is a transfer of money, not new money or positions. It is a consolidation of divisions. Regarding the increase in the Capital budget from \$9.68 million to \$27.6 million, Mr. Klimm stated we are using rates that have already been set to repair the infrastructure. He said we will be borrowing money to pay for the projects. He noted that a lot of the \$27 million is for new vehicles and money has been set aside each year for depreciation of vehicles so money is available for the purchase of vehicles.

Ms. Leslie Giobbe, 541 Grace Avenue, expressed concern about a parking garage downtown. She pointed out that \$750,000 is probably just a down payment for a parking garage. She wondered if the parking garage was for the benefit of the city or for the Aiken Hotel. She pointed out there was a parking survey some years ago and parking spaces in the downtown were occupied by city employees and by employees of the local restaurants and stores in the downtown. She pointed out that employees should be required to park a few blocks away in designated spots and then walk to their work place like people do in other cities in the country. This would leave parking spaces available for customers of the businesses in the downtown and there would be no need for a parking garage. She noted we are talking about tearing down an historic building on the corner, the old drug store, and putting Warneke's out of business. She said she did not trust what is going on.

Councilman Dewar stated he had several questions. He applauded the effort on the part of the City Manager to implement a new pay plan for Public Safety which is an issue he has been concerned about for several years. He said he is also glad that there will be a new pay plan for the rest of the city staff as employees have not had a pay raise in a long period of time. He noted that Council had authorized the addition of 2 new Public Safety Officers and 2 temporary Public Safety Officers. He asked that Council be provided a report on the manning of the sworn personnel in Public Safety with a list by name of who is there that is fully trained, those being trained, and how many vacancies we have. He pointed out that turnover in Public Safety is an issue as it takes 50 weeks to replace them with the training that is required. He pointed out that Ms. Vaughters was concerned about the cost of the infrastructure improvements. He pointed out that presently we do not know how much the projects will cost, but have an idea of the work load that needs to be done. He applauded George Grinton and his staff for using the Innovyze Program which identifies the pipes that need to be replaced. He noted he felt we would be working on infrastructure for at least 10 years. He said he agrees with the public forum on the renaissance and would even agree to putting it on the ballot as a referendum. Councilman Dewar pointed out that Capital spending is confusing in a municipal budget because people want to focus on the General Fund as the budget. He pointed out that capital spending is money from

grants, Capital Projects Sales Tax, etc. for major projects. He noted that the Finance Director had given Council a listing of all the Capital Projects for the proposed budget. He applauded the efforts of the staff in preparing the budget.

Councilman Merry pointed out the money being budgeted for the parking garage which is being allocated from Hospitality Tax is required by ordinance to be voted on before it is actually spent. There will be a public hearing and public vote on the matter of expenditure for a parking garage.

Councilman Ebner stated there needed to some clarification. Several citizens had mentioned that some businesses would be put out of business. He pointed out that in our contracts with the developers there are clauses to work with the businesses to relocate. He asked if we would be putting anyone out of business. Mr. Klimm stated citizens had mentioned two businesses. He said he had been involved with a lot of conversations, and he did not feel there was a Councilmember who would support anything that would shut down Warneke Cleaners or close that business. He said that never was on the plans and is not on the plans. He said he had had several conversations with the Warnekes and the developers have had numerous conversations with the Warnekes. The thought that the business is going to be closed is not what is going to happen. Councilman Ebner stated he thought that was an important statement for the citizens to understand.

Councilwoman Price pointed out that the infrastructure is not a new conversation. It has been discussed for some time. It is important when we know there is an issue that needs attention that we address it and support it. It cannot be supported without funds. However, in past history we knew we had problems with the infrastructure, but when we talked about revenue to support fixing it, there would be people opposing it. People complained about high taxes. She pointed out that in 1989 the millage rate was 120 mills, and it has been reduced through the years to 63 mills. She pointed out the thought had been that it was easier to do nothing than to do something that creates a lot of conversation. She said to serve and do what is progressive for our community takes courage, and everyone will not agree with you. She pointed out that we certainly want to make sure the public knows what we are doing and how their dollars are being spent. She pointed out the proposed budget contains a clear career path for the Public Safety Officers not only to attract them, but also to retain the Public Safety Officers. She pointed out that a lot of things are going on and she feels we are on the right track. She said Council wants to make sure the citizens are informed. It is about advancing the community in a very positive way. She pointed out several projects in the past which were very controversial such as the Aiken Community Playhouse building, Citizens Park, The Alley renovation, etc. and now these are facilities which are embraced by the citizens.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Ebner, that Council approve on second reading an ordinance to adopt a budget for Fiscal Year 2017-18 as amended to include \$250,000 for sidewalks on Hampton Avenue. The motion was unanimously approved.

#### OUTSIDE CITY FIRE FEES – ORDINANCE 06122017C

##### Fire Service Fee Outside City

Mayor Osbon stated this was the time advertised for second reading and public hearing on an ordinance to set new charges for outside city fire service.

Mayor Osbon read the title of the ordinance.

#### AN ORDINANCE ESTABLISHING NEW CHARGES FOR FIRE SERVICE.

Councilwoman Diggs moved, seconded by Councilman Ebner, that Council approve on second reading an ordinance to set new charges for outside city fire service fees.

Mr. Klimm stated at the work session on May 8, 2017, we discussed some proposed changes for the Public Safety Department, including the issue of the existing building, staffing regarding the need for additional officers and a dispatcher, a classification system, and the need to implement a data base management system to address the issue of crime. These issues add more costs in our

budget in the area of Public Safety and the question is how do we pay for these much needed items.

Staff has recommended that there be no tax millage increase, but has proposed increasing the fire protection fee which has not increased since 2003. That increase would only impact out of the city customers. To address the issue of the Public Safety Building the source of funding would primarily be the franchise fee. The only persons who pay the franchise fee are city residents, however, non-residents within the fire district would benefit as well as city residents. An increase in the fire service fee is a way for non-residents who receive fire service from Public Safety to contribute not only for staff, but also for a building improvement.

Staff has proposed increasing the fire service fee by 15%. The proposed rates for customers with water service and fire fee would be to increase the \$10 minimum fee to \$11.50 per month, plus change the \$.25 to \$.30 per thousand dollars of appraised value per month with a maximum cap of \$41 per month. The fire fee for those in our fire district who do not have city water would increase from \$100 to \$115 annually. Also, commercial and industrial fire fees will increase 15%.

City Council approved this ordinance on first reading at the May 17, 2017, Special Meeting. For City Council consideration is second reading and public hearing of an ordinance to set new charges for outside city fire service.

Mayor Osbon asked for comments from the audience and City Council.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Ebner, that Council approve on second reading an ordinance to set new charges for outside city fire service fees. The motion was unanimously approved.

#### SOUTHEASTERN REAL ESTATE GROUP LLC- ORDINANCE

Public Safety Headquarters

Beaufort Street

Food Lion Building

Agreement

Purchase

Mayor Osbon stated an ordinance had been prepared for first reading approving the City of Aiken to enter into a Purchase and Sale Agreement with Southeastern Real Estate Group LLC.

Mayor Osbon read the title of the ordinance.

#### AN ORDINANCE APPROVING THE CITY OF AIKEN TO ENTER INTO A PURCHASE AND SALE AGREEMENT WITH SOUTHEASTERN REAL ESTATE GROUP, LLC.

Councilwoman Diggs moved, seconded by Councilman Ebner, that Council approve on first reading an ordinance approving the City of Aiken to enter into a purchase and sale agreement with Southeastern Real Estate Group LLC.

Mr. Klimm stated we received a consultant report last year that documented the unsatisfactory present condition of our Department of Public Safety Headquarters and recommended that we consider demolishing and rebuilding the DPS Headquarters at the present site. While the recommendation was justified, its cost of between \$14 million and \$18 million with inflation is prohibitive. Due to the high cost, it is believed that this option could only be realized if we waited 3-5 years for a funding source capable of carrying the borrowing costs of this project.

It is because of this reason that we researched other alternatives, focusing on the possibility of using an existing building within the City. After an evaluation of existing properties in the City capable of meeting our present and future DPS needs (45,000 square feet +/-), we concluded that the site at 834 Beaufort Street NE that was formerly occupied by Food Lion offers the best opportunity to meet the needs of our DPS. We recommend purchasing this property after it is rehabilitated and will present to you our rationale for this recommendation.

He pointed out consideration of this ordinance would be the first step to enter into a Purchase and Sale Agreement with the developer and the party that has interests in the Beaufort Street



property. He noted a work session is planned for Thursday, June 15, 2017, to talk about the details of the financial package.

For City Council consideration is first reading of an ordinance approving the City of Aiken to enter into a purchase and sale agreement with Southeastern Real Estate Group LLC for property on Beaufort Street NE for our new Public Safety Headquarters.

Mr. Bob Leugemors, 255 Pendleton Street NE, stated he would support proper structure and proper facilities for the Public Safety Officers. He said the present station was put there many decades ago for a very strategic reason which was to help crime in the downtown and help the downtown grow. He pointed out that the downtown has grown in all directions. He said his concern is that removing the Police Department totally would be like pulling the rug out from under the downtown. He said that is not consistent with the stability in the downtown. He said crime had been reduced in the area, but a little further north the crime rate goes back up. He asked that Council give their strongest consideration that the best part of the present facility be retained and renovated and have police presence maintained in the area. He noted that if the best part of the present building could be retained and a satellite police station established, he felt that would be in the best interest of the downtown and the best interest of north Aiken. He asked that Council consider that.

Mr. Wallace Gallman, 662 Jefferson Terrace, stated the proposed location of the Public Safety Station in the Beaufort Street area is a great location because there have been numerous incidents to occur within that area. It was felt that locating the Public Safety Headquarters in the area would help the area to be revived. He noted that with the Food Lion Building being empty, that area is very dark and very unsafe. Having the Public Safety Headquarters in the area would give it access to all the areas in Aiken at a quicker and more efficient way. He noted in the Beaufort Street area there are many senior citizens and the area needs the presence of Public Safety. The Public Safety Headquarters is presently located in more of a business area.

Mr. Klimm stated he would like to respond to the last two speakers. He pointed out that early in the discussions about alternative locations, the issue came up about how this might impact the downtown. He noted that Chief Barranco had stated that they would have a substation downtown and not pull out totally from the downtown. He noted that staff had spent a long time looking at the incidents of major crimes in Aiken. He said it is a shocking map. He said the city is divided into districts that are used for patrol purposes. He pointed out one district on the north has 33% of all violent crime. If the district is added to the next district on the north, the area is where over half of all the violent crimes are committed. The violent crimes are not committed downtown or on the south side, but on the northside. Adding another adjacent district shows that 80% of all violent crimes are in those three districts on the northside. The proposed location on Beaufort Street would move the police to where the crime is.

Chief Barranco stated usually the Community Services Division of Public Safety has been located in the downtown district for foot patrols. He said there is no intention of that division leaving the downtown area. He said he had asked the City Manager that they be allowed to be located in the downtown because of its importance to their mission.

Mr. Klimm stated that addresses the police side of the operation, and then there is the fire operation. In the process staff went to the Insurance Services Office which rates cities in term of their ability to respond in a timely fashion to fires. He said he and Chief Barranco agreed that if they looked at a location that changed the ISO rating, we would discontinue the discussion about the location. He said the proposed location had been looked at and it was concluded that the site on Beaufort Street would not change the present ISO rating of the city.

Chief Barranco stated the biggest fire threat is the downtown district. We were very concerned if we moved the fire station from the downtown how it might affect our response to the downtown. With the modeling and assistance with GIS we have shown where we can still cover that adequately with the location on Beaufort Street and it is felt that the structure improvements will help even more.

Mr. Bob Leugemors stated he would like to point out two things. The Public Safety Headquarters was strategically located decades ago and the problems are not solved. That location was specifically picked. He said he would take the best parts of the present building and use it. He asked why don't we reuse buildings and not tear everything down. We could just tear

a piece of it down and keep the new part. He felt Public Safety could not respond as quickly to the downtown anywhere else than where they are presently located. He asked that Council strongly consider leaving some police function at the present location.

Councilman Dewar stated he had some questions he hoped could be answered at the meeting on Thursday, June 15, regarding the Purchase and Sale Agreement for the Beaufort Street location. He said he would like to see the purchase price specifically addressed. He noted that change orders can get out of control on a project. He said he was impressed with how we are controlling the finances on the two northside projects, and he would like to see that same kind of discipline so when a price is set that is the price. He said we want to keep the price as close as possible to the price listed in the Sales Agreement.

Councilman Merry stated he had looked at the contract, and it makes reference to final plans. He said he wanted to make sure we have all the final plans, including the construction drawings, schedules, etc. before the final vote. Once the contract is signed there is no turning back. He wanted to make sure Council sees that before the final vote.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Ebner, that Council approve on first reading an ordinance approving the City of Aiken to enter into a purchase and sale agreement with Southeastern Real Estate Group LLC. The motion was unanimously approved.

Mayor Osbon moved that Council take a short break before continuing the agenda. The motion was seconded by Councilwoman Diggs and unanimously approved.

Council took a break at 9:20 p.m. Council returned from recess at 9:29 p.m. to continue the agenda.

#### BOND ORDINANCE - ORDINANCE

##### Water and Sewer System Revenue Bonds

##### Infrastructure

##### Master Bond Ordinance

Mayor Osbon stated for Council consideration is first reading of an ordinance to provide for the issuance and sale of water and sewer revenue bonds of the City of Aiken, South Carolina.

Mayor Osbon read the title of the ordinance.

#### A MASTER BOND ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF WATER AND SEWER SYSTEM REVENUE BONDS OF THE CITY OF AIKEN, SOUTH CAROLINA, AND OTHER MATTERS RELATING THERETO.

Councilwoman Diggs moved, seconded by Councilman Merry, that Council approve on first reading an ordinance to provide for the issuance and sale of water and sewer system revenue bonds of the City Aiken and other matters relating thereto.

Mr. Klimm stated for the last two years, Council has consistently said that infrastructure repair and maintenance is the number one priority. Tonight we are presenting a master bond ordinance for issuing water and sewer system revenue bonds. This ordinance will be the governing document under which the City will issue bonds to pay for capital improvements for our water and sewer system. We currently have no debt pledged against our water and sewer system and the ultimate issuance of revenue bonds, paid for with fees collected from our customers, will be used to make capital improvements to our system. This master bond ordinance will allow us to come back to Council to issue bonds at a later date through a separate ordinance. We currently plan to come back to Council and request the borrowing of \$4,050,000 to make improvements to our water and sewer system as we have discussed at multiple workshops over the last several months.

For City Council approval is first reading of an ordinance to provide for the issuance and sale of water and sewer system revenue bonds of the City Aiken and other matters relating thereto.

Mr. Klimm pointed out the next agenda item deals with improvements to the stormwater system. He said he would like to ask Attorney Gary Pope to explain these items to Council.

Mr. Gary Pope, Attorney, stated currently the City of Aiken has no revenue debt outstanding. The document for consideration would be the document that memorializes the city's covenants to its future bond holders. It does not authorize any current debt and encapsulates and is the contract the city would have with the bond holders. It sets the expectations of the bond market and memorializes them. He pointed out this is an opportunity to have a modern current state of the art bond ordinance. He said the city would not be saddled with any sort of relics of the 1970's or 1980's as many of his clients are. He said the City of Aiken would be able to have a fresh start currently with modern provisions that should work well with the way the city operates.

Mayor Osbon asked for comments from the audience and Council.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Merry, that Council approve on first reading an ordinance to provide for the issuance and sale of water and sewer system revenue bonds for the City of Aiken. The motion was unanimously approved.

### BOND ORDINANCE – ORDINANCE

Stormwater System Revenue Bonds

Infrastructure

Master Bond Ordinance

Mayor Osbon stated an ordinance had been prepared for Council's consideration for first reading to provide for the issuance and sale of Stormwater System Revenue Bonds of the City of Aiken, South Carolina.

Mayor Osbon read the title of the ordinance.

### A MASTER BOND ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF STORMWATER SYSTEM REVENUE BONDS OF THE CITY OF AIKEN, SOUTH CAROLINA, AND OTHER MATTERS RELATING THERETO.

Councilwoman Price moved, seconded by Councilwoman Diggs that Council approve on first reading an ordinance to provide for the issuance and sale of Stormwater System Revenue Bonds for the City of Aiken.

Mr. Klimm stated for the last two years, Council has consistently said that infrastructure repair and maintenance is the number one priority. Tonight we are presenting a master bond ordinance for issuing stormwater system revenue bonds. This ordinance will be the governing document under which the City will issue bonds to pay for capital improvements for our stormwater system. We currently have no debt pledged against our storm water system and the ultimate issuance of revenue bonds, paid for with storm water fees collected from our customers, will be used to make capital improvements to our system. This master bond ordinance will allow us to come back to Council to issue bonds at a later date through a separate ordinance. We currently plan to come back to Council and request the borrowing of \$2,504,500 to make improvements to our stormwater system as we have discussed at multiple workshops over the last several months.

For City Council approval is first reading of an ordinance to provide for the issuance and sale of stormwater system revenue bonds of the City Aiken and other matters relating thereto.

Mayor Osbon asked for comments from the audience and City Council.

Mr. Randy Wolcott, Third Avenue, asked if there was a limit to funds and whether the amount had been set yet as to how much the city would be borrowing for stormwater and if the city would have the opportunity to borrow more in the future. He said he was concerned about the Hitchcock Woods Storm Water Plan and whether there would be enough money available for solutions to the Hitchcock Woods storm drainage issues.

Mr. Klimm stated the plan is to borrow \$2,504,500 for improvements to the stormwater system.

Mr. Gary Pope, Bond Attorney, stated under the Revenue Bond regulations in the South Carolina Constitution there are no statutory debt limits in the same way that there are statutory debt limits on General Obligation Bonds where you pledge the tax base. The limit on the stormwater bonds

would be what is the additional bond test. The bond market generally looks for 120% of coverage on a proforma basis which means you would look at your revenues, the net income of the water system, just the enterprise fund, and then forecast out that service. You would have to be at 120% in order to issue an additional series of bonds. The city would be limited on an economic basis by the net income of the water system. There is no set statutory authorization or limit and each series of bonds would set a "not to exceed amount" in the specific ordinance that authorizes bonds for these specific projects.

Councilman Homoki stated if we are running on a zero income, zero outcome with our enterprise funds, if we take up \$2 million would that necessarily increase the cost of water and sewer. He wondered if someone had done the mathematics to find out how much we would need to increase the sewer rate and water rates.

Mr. Klimm stated this had been discussed at several work sessions. He said we recognize that unlike water and sewer, the stormwater rates that we presently have will not allow us to take additional projects other than the projects that are listed in Phase 1. If we have more projects to consider, we will either consider a stormwater rate increase that would allow us to carry additional debt service or some other funding source which could be CPST IV if approved by the citizens. He said we are limited, and we know that we do not have enough revenue from rates with the present rate structure for stormwater to take us past Phase 1.

Mayor Osbon called for a vote on the motion by Councilwoman Price, seconded by Councilwoman Diggs that Council approve on first reading an ordinance to provide for the issuance and sale of Stormwater System Revenue Bonds for the City of Aiken. The motion was unanimously approved.

#### OLD AIKEN DESIGN GUIDELINES - ORDINANCE

##### Large- Footprint Buildings

Mayor Osbon stated an ordinance had been prepared for Council's consideration to amend the Old Aiken Design Guidelines for large-footprint buildings.

Mayor Osbon read the title of the ordinance.

#### AN ORDINANCE AMENDING THE OLD AIKEN DESIGN GUIDELINES REGARDING LARGE FOOTPRINT BUILDINGS.

Councilwoman Price moved, seconded by Councilwoman Diggs, that Council approve on first reading an ordinance to amend the Old Aiken Design Guidelines regarding large footprint buildings.

Mr. Klimm stated with the potential for significant redevelopment in Downtown Aiken, the Design Review Board conducted a review of the existing Old Aiken Design Guidelines to ensure any new large-footprint buildings are designed in such a way to be compatible with the character of Downtown Aiken. The Old Aiken Design Guidelines regulate exterior improvements and appearance within an area that includes the Downtown Business District under the guidance of the Design Review Board.

On March 7, 2017, the Design Review Board voted to recommend a new section be included in the Old Aiken Design Guidelines for large-footprint buildings. The proposed amendment clarifies how existing design guidelines would be reviewed for larger structures. Any amendments to the Design Guidelines are recommended by the Design Review Board to the Planning Commission, and the Planning Commission holds a public hearing and makes a recommendation to City Council. The Planning Commission at their May 9, 2017, meeting voted 5 to 0 to recommend approval of the proposed amendments to City Council.

For City Council consideration is first reading of an ordinance to amend the Old Aiken Design Guidelines for Large-Footprint Buildings.

Mayor Osbon asked for comments from the audience and Council.

Ms. Jennie Stoker, Kershaw Street, stated her question on this matter was the section on inappropriate materials. She wondered how we ensure that there will not be any more corrugated

metal facades on the downtown buildings. She pointed out the back of the Aiken Community Playhouse building with the corrugated metal material on two sides which is not a recommended material. She pointed out the back side of the building is an embarrassment. She wondered how we put some teeth in the “inappropriate materials” so when looking at new buildings downtown we don’t have the corrugated metal on the sides.

Mr. Ryan Bland, Planning Director, stated regarding “inappropriate materials” such as corrugated metal, etc. that a primary material taking up a whole wall would be discouraged under the proposed guidelines. The Design Guidelines cover anything that is visible from a right of way. It might be used as highlight materials creatively, but not as a primary wall such as the wall at the Aiken Performing Arts Center (Playhouse). He pointed out the review would be by the Design Review Board.

Councilman Merry pointed out as far as the Renaissance is concerned there is an additional Design Committee that has been appointed as well to help guarantee to protect against inappropriate materials.

Mayor Osbon called for a vote on the motion by Councilwoman Price, seconded by Councilwoman Diggs, that Council approve on first reading an ordinance to amend the Old Aiken Design Guidelines regarding large footprint buildings. The motion was unanimously approved.

#### CONCEPT PLAN AMENDMENT – ORDINANCE

2310 Chukker Creek Road  
The Ridge at Chukker Creek  
TPN 124-05-14-003  
Commercial Stable

Mayor Osbon stated an ordinance had been prepared for Council’s consideration for first reading to amend the concept plan for The Ridge at Chukker Creek.

Mayor Osbon read the title of the ordinance.

#### AN ORDINANCE AMENDING THE CONCEPT PLAN FOR THE RIDGE AT CHUKKER CREEK.

Councilman Ebner moved, seconded by Councilman Dewar, that the ordinance be passed on first reading to approve the amendment to the concept plan for The Ridge at Chukker Creek with the provision that Condition 2 recommended by the Planning Commission regarding a stormwater management plan for the development be removed from the conditions of approval. Councilman Ebner stated the stormwater management plan is the responsibility of the developer, not the new buyer’s responsibility. He noted this has come before Council several times in the past, putting conditions on a buyer that should be done by the previous owner or in this case the developer.

Mr. Klimm stated the Planning Commission at their May 9, 2017, meeting considered a request for amendment of the concept plan for The Ridge at Chukker Creek. Randy Wolcott, applicant is requesting a change of use for the 5.80 acre Outlot B to a private commercial stable with residence. This lot is designated as required open space in the original concept plan that was approved by Ordinance 02132006. The original intent of Outlot B was to house stables and to provide equestrian facilities for the residents of The Ridge at Chukker Creek. In 2011, Outlot B, along with 12 additional outlots, was removed from the Declaration of Covenants, Conditions and Restrictions for The Ridge at Chukker Creek and returned to the control of the developer. Currently the site is developed with stables and paddocks. Under the currently approved concept plan a "caretaker residence" is permitted, and there is an apartment within the barn. The applicant is proposing to sell the existing stables and pasture to a private owner for use as a commercial equestrian facility and owner/caretaker residence. The commercial use would remain as a component of the Planned Residential zoning district.

The developer proposes to sell Outlot B to an individual to be used as a horse boarding and training facility. The purchasers plan to board school horses on-site and offer riding lessons across multiple equine disciplines with an emphasis on entry-level riders, and the promotion and fostering of horsemanship based on the principles adopted by The Pony Club. Equine-assisted therapy will also be offered. The barn apartment would be occupied by the purchaser.

The Planning Commission reviewed the request and voted 5 to 0 to recommend approval of this application to City Council with the following conditions:

1. That Outlots A, C, D, E, F, H, I, L, O, P, R and T be included in the Declaration of Covenants, Conditions and Restrictions for the Ridge at Chukker Creek to provide for the retention and maintenance of open space.
2. That approval of the concept plan is contingent upon providing a plan that sufficiently assesses and implements adequate stormwater management for the planned development to the satisfaction of the City Engineer.
3. That the perimeter fence for Outlot B continually remain a four-board Kentucky black wood fence style as defined within The Ridge at Chukker Creek CC&Rs.
4. That all future improvements to the stable building(s) be consistent and harmonious with the general architectural and overall aesthetics of the residential sections of The Ridge at Chukker Creek.
5. That there will be no vehicular parking along the exterior perimeter fence line within or adjacent to the Right of Way or within the street.
6. That the landscape and tree preservation plan should conform to the standards of the Zoning Ordinance.
7. That any signs used within the commercial equestrian facility be ground mounted and of a size considered appropriate by the Planning Director.
8. That a revised Concept Plan listing conditions of the approval and any changes required by City Council be submitted within 90 days.
9. That the applicant sign an agreement stating the conditions of approval within 90 days.

A memo from Ryan Bland, Planning Director, was provided to Council noting that the applicant has provided documentation in response to the proposed Condition 2 regarding stormwater management for the proposed Concept Plan amendment. In light of this documentation, and in consultation with the City Attorney, staff recommends that Condition 2 regarding submittal of a stormwater management plan for the Concept Plan amendment be removed from consideration as part of the application.

For City Council consideration is first reading of an ordinance for approval of an amendment to the concept plan for The Ridge at Chukker Creek for Outlot B for a private commercial stable with residence with the conditions recommended by the Planning Commission and consideration of removal of Condition 2 as requested by the applicant and recommended by staff.

Mayor Osbon asked for comments from the audience and Council.

Mr. Randy Wolcott, Third Avenue, stated the request and the conditions had been discussed at length with the Planning Commission. He said they were working towards the easements and returning the other outlots from the developer to the Homeowners Association. He pointed out there was no opposition to the request at the Planning Commission. The community has been very welcoming to the person who will be working there, and she has talked to the residents in the area. He pointed out that the barn had been sitting vacant for eight years and was becoming an eyesore. It was felt the proposed use was a solution to having the property put back into the use it was meant to be.

Ms. Jan Carman stated she was the person who was proposing to use the property. She pointed out that she had had some inquiries about the proposed use of the property. She pointed out that the property is about 6 acres and the most horses that could be on the property would be about 11 as the property is small.

Councilman Ebner pointed out that an inspection was done of The Chukker Creek area on April 14, 2015, and everything was approved. He pointed out that during his time on Council, the area has changed from an equestrian type subdivision to housing and that was driven by the economy. He pointed out that things did not change along the way in the concept plans and design. There have been a number of things in the area that have come to the attention of not only the city, but also DHEC. He said he would like Mr. John Poole, City Engineer, to comment on the water issues that were related to Condition 2 regarding stormwater management.

Mr. John Poole, City Engineer, stated there had been a site visit with Susan Yates of DHEC. She has confirmed to him that the stormwater conveyances that were installed at The Ridge at

Chukker Creek were not in line with the plans that were approved by DHEC back in 2007. He said those are the same plans that EPS coverage is still issued to this day. Councilman Ebner pointed there have been a number of issues in the whole area that have happened and things got changed, especially as we got to Section 3. There is a stormwater detention pond and the natural area of the drainage. There are a number of issues. He pointed out there had been some work stoppages due to the stormwater erosion issues with stopped drain lines, etc. He pointed out the issue is the letter that says the area has been inspected and approved by the city. Councilman Ebner asked how does the stormwater issue get fixed. He did not know if how the issue gets fixed should be referred to the City Manager and City Attorney. He pointed out that it is not the job of the purchaser to fix the past. He said this had come to Council several times under similar issues. He said for a person to buy something and then have to fix it before it can be used was not right. He pointed out there is a letter signed by the city that we accepted the development. There is erosion there, and we don't have stormwater properly installed, but the city staff has said it is okay. It was pointed out that the developer installed it, and the developer should fix it. There was a question as to what needs to be fixed.

Mr. Poole stated basically the stormwater pipes were not designed to handle all the stormwater that comes to them, but yet there was supposed to be overflow channels that would carry the flow when the stormwater pipes filled up. Some of the channels are supposed to be very heavily armored with riprap. What is there now is sodded yards. He pointed out that is just one example. There are others similar to that. He stated the plans that were approved through the City of Aiken are different from the plans that were approved through DHEC.

Councilman Ebner pointed out another issue is that none of this had come before City Council for approval. He pointed out that the present agenda item to amend the concept plan needs to go forward, but it will take a while to solve the stormwater issues. He pointed out that it is not the purchasers issue. He said there will be an argument between the developer and the city as to who is going to pay for it. Councilman Ebner stated the present request needs to move forward, but the matter needs to be referred to the City Manager and City Attorney to solve the issue. It was pointed out that we should hold the developer responsible for the concept plan approved by City Council.

Mayor Osbon called for a vote on the motion by Councilman Ebner, seconded by Councilman Dewar, that the ordinance be passed on first reading to approve the amendment to the concept plan for The Ridge at Chukker Creek with the provision that Condition 2 recommended by the Planning Commission regarding a stormwater management plan for the development be removed from the conditions of approval. The motion was unanimously approved.

#### BICYCLE INFRASTRUCTURE – RESOLUTION 06122017D

Hampton Avenue  
Park Avenue

Mayor Osbon stated for Council consideration is a resolution approving bicycle infrastructure for Hampton Avenue and Park Avenue.

Mayor Osbon read the title of the resolution.

#### A RESOLUTION ENDORSING THE CITY OF AIKEN BICYCLE INFRASTRUCTURE FOR HAMPTON AND PARK AVENUE.

Councilwoman Diggs moved, seconded by Councilwoman Price, that Council approve the resolution endorsing the bicycle infrastructure for Hampton and Park Avenue.

Mr. Klimm stated on May 9, 2017, the Planning Commission considered a proposal to install bike lanes on Hampton Avenue from Camellia Street to York Street and Shared Lane Markings (SLMs) on Hampton Avenue between York Street and Vaocluse Road. It is also proposed to install SLMs on Park Avenue from Hayne Avenue to Union Street. No parking spaces for motor vehicles will be eliminated by the installation of SLMs on Park Avenue. The SLMs will consist of a combination of street signage and "sharrow" markings on the road surface. The placement of sharrows is within the travel lane and bicyclists are to ride as near to the right side of the roadway as possible. Bike lanes are different from SLMs as they are a separate lane and bicyclists are required to ride in the bicycle lane and motor vehicles cannot park in a bicycle lane.

The proposed projects were prioritized for funding as components of the Aiken County Urbanized Area, SC Bicycle & Pedestrian Plan developed by SC ARTS. The total project cost is \$101,190.30. The City of Aiken has been awarded \$81,522 in Federal Transportation Alternative Program (TAP) funds to be applied toward the installation of bike lanes, shared lane markings, and bike route signage on Hampton and Park Avenues. The City share of the funding would come from the Capital Projects Sales Tax III Fund [016-3130-433.75-09BIKE]. Council approved our application for these TAP funds in 2015.

The Planning Commission, according to the Zoning Ordinance, is required to hold a public hearing on this public project based on its consistency with the Comprehensive Plan. The Planning Commission held that public hearing at their May 9, 2017, meeting and has recommended by a vote of 5 to 0 that City Council approve the proposed Bicycle Infrastructure for Hampton Avenue and Park Avenue and that Capital Projects Sales Tax III funds be used for the City's share of the cost of the project.

For City Council consideration is a resolution approving the proposed Bicycle Infrastructure for Hampton and Park Avenues with the City's share of the cost of the project coming from Capital Projects Sales Tax III funds.

Mayor Osbon asked for comments from the audience and Council.

Ms. Betty Ryberg, 245 Berrie Road, stated originally she got into the bike lanes and the shared lanes for recreation, enjoyment and tourism purposes and the factor that people are putting in bike lanes and they are attracting young people. She said she moved to a larger picture because of two conversations regarding the matter that many people ride their bikes or walk to work, but they are not safe in doing so. She felt that keeping Hampton Avenue safe and keeping it as a connector to places in Aiken and then connecting all of Aiken via bike paths is not just for recreation purposes, but for people who are riding their bicycles to get to their places of employment. She pointed out people are not just riding bicycles for recreation, but are using the bikes to get to their places of employment. The bike lanes provide a place to ride a bike more safely. She said she would like to see sidewalks installed on Hampton Avenue and also the bike lanes so that people can get to their employment safely. She asked that Council approve the bike lanes and shared lane markings on Hampton Avenue.

Mr. Wallace Gallman, 622 Jefferson Terrace, asked where the bikes lanes were proposed to be. Mr. John Poole, City Engineer, stated the bike lanes are proposed from Camellia to York and from York to Vacluse on Hampton Avenue. The bike lanes would be on Hampton Avenue from Camellia to York. Then the shared lane markings would be from York to Vacluse on Hampton Avenue. Mr. Gallman expressed concern about a lot of walking traffic in the area on Hampton Avenue from York to Camellia Street and York to Vacluse Road and also bike traffic in these areas. He pointed out there are no sidewalks in these areas. He also expressed concern about the cost that might be involved for drainage issues when installing sidewalks along Hampton Avenue.

Councilman Ebner asked if Hayne Avenue was properly marked for bikes and for parking. Mr. Tom Lex, 125 Live Oak, stated Hayne Avenue currently has shared lane markings up to Waterloo. The bike lanes were taken out from previous discussions. They were going to be replaced with share the lane markings, but that has not been totally resolved with SCDOT. The city needs to make a proposal to DOT on what is planned to do with the current white lines that are painted there because they are not wide enough for cars to legitimately use them for parking spaces. One option would be to paint the lines out and put the share the lane markings in. The plan was to move forward with Park Avenue up to Hayne. Another project being worked on with SCDOT was approved by SC ARTS. We are looking at the feasibility of putting bike lanes on Richland Avenue. Once the bike lanes on Richland and the share the lanes on Park are done, the plan is to go back and get the resolution of continuing with the share the lane markings on Hayne Avenue. That would give complete connectivity from USCAiken to the downtown area. Mr. Lex stated share the lane markings were to be installed on Silver Bluff Road. He pointed out when share the lane markings were approved, included with the approval was to reduce the speed limit from Richardsons Lake to Indian Creek Trail to 35 mph.



Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilwoman Price, that Council approve the resolution endorsing the bicycle infrastructure for Hampton and Park Avenue. The motion was unanimously approved.

CITY SERVICES – RESOLUTION 06122017E

Larae Tucker

Vertical Construction Management

2638 Columbia Highway North

Water Service

Sanitary Sewer Service

TPN 133-00-11-028

Mayor Osbon stated for consideration is a resolution authorizing water and sewer service to 2638 Columbia Highway North. <sup>2636</sup> *sr*

Mayor Osbon read the title of the resolution.

A RESOLUTION AUTHORIZING THE PROVISION OF WATER AND SANITARY SEWER UTILITY SERVICES TO PROPERTY LOCATED AT 2638 COLUMBIA HIGHWAY NORTH. <sup>2636</sup> *sr*

Councilwoman Diggs moved, seconded by Councilman Ebner, that Council approve the resolution authorizing the city to provide water and sewer service to property located at 2638 Columbia Highway North. <sup>2636</sup> *sr*

Mr. Klimm stated at the May 9, 2017, meeting the Planning Commission received a request from Larae Tucker, Vertical Construction Management, for city water and sewer service for the construction of a fast food restaurant at 2638 Columbia Highway North. The parcel is currently undeveloped. The City Utility Policy requires that development of a site in an unincorporated area receiving City services must be approved by City Council after Planning Commission review. City water and sewer services are available to the site.

The Planning Commission considered the request at their May 9, 2017, meeting and voted 5 to 0 to recommend approval to City Council for city services with the following conditions:

1. That an agreement to annex the property as soon as it becomes contiguous be executed and recorded within 90 days;
2. that the City Engineer approve the design and installation of the water service;
3. that the site/landscape plan complies with the Tree Preservation and Landscaping requirements of the Zoning Ordinance;
4. that the signage complies with the City of Aiken Zoning Ordinance; and
5. that an encroachment permit be obtained from SCDOT and a stub-out is installed to allow future inter-parcel connectivity.

For City Council consideration is approval of a resolution authorizing the city to provide water and sewer service to property located at 2638 Columbia Highway North. <sup>2636</sup> *sr*

Mayor Osbon asked for comments from the audience and Council.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Ebner, that Council approve the resolution authorizing the city to provide water and sewer service to property located at 2638 Columbia Highway North. The motion was unanimously approved. <sup>2636</sup> *sr*

SALE OF HOUSE – ORDINANCE

Crosland Park

1147 Cornish Street NE

Ashley Garrett

TPN 120-12-008-007

Mayor Osbon stated an ordinance had been prepared for consideration to approve the sale of 1147 Cornish Street NE.

June 12, 2017

Mayor Osbon read the title of the ordinance.

AN ORDINANCE APPROVING THE SALE OF 1147 CORNISH STREET NE IN CROSLAND PARK SUBDIVISION.

Councilwoman Diggs moved, seconded by Councilwoman Price, that Council approve on first reading an ordinance to sell 1147 Cornish Street NE.

Mr. Klimm stated Ashley Garrett has offered to purchase 1147 Cornish Street NE in Crosland Park for \$57,500 as an owner occupied resident. The offer is for the purchase of the property for \$57,500 or appraised value. The buyer is asking for some considerations as noted in the memo from Ms. Langston.

Staff is recommending that we proceed with the sale of 1147 Cornish Street NE.

For City Council consideration is first reading of an ordinance to sell 1147 Cornish Street NE in Crosland Park to Ashley Garrett for \$57,500 or appraised value.

Mayor Osbon asked for comments from the audience and Council.

Councilman Ebner pointed out that Ms. Langston's memo indicated the purchaser is asking that up to \$2,500 toward closing costs be paid and \$1,000 for a 2 year home warranty. Ms. Langston noted the \$3,500 is not included in the \$57,500 so the amount to the city would be less the \$3,500.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilwoman Price, that Council approve on first reading an ordinance to sell 1147 Cornish Street NE. The motion was unanimously approved.

WOODSIDE PLANTATION – RESOLUTION 06122017F

Deed of Dedication

Reserve at Hollow Creek, LLC

The Meadows

Water

Sanitary Sewer

Storm Sewer System

Mayor Osbon stated a resolution had been prepared for consideration of accepting a deed of dedication of utility lines and easements from Woodside Plantation, Phase IV, Section 8, The Meadows.

Mayor Osbon read the title of the resolution.

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DEED OF DEDICATION FROM THE RESERVE AT HOLLOW CREEK, LLC.

Councilman Ebner moved, seconded by Councilman Homoki, that Council approve the resolution accepting a deed of dedication of utility lines and easements from Woodside Plantation, Phase IV, Section 8, The Meadows.

Mr. Klimm stated The Reserve at Hollow Creek, LLC has requested the City to accept a deed of dedication for the water, sanitary sewer, and storm sewer systems and associated utility easements in Woodside Plantation, Phase IV, Section 8, The Meadows.

The Engineering staff has inspected the existing infrastructure and has determined that it meets City requirements. They are recommending that the City accept the deed of dedication for the utility systems.

For Council consideration is a resolution to accept the water, sanitary sewer, and storm sewer systems and utility easements in Woodside Plantation, Phase IV, Section 8, The Meadows.

Mayor Osbon asked for comments from the audience and Council.

Mayor Osbon called for a vote on the motion by Councilman Ebner, seconded by Councilman Homoki, that Council approve the resolution accepting a deed of dedication of utility lines and easements from Woodside Plantation, Phase IV, Section 8, The Meadows. The motion was unanimously approved.

#### CROSLAND PARK – ORDINANCE

##### Second Baptist Community Development Corporation

##### Sale of Property

864 Alfred Street

748 Schroder Street

675 Aldrich Street

Mayor Osbon stated an ordinance had been prepared for consideration on first reading to transfer three lots in Crosland Park to Second Baptist Community Development Corporation.

Mayor Osbon read the title of the ordinance.

#### AN ORDINANCE APPROVING THE SALE OF THREE PROPERTIES IN CROSLAND PARK TO SECOND BAPTIST COMMUNITY DEVELOPMENT CORPORATION.

Councilwoman Diggs moved, seconded by Councilwoman Price, that Council approve on first reading an ordinance to transfer three lots in Crosland Park to Second Baptist Community Development Corporation.

Mr. Klimm stated Second Baptist Community Development Corporation (CDC) has expressed an interest in acquiring three additional city-owned properties in Crosland Park. The properties are 864 Alfred, 748 Schroder and 675 Aldrich.

Staff is recommending that the City transfer these properties to Second Baptist CDC for \$1.00 per property. Second Baptist has been a long time partner of the City in the Northside Revitalization and has a proven track record with other housing partners in working to develop and provide affordable and workforce housing.

For City Council consideration is first reading of an ordinance to transfer three lots in Crosland Park to Second Baptist Community Development Corporation.

Mayor Osbon called for comments from the audience and Council.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilwoman Price, that Council approve on first reading an ordinance to transfer three lots in Crosland Park to Second Baptist Community Development Corporation. The motion was unanimously approved.

#### GRANT

##### Rural Infrastructure Authority Grant

##### Water System Upgrades

##### Downtown Area

##### Phase 1B

Mayor Osbon stated Council needed to consider approval of a Rural Infrastructure Authority grant for Water System Upgrades Project.

Councilman Homoki moved, seconded by Councilwoman Diggs, that Council approve acceptance of a grant from the Rural Infrastructure Authority for water system upgrades project.

Mr. Klimm stated we have received notification that the City of Aiken has been awarded a \$500,000 grant from the SC Rural Infrastructure Authority. Application for this grant was made for water improvements for Phase 1B for utility infrastructure improvements in the downtown area. The improvements include the replacement of water valves, fire hydrants and water service lines in the area between Richland and Park and between Laurens and Newberry.

The total project cost is \$961,790. The budget includes estimated engineering, construction and contingency fees. The city's grant match will be provided through Capital Projects Sales Tax III funding [Water System 017-3181-468.76-01 3INFRW].


For City Council consideration is acceptance of the Rural Infrastructure Grant for \$500,000 for the water improvements project in the downtown area.

Mayor Osbon asked for comments from the audience and Council.

Mayor Osbon called for a vote on the motion by Councilman Homoki, seconded by Councilwoman Diggs, that Council approve acceptance of a grant from the Rural Infrastructure Authority for water system upgrades project. The motion was unanimously approved.

#### ADJOURNMENT

There being no further business, Councilwoman Diggs moved that the meeting adjourn. The motion was seconded by Councilman Ebner and unanimously approved. The meeting adjourned at 10:23 P.M.

  
\_\_\_\_\_  
Sara B. Ridout  
City Clerk