

Aiken City Council Minutes

REGULAR MEETING

September 28, 2020

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

Others Present: Stuart Bedenbaugh, Gary Smith, Kim Abney, Sara Ridout, Charles Barranco, Mike Przybylowicz, Marya Moultrie, Lex Kirkland, Joy Lester, Gary Meadows, Daniel Williams, Colin Demarest of the Aiken Standard, and about 40 citizens with only 22 in the Council Chambers at one time.

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

CALL TO ORDER

Mayor Osbon called the regular meeting of September 28, 2020, to order at 7:05 P.M. Mayor Osbon led in prayer. The pledge of allegiance to the flag was led by Chief Charles Barranco.

GUIDELINES

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

ADDITIONS OR DELETIONS TO AGENDA

Mayor Osbon recognized Mayor Pro Tem Price for any additions or deletions to the agenda. Mayor Pro Tem Price stated that under Petitions and Request Item 2. A Resolution Authorizing the City to Enter into a Memorandum of Understanding with James S. Watson, Jr. needs to be removed from the agenda. With the one deletion from the agenda, Mayor Pro Tem Price moved, seconded by Councilwoman Brohl, that the agenda be approved with the deletion as noted. The motion was unanimously approved.

MINUTES

The minutes of the special meeting of September 10, 2020, and the work session and regular meeting of September 14, 2020, were considered for approval. Councilwoman Diggs moved, seconded by Councilman Woltz, that the minutes for the special meeting of September 10, 2020, and the work session and regular meeting of September 14, 2020, be approved as presented. The motion was unanimously approved.

BOARDS AND COMMISSIONS

- Appointments
- Richard Funkhouser
- General Aviation Commission
- Angela Fleming
- Ann Dicks
- Community Development Committee

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

Mr. Bedenbaugh stated Council has 33 pending appointments to fill vacancies on different City boards, commissions, and committees. Two appointments are presented for Council's consideration and vote.

Councilwoman Brohl has recommended the reappointment of Richard Funkhouser to the General Aviation Commission. If reappointed Mr. Funkhouser's term would expire September 1, 2022.

Councilwoman Brohl has also recommended the appointment of Angela Fleming to the Community Development Committee to fill the position of Ann Dicks who has resigned. If appointed Ms. Fleming's term would expire September 2, 2022.

For Council consideration is the reappointment of Richard Funkhouser to the General Aviation Commission and the appointment of Angela Fleming to the Community Development Committee.

Councilwoman Price moved, seconded by Councilwoman Diggs, that Council approve the reappointment of Richard Funkhouser to the General Aviation Commission and the appointment of Angela Fleming to the Community Development Committee. The motion was unanimously approved.

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

Councilwoman Diggs recommended the reappointment of John Owen to the General Aviation Commission.

CONCEPT PLAN – ORDINANCE 09282020

Whiskey Road
Stratford Drive
Sizemore Circle
Carlos Marban
LuLu’s Holdings of South Carolina
TPN 123-11-12-002

Mayor Osbon stated this was the time advertised for second reading and public hearing of an ordinance to approve a concept plan for property located on Whiskey Road between Stratford Drive and Sizemore Circle.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE APPROVING THE CONCEPT PLAN FOR PROPERTY LOCATED ON WHISKEY ROAD BETWEEN STRATFORD DRIVE AND SIZEMORE CIRCLE.

Councilman Girardeau moved, seconded by Councilman Woltz, that Council pass on second reading an ordinance to approve a concept plan for property located at Whiskey Road between Stratford Drive and Sizemore Circle.

Mr. Bedenbaugh stated Carlos Marban, LuLu's Holdings of South Carolina, LLC, applicant, is requesting a concept plan approval for 11.80 acres of Planned Commercial (PC). The property fronts on Whiskey Road between Stratford Drive and Sizemore Circle. Springstone Villas is the residential component of the original Planned Commercial concept plan approved in 2003 by Ordinance 08112003A. Since no building permits have been issued within 5 years of the original commercial component of the Concept Plan approval, the 2003 approval for the commercial component has expired.

The current concept plan depicts a LuLu's carwash on the southeastern portion of the site, with the balance of the property to be subdivided and remain as future development. For any development in the PC zone, a Concept Plan must be reviewed by the Planning Commission and approved by City Council. Any future development on this property would require the submittal of a revised Concept Plan for review by the Planning Commission and City Council.

The developer proposes an approximately 3,500 square foot LuLu's carwash on approximately 2.71 acres of the total 11.80 acre parcel with the design to be similar

to other LuLu locations in the area. The developer proposes a 35 foot wooded buffer along Stratford Drive, Whiskey Road, and Sizemore Circle. A 40 foot buffer is proposed along the west side of the property adjacent to the Springstone Villas. The Concept Plan depicts a 42 foot right-of-way with three access points--a right-in and right-out on Whiskey Road, one access on Stratford Drive, and the other on Sizemore Circle. SCDOT approval will be required for the access points on Whiskey Road and Sizemore Circle.

The City of Aiken has approval authority for the access on Stratford Drive. The developer proposes a 4.5 foot by 6.5 foot monument sign, which is the same design as the LuLu's on Richland Avenue. Since SCDOT policy does not permit piecemeal installation of sidewalk segments, developers have the option to pay a fee in lieu of installing sidewalks and street trees at the time of construction, or accommodate the sidewalk into the development rather than right-of-way. Based on the number of customers per day at other LuLu locations, a Traffic Study would not be required.

The Planning Commission reviewed the request for concept plan approval at their July 14, 2020, meeting. The Commission voted 5-0 (Commissioners Brookshire and Matthews were not present) to recommend approval of the concept plan with the following conditions:

1. That the development comply with the landscaping, tree preservation, open space, and buffer requirements of the Zoning Ordinance.
2. that the development comply with the LDR Whiskey Road Corridor Study regarding installation of sidewalks along Whiskey Road and adjoining streets, or alternatively, that the development pay a fee in lieu of sidewalks and street tree installation in an amount as determined by the City Engineer. Sidewalks shall be depicted on the site and landscape plan for each phase of development pursuant to the concept plan, and either construction of sidewalks or payment of fee in lieu shall be satisfied prior to issuance of a Certificate of Occupancy for each phase of development;
3. that a Traffic Impact Analysis be conducted at which time the cumulative development of the Planned Commercial-zoned property projects to generate 100 peak hour trips or greater;
4. that access from Whiskey Road and Sizemore Street be subject to approval from SCDOT;
5. that the signage comply with the requirements of the Zoning Ordinance and policy established by the LDR Whiskey Road Corridor Study;
6. that the applicant sign an agreement stating the conditions of approval within 90 days; and
7. that the developer submits a revised concept plan listing any conditions of approval be submitted within 90 days.

Since first reading, staff has met with SCDOT to discuss the installation of a split-phase traffic signal at the intersection of Whiskey Road, Powderhouse Road and Stratford Drive. SCDOT has given us permission to install that light. Payment for the signal upgrade will be partially by the City and via developer agreements that will be executed for this and future projects at this intersection.

Mr. Bedenbaugh stated at the last meeting there was a lot of discussion regarding the intersection at Stratford, Powderhouse, and Whiskey Road. First reading of the ordinance was on August 10, 2020, and the reason why we have not had second reading before now is that we had to work with the Department of Transportation for approval of the signal. Council did not want the item to come back until we had the approval from the Department of Transportation on the intersection improvement. The suggested improvement was a split-phase traffic signal pattern similar to the signal at the intersection of Price, Silver Bluff and Whiskey Road. That has been approved. The project is now back to Council for second reading. He noted that several questions had come up from nearby property owners regarding advertising.

Mr. Gary Smith, City Attorney, noted that an email had circulated that was

concerned that a previous concept plan had been approved by City Council that had certain conditions and restrictions on the use of this property. There was mention of two curb cuts, and mention of certain types of activities, including a car wash, were not allowed under that concept plan approval by Council in 2003. He pointed out the matter before Council is a request to amend the concept plan. City Council does have the legal authority, upon a request of an applicant who owns the property, to amend the original concept plan after review of the request. The second issue was whether or not this meeting had been properly noticed. He pointed out that the property had been noticed much longer than the 20 days of notice required to the public. It was noticed before the Planning Commission meeting, noticed before first reading of the ordinance. The property has had adequate notice according to the Zoning Ordinance for the item to go forward at this meeting. In response to a question regarding the original concept plan, Mr. Smith pointed out that the approval had expired since nothing had happened on the property for five years.

City Council approved this ordinance on first reading at the August 10, 2020, meeting. For City Council consideration is second reading and public hearing of an ordinance to approve the Concept Plan for property located on Whiskey Road between Stratford Drive and Sizemore Circle with the conditions recommended by the Planning Commission.

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

Ms. Zelda Rand, 204 Khaki Court, stated it appears to her that what they had been told from the start, is that this is a done deal. Council has decided to go ahead with the project. She said she wanted to talk about the Stratford Drive curb cut and the safety issues involved. She stated they understand that Council feels there is a safety issue and that is why the curb cut is necessary. She pointed out when the hotel submitted their plans, they had a curb cut on Stratford Drive. They were asked to eliminate it and DOT gave them a north-south curb cut on Whiskey Road. The nursing home that was proposed for the property had a curb cut on Stratford Drive. They were also asked to eliminate the curb cut, and they placed the curb cut on Whiskey. She pointed out the development across the street from them has a north-south curb cut on Whiskey. She asked why has it been good for everybody else for a curb cut on Whiskey and now all of a sudden when the residents of Stratford don't want to give a curb cut, it is kind of being pushed on them for safety reasons. It is hard to understand where the safety reason comes in. She said she feels if there are safety problems they have been caused by DOT making bad decisions and failing to correct them. She pointed out the yellow lines that had been painted on Powderhouse are very confusing and causing some safety concerns. She pointed out that the residents in the area had asked LuLu's some safety questions, but had never received an answer from them. She said they would like to know if they are aware of the restrictions for auto emissions and noise pollution. She noted that the other two LuLu locations are not that close to residential areas. She pointed out they are concerned about noise from LuLu's which will be an everyday matter. She stated she had been told the reason Council wants LuLu's is that it is a fantastic tax deal opportunity. She said she wanted to give some facts. LuLu's has indicated they anticipate handling 100 cars per day. Although the property adjacent to Springstone Villas is now on the market for commercial use, it is impossible to estimate how many cars will be added to the equation. Currently all cars can make a left turn before the light turns red. She wondered how much longer does the light have to remain green to handle the additional traffic and the traffic from the adjacent property. How do you prevent cars from not exiting to remain on the property until they can access the turning lane safely because they don't have the right of way. There is a limit as to how long a light can remain green. What must be taken to ensure safety from a Stratford curb cut to go along with this consideration. Why can't Council consider the health and welfare of the taxpaying citizens. They are aware of the problems the city is facing. They feel that a yes vote will impair their safety and economic wellbeing. She said they would ask Council before they vote that they face up to their responsibilities, and remember the oath they swore to uphold when they took office to act with equality and to be fair.

Mr. Peter Stein, 100 Session Drive, stated his concern is LuLu's and their absence of good will. Many of the issues that have been mentioned could have been either alleviated or minimized by working with the homeowners. A simple meeting, answering questions about drainage, noise, lights, etc. could have alleviated some of the concerns. He noted that as far as he knew no one was ever contacted by LuLu's. They will be a business attracting many people. He pointed out the delays that had occurred by the issue being postponed week to week and Council meeting to Council meeting must be costing them money. He pointed out that Mr. Waters spoke to the group as a citizen, and he did not offer a condition as to why the people should be welcoming LuLu's. He pointed out that there may be comments about the tax money the city would gain and whether there is skirting of some of the governance of what they put on the site; how it is drained; and how it works. He pointed out there is a great deal of passion in the residents in the area. He said some are concerned as to whether Council is listening to them. He pointed out that a change had been made to the traffic signal intersection. He asked that Council, please listen to the people.

Kellie Cornelius, present on behalf of her mother who is a homeowner on Lynn Drive, stated her mother would have LuLu's in her backyard, and a person's backyard is important. She said as people take a close look at this and come out of their houses and speak their voices so many things have come up. It has become an issue of public trust at this point. She pointed out the property was annexed in 1998. That is where the curb cut question comes into play. In 1998 two cuts were allowed on Stratford Drive. Since 1998 those two cuts have been done—those being Ascot and Lynn Drive. They later added a cut on Whiskey. That cut has not been done as far as she knows. She pointed out that is the most logical place to have access to commercial property on the corner of Whiskey and Stratford and Sizemore. She pointed out that she has been concerned about the lack of noticing. She pointed out the City Attorney had stated that the concept plan starts over. She felt if that is true, the property then is not still zoned Planned Commercial, but is agricultural. She reviewed the Zoning Ordinance for noticing and felt the noticing had not been met. She felt that people have not been heard. She pointed out that it is a lot easier to deny 200 signatures on a piece of paper than it is when people speak facing the Council. She reviewed more history of the area. In 2003 when the property was rezoned number 3 of the conditions was that no car washes would be allowed. She noted that citizens expected Council to uphold that. This is a public trust issue. She pointed out that her uncle fought very hard to keep the curb off of Stratford for the hotel. If they didn't want it then, why would they be open to it now. There is no good way to let commercial go in and keep everybody happy and not lose the public trust of so many people who care about their property values, their quality of life, and about their safety. She pointed out that it had been noted that there had been 17 traffic accidents at the intersection of Stratford-Whiskey and Powderhouse in the last three years. She felt we could do better and she challenged Council to do better and get a better outcome for the citizens and listen to what they want, work together with them, instead of rush shod over them and the Comprehensive Plan. She asked that Council follow the rules and uphold the Zoning Ordinance. She noted she would like to have the City Attorney address 6.1.7 in the Zoning Ordinance where an item is denied, that it does not return to the city for a year. She pointed out that she found that LuLu's was denied by the Planning Commission in January, 2020.

Mr. John Melvin, 136 Antietam, stated he wanted to cover some of the stance that the City Attorney has taken and cover some history. He noted that none of the Councilmembers presently on Council, except for Councilwoman Price, were on Council when the matters started in Stratford. He reviewed the history of Stratford Hall Subdivision and Stratford Drive. He pointed out that Stratford Subdivision was initially started with Ted Morton and Edwards. They had the intention of tying into Woodside Subdivision. The initial development of Stratford put us with a road that would have never allowed any other tie-ins to it. When the new production reactor went down at SRS, Stratford went back to Edwards and Morton. They eventually lost it to the bank. Don Shaffer and Gerald Waters developed the property. In 1998 it came up that Excel Corporation was going to develop on Whiskey Road. He said

they and City Council worked with them and they got two cuts on Stratford. One of the things is that the property was advertised with a private drive to the property. In that timeframe is when the two curb cuts came up. The two curb cuts carried over to Gerald Waters who bought the property in front in 2004. During the time, trying to preserve the curb cuts, he tried to come in use a stub out in Stratford Hall Subdivision on Antietam to access his development of Springstone Subdivision. That was when we ended up with two curb cuts out front. Going forward 2001 Shaffer signs the property for the road to the homeowners. In 2004 they get pressured into releasing that road back to the city. In 2012 a Holiday Inn Express hotel was developed on Whiskey Road with a deceleration lane and cut off of Whiskey Road. He pointed out that when Waters moved forward when Excel left and the two curb cuts were there, he complied with it. That was an agreement between the Stratford Hall Subdivision and the City and Waters. They expected that to continue forward. He pointed out with the hotel and having City Council decide to remove Stratford from the equation because of the indeterminate number of vehicles and traffic loads it would put on a residential street, they nixed it. The conditions they had at the time have not changed. In fact the conditions have gotten significantly more impacted. He said to do approval by fiat and ignore a previous City Council decision that has not changed because infrastructure has improved or the conditions have minimized needs to be weighed considerably so the citizens of Aiken understand that we are working in a partnership here. He said they don't want to kill progress, but just want to manage it. He said they don't want traffic stalled on their road like on Whiskey.

Mr. Richard Mason, lives in Cedar Creek now, but was President of the Homeowners Association for Stratford Hall, when they came to Council with the case of the hotel when they asked to have a cut on Stratford Drive. The three communities of Stratford, Springstone, and Springstone Villas got together, listed their concerns, and in that case the Holley brothers attended the meeting. The residents told them what the residents were concerned about, and they expressed guarantees that three cuts were allowed on Stratford and three cuts have been done. When we asked how they would access the remaining 25 acres behind the hotels and between Stratford and Whiskey, they said it would take place beyond the Fairfield Hotel which was supposed to be built next to the Holiday Inn. At that time their concerns were alleviated. They came to Council made the presentation, and they found some sympathy and some people who recognized the legal promises and concerns that had been put in place, and it didn't happen. He said he was present at this time because he wanted to touch the minds of those who might have been here or stimulate the thinking of those who are going to make this decision that it is something that should not be done until all of the new concerns have been addresses and resolved.

Mr. Mark Graham, 1934 Highway 57 North, Little River, South Carolina, stated he was present representing LuLu's. He said he felt the City had done a good job in working with the SCDOT to try to solve the existing problem with a left turn lane at Stratford Drive and Whiskey Road. He said he would be glad to answer any questions. He said he was involved in designing Stratford Hall. It was originally supposed to be an entrance into Woodside, but it ended up being East Gate Drive. He pointed out that Stratford Drive is designed to have two lanes going out—a left turn and a straight or right turn. He said the traffic light sequence that DOT has come up with should help the traffic problem at the intersection. When Stratford Hall was originally developed and the area zoned Planned Commercial, only a certain portion was able to be developed as residential at that time. This left the Planned Commercial upfront on Whiskey Road. He thought the original plan that had been approved had a grocery store and a bank at one time. He felt the development with LuLu's would not be an impact on anybody, especially with the improvements at the traffic signal. He pointed out that they had been asked to add a right-in/right-out on Whiskey Road that was not on the original plan. With that there would be access on three roads for LuLu's.

Mayor Osbon noted that there had been a question about the buffer on the property designated as Tract C which backs up to the residential area in Springstone Villas. It

was noted that the buffer was 35 feet on Stratford Drive and 40 feet backing up to the residential area in Springstone Villas. At this time Tract C is not being developed.

Mayor Osbon asked what guarantees are there that the 40 foot buffer will be maintained, and if more is cleared can the City come in and require that something substantial be planted. Mr. Bedenbaugh stated if the buffer is violated, staff would have the ability, based on any Council approval, to mandate the buffer.

Ms. Jean Greenwald, 160 Lynn Drive, stated she moved here about three years ago and did not know she was going to have a LuLu's in her back yard. She said she wanted to address some of the points that she is worried about. She is concerned about the noise. Presently it is noisy just hearing the traffic on Whiskey Road. She asked for Council's help and consideration. She said she was concerned about what might be on the other tracts on the parcel in the future. She pointed out that the traffic is terrible now, and she felt it would be worse with LuLu's being in the area. Another point is the stormwater mitigation and the drainage. She was also concerned about their property values. She noted there is a LuLu's on Pine Log Road and the only access they have is on Pine Log Road. She wondered why that could not be done on Whiskey with one entrance in and out off of Whiskey Road. She asked that Council consider their worries and the residential folks and homeowners.

Councilwoman Brohl noted that concerns about the stormwater was mentioned at first reading. She pointed out that it had been mentioned that the water is recycled. Mr. Bedenbaugh stated there is a recycling component to LuLu's, and they have to comply with the stormwater ordinance. Some of the water will have to be released and go into the storm sewer.

Ms. Diane Salsitz, 130 Steeple Ridge Road in Springstone, stated their house sits on three underground springs. They have had three sinkholes on Ascot. On Steeple Ridge Court there is a stream that goes into a pond which goes into a retention pond. There is dirt that is caving in. When there is a heavy rain, there is erosion and flooding. From Publix all the way past Tractor Supply there is flooding. She pointed out there will be asphalt to asphalt and rain can't get away from that. There are ditches to hold the water, but they can only hold so much. She wondered if LuLu's would have a retention pond. She noted that the Villas has a retention pond. She was concerned about the water going into the ground and causing the loosening of the earth and causing another sink hole. She pointed out the water may eventually go on Sizemore Circle and all those people have well water. Mr. Bedenbaugh stated the water should go into the sewer system. It should not be affecting the wells of those on Sizemore Circle. It was noted that the water from the car wash would go into the sewer line. Ms. Salsitz was concerned about the chemicals that are used for washing cars and what happens to that water. It was noted that water would go into the sanitary sewer line and be treated at the wastewater plant. It is part of the sanitary sewer system. Ms. Salsitz was also concerned about the noise from Whiskey Road now and concerned about additional noise from LuLu's. She said if it were some other kind of business like a dentist office or a drug store, she would feel better about the development, but she is concerned about a car wash being on the lot with the increase in noise and traffic, and it being open from early morning hours to late at night. (processed water goes into the sanitary sewer system)

Mr. Bob Peck, a resident on Sizemore Circle, expressed a concern about stormwater runoff. There is a difference between stormwater runoff and processed water. He noted there would be a lot of asphalt on the property for the car wash. That is a lot of surface area for major rains such as we just had that will come down into a gully that is not going into the stormwater system. It will just go with the topography of the land which will take the water into the Villas and then into Springstone. He pointed out that is their aquifer for their wells. He pointed out there are about 12 wells on Sizemore Circle. That is their drinking and cooking water. The chemicals used for a car wash are basically soap, but soap is sudsy and it will affect ground

water. He said to say that the city will follow up and that LuLu's will do their due diligence will not happen. He said he was very concerned about the stormwater runoff. He said there is no plan to capture what will be asphalted and the water runoff from that piece of property.

Ms. Marya Moultrie, of the City of Aiken Planning Department, stated she wanted to address the matter that LuLu's will have their own stormwater detention on site. Anything else that is developed on the other parcels will also have to deal with their own individual stormwater matters. At this point they are at the concept level. They will have to submit construction plans and deal with stormwater on the site.

Mayor Osbon asked if Council had any comments.

Councilman Girardeau stated there had been a lot of talk about private roads and curb cuts. He asked if there was anything written anywhere as to how many curb cuts could be made onto Stratford Drive. Mr. Bedenbaugh stated the information we have is that there is nothing currently that obligates the city to a number of curb cuts. There was an agreement from the mid-1980s that did not involve the city. It involved the owners of the property with the individuals or corporation that was putting the road in. He said the City Attorney had referenced the concept plans that have come before the Planning Commission and City Council since the 1990's. Right now there is nothing that obligates the number of curb cuts.

Councilman Girardeau stated they had heard a lot about the history and the different things going on. He stated he takes exception with the people who say that Council is not listening to them. He said he had actually talked to all the homeowners' presidents and sat down with them and talked to countless people on the phone and received emails, and had tried to work through this whole thing. He pointed out that in the late 1990s the Villas were built by Dick Edwards and Ted Morton, both of whom are deceased. Back in those days there was a rebate from the City for so much per foot for installing curb and gutter. They would have been involved in that. We fell into some bad times, and they had a hard time finishing the roads. He said he did not think there was anything in writing as to how many curb cuts you could have. He said he does believe this matter comes down to safety. He said we have talked over the years about having connectivity and not having to go onto Whiskey Road. It is a fact that Whiskey Road has a lot of curb cuts and people turn left and right. Connectivity for the future makes sense and makes it safer for cars to come out and turn left onto Whiskey Road at a traffic light. That makes sense as it is safer. He said this is not a done deal and back room deal. He said he had never had any contact with any of the developers. He said he had worked extremely hard in trying to get the facts and get things together. He said he does appreciate Bill Taylor's help on the traffic signal. He said a phased signal at Stratford Drive and Whiskey will make exiting onto Whiskey Road much safer. He pointed out that presently nothing will be built on Tract C and there will be a buffer between that tract and the Villas. He said he appreciates everyone's concerns, but he feels like we should move forward with the project.

Mr. Gary Smith, City Attorney, stated it is important for Council to remember the application before Council is an application to amend the concept plan for the property fronting on Whiskey Road between Stratford Drive and Sizemore Circle. The zoning has never changed. The zoning has always been Planned Commercial and was PC when the property was first annexed to the city. The zoning has not changed. The concept plan was not developed after the concept plan was approved. There is a period of time for development after a concept plan has been approved by City Council. If the property is not developed in five years, then the developer has to come back with another concept plan. The developers are here to ask Council to amend the Concept Plan that was approved in the past. He noted that the zoning for the property has not changed since it was annexed. He pointed out that it had been mentioned that there was an application for concept approval back in January, but he was not aware of that. He pointed out that action on the matter before Council was recommended by the Planning Commission in July, 2020.

Mr. Mason stated that the plan had been denied in January by a vote of 6-0.

Ms. Marya Moultrie, of the Planning Department, stated she would like to clarify that. She stated the Planning Commission recommended denial in January, 2020. Ms. Moultrie stated everything started over again regarding the concept plan in June. The matter was discussed and recommended by the Planning Commission by a vote of 5-0 at their July 14, 2020, meeting. The developers came back with a completely different approach so Council remanded it to the Planning Commission.

Councilwoman Brohl noted that Tracts A, B, and C are Planned Commercial so no matter what, there will be commercial development on this property. She pointed out the property close to Whiskey Road is very expensive and would not be developed residential. She noted that Tract A is one piece of the property zoned Planned Commercial. There are two other parcels that may be developed commercial. She pointed out there is a road between Tract A and B and Tract C. She noted that the other two tracts are not being developed at this time. She pointed out she feels that the road which goes between the tracts from Stratford Drive to Sizemore Circle may be a road that could help traffic on Stratford, especially if there is a bad accident at the Stratford and Whiskey intersection because without the road there would be no way out of Stratford subdivision. As far as safety the proposed road between Stratford and Sizemore gives the ability to get out of the subdivision. She said she hears the concerns. She pointed out whenever there is property zoned commercial in front of your property, you know there will be commercial development at some point. The developer has tried to alleviate some problems. They put a 40 foot buffer on the back side of Tract C between the residential development, a buffer next to Stratford Drive and improved signalization at Stratford Drive and Whiskey.

Councilwoman Gregory asked if she could have Planning staff articulate the Planned Commercial zone.

Ms. Moultrie stated Planned Commercial requires a concept plan. There have been changes to the ordinance. At one point there was a limitation on the amount of residential with a mixed use that could occur on Planned Commercial. That has been removed so the area could actually go residential, but with the property facing Whiskey Road, the land would be very expensive and not likely to be developed as residential. Planned Residential has to go through a concept plan review where the developer shows the proposed uses for the property, access, etc. There was a question if there were exceptions for Planned Commercial. Ms. Moultrie said if it is a commercial use and Council accepts it, it can be in a Planned Commercial zone. If there is a certain use Council does not want, then Council can condition it and say the property is restricted. There is a lot of flexibility of uses in the PC zone. The property has been commercial since it was annexed in 1998 and went to the Planned Commercial zone around 2003. There was a question as to whether a car wash is allowed in Planned Commercial. Ms. Moultrie stated a car wash is allowed in Planned Commercial. A car wash was a condition to not be allowed in the 2003 concept plan. The 2003 concept plan has expired so that can be revisited.

Councilwoman Gregory asked what were SCDOT's thoughts on the accidents that have occurred in that area. Ms. Bihl, Traffic Engineer, stated over the past two years there have been 17 crashes in the area. About half of them happened at the intersection of Stratford and Whiskey Road. Others occurred in locations outside the intersection. Speaking with SCDOT staff, they felt it was not a high accident or high crash location. She felt phasing of the traffic signal will alleviate the concerns of the citizens about the left turn onto Whiskey Road.

Councilwoman Gregory asked for clarification on the stormwater situation. She asked if LuLu's is conditioned to have their own retention pond where they would capture the contaminated soapy water from the car washes. Ms. Moultrie stated their chemical water or wash water would be recycled going through the sanitary sewer system. Mr. Bedenbaugh stated ultimately the car wash water will be discharged into the sanitary sewer system not the stormwater system. Rain water

that falls will go in the stormwater detention pond. Councilwoman Gregory stated if there is a rainfall and people are washing their car are you saying there is no risk that the water can flow outside and not be contained in the stormwater or sanitary sewer system.

Ms. Moultrie stated she could not speak to that technicality. She said there is some stormwater back up. There would be a detention area that would allow some infiltration but that gets into a technical question. Mr. Bedenbaugh stated that was above his technical ability and would defer to Mr. Przybylowicz, Engineering & Utilities Director.

Councilman Girardeau stated from his real estate experience car washes were a real problem at one time. Now they are some of the most regulated commercial properties because of the problem of the soap. He said he could not speak to the technicality of the question.

Mr. Przybylowicz stated the water used inside the car wash is all contained. He noted that cars will come out with water dripping from the car because the blower system will not get it all off. The stormwater detention pond is there also for water quality. The water will sit in there. It will infiltrate, but as it infiltrates some of the chemicals will deteriorate inside the soil. Any runoff will go into the pond and that is what it is there for. It is also for water quality. It will contain the water. If it floods out, there are spill ways and there is also stormwater infrastructure. He felt the area would be pretty protected because they will have to adhere to the city's regulations for stormwater ponds. They will have to retain and capture the 25 year storm and release it to pre-development before the asphalt. He said there should not be any more runoff on that property than there is now because of the city's stringent stormwater policy.

Councilman Woltz stated he understands everyone's concerns, but they bought their property knowing what it is zoned. It is tough when you have lived somewhere for a long time and something in your backyard changes. He said he understands that. He said the question before Council is different than the concern. He said it is really a tough thing to weigh. He said he appreciates those who came out and expressed their opinions and concerns.

Mayor Osbon called for a vote on the motion made by Councilman Girardeau, seconded by Councilman Woltz, that Council approve on second reading an ordinance to approve a concept plan for property located on Whiskey Road between Stratford Drive and Sizemore Circle. The motion was approved by a vote of 5 in favor and 2 opposed. Councilmembers Diggs and Price opposed the motion.

LEASE AGREEMENT – ORDINANCE 09282020A

Renewal

Aiken Aviation, Inc.

Fixed Base Operator

FBO

Aiken Regional Airport

Mayor Osbon stated this was the time advertised for second reading and public hearing of an ordinance to enter into a Lease Agreement with Aiken Aviation, Inc. as the Fixed Base Operator for the Aiken Regional Airport.

Mayor Osbon read the title of the ordinance.

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

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

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

Highlights of a potential lease expansion include:

1. A 25-year extension effective upon Council approval, which would result in a new lease expiration date of October 2045.
2. An increase in annual revenue of approximately \$25,000 which includes higher rental fees for leased space and fuel flow fees. A new feature to this lease is a special events flow fee of 10 cents per gallon during the week of the Masters Tournament.
3. The FBO will be given City-owned equipment in order to maintain the grass cutting, thereby saving on our indirect costs of staff time and equipment usage.

The lease has been reviewed and accepted by both the SC Aeronautics Commission and the FAA.

At the last meeting there was a question regarding the number and availability of hangars. Presently there are 90 spaces for planes. That includes 64 spaces for single piston engine airplanes, 8 spaces for twin piston engines, 4 spaces for turbo prop, and 14 spaces for jets.

City Council approved this ordinance on first reading at the September 14, 2020, meeting. For Council consideration is second reading and public hearing of an ordinance to enter into a lease agreement with Aiken Aviation, Inc. as the Fixed Base Operator for the Aiken Regional Airport.

Mayor Osbon asked for comments from the audience and Council.

Mr. Dick Dewar, 1006 Bellreive Drive, stated he had always had an interest in the airport. He said he tried to get the issue addressed when he was a Councilmember but was not successful. He said he still has an interest in the airport because it is a very important part of our city. It is unquestionably very positive for economic development for the city, county, and even areas around the county. He said he felt the FBO was doing a great job. He said he had looked at surveys for work that he has done. He said people like coming to the Aiken Airport. He said he wanted to make it clear that Mr. Laver is doing an outstanding job.

Mr. Dewar stated he wanted to bring up some issues that Council should consider before final approval. He said he always expressed concern about the airport FBO lease being a 25-year agreement. He noted that in this agreement an optional 10-year extension is being added. He felt that really makes it a 35-year agreement. He pointed out that the existing agreement is good until 2024. The proposed agreement is to be good until 2045 and with 10 additional years good until 2055. He said the City Attorney may decide how the mechanics of that works. Does the proposed agreement go into effect now or does it go into effect when the present agreement expires which is 2024. He said the response he had received as to why it needed to be a long term agreement had to do with investment on the part of the FBO and the time needed to recoup that investment. He said that makes sense; however, it would be ideal to know exactly what that investment would be and exactly how long that recoupment has to be. He noted there is a dire need for more hangars at the airport. He felt the City could build those hangars and the money could be recouped in seven or eight years instead of having the FBO do it. With regard to the special events fee, he noted in the agreement the fee is eight cents and ten cents for the special events. He asked if that would be eighteen cents for the special events or two more cents added to the eight cents. Mr. Bedenbaugh responded the fee would be on the

dates around the Masters and would 18 cents. The fee is plus 10 cents in addition to the 8 cents regular fee. Mr. Dewar stated he felt the city should consider expanding the timeframe for the additional 10 cents on the fuel fee around the Masters event. He noted another question he had raised is the charge for fuel. There is more than one kind of fuel. He wondered if the fuel fee applies to all fuels at the airport or a few. He said in the past he had recommended a percentage fee on the fuel rather than a set amount. That way the city would get more if the fuel price increased and would get less if the gas price decreased.

Mr. Dewar also noted there is a statement in the agreement that the monthly fee is the higher of the monthly fee or line 21 on IRS form 1120. He said if one looks at the IRS form 1120 that is a very confusing document in this particular case. He said he could not imagine a business in Aiken or in South Carolina that would not like to pay taxes on net. Unfortunately, they pay taxes on gross income. He felt Council should understand the mechanics of how much that is. He noted that the \$300 fee might not be enough. He said he felt the city should work hard to make sure the city gets a fair return on the use of one of the city's most valuable assets. He said that is the primary reason he is present. He pointed out that we have never turned down a FAA grant. He said he is aware that there are plans to extend the runway. He pointed out that the city has to pay 5% of the cost of the project. Funds are needed to meet the city's portion of any grants. He asked if the city gets any income from any of the vendors that are at the airport, such as the car rentals. A lot of airports add a tax or fee to the airport rentals. He felt Council should be focused on getting the maximum money from the airport lease so the money can be put into a reserve account so when the city gets a FAA grant there is money set aside for the city's portion of the improvements. He said his focus is to raise questions and point out things Council may want to consider, and take a look at the annual income. We did have a workforce in 2015. He looked at that package. That was very informative. The City pays all the utility fees at the airport, and the annual report highlights that. He said he never did see the 1120S form. He wondered if the city had seen it. He said he felt the city should see it. Mr. Bedenbaugh responded that is new to the proposed lease. Currently we don't have to view the 1120S line 21. Mr. Dewar stated he was present because the matter was an issue for him when on Council. He said the airport is a very important issue. He said he has no personal issue in the matter other than the City should receive as much income as possible to use at the airport.

Mr. Bedenbaugh stated the current lease has a 10 year extension so the lease could be extended 10 years beyond 2024. He said the verbiage concerning the extension is basically the same in the proposed lease that is in the current lease. He said there are two types of fuel at the airport. The fee was 5 cents per gallon for 14 years. In January, 2019, the FBO agreed to raise the fuel flow fee to 7 cents per gallon. Then the FBO did charge the special events fee during the April, 2019, Masters though that was not in the lease. Our fee income that month was over \$20,000.

Mr. Dewar noted that he had heard that the General Aviation Commission was completely cut out of the process of reviewing the lease. This was a done deal and given to the General Aviation Commission as a done deal. He felt Council should not be happy about that. He felt the General Aviation Commission should have been considered and had input in the lease agreement before it came to Council.

Mr. Dick Funkhouser, 933 Houndslake Drive, said he is one of the seven members of the General Aviation Commission. He said only at the last meeting of the Commission on September 8, 2020, had the Commission received information that the lease agreement between the City and the FBO had been completed. He said there had been no input from members of the General Aviation Commission regarding the lease agreement. According to the city's guidelines for committees, they are to provide ongoing recommendations to Council and to staff concerning special program areas. He felt the General Aviation Commission should have been involved in the review of the FBO lease. He said he was asking City Council to delay completion of the lease and have further review of the proposed lease by members of the Commission and staff of the city.

Mr. Zipper Robbins, Bissell Road, stated as information, it had been stated that the city had never turned down an FAA grant, but Mr. Dewar was on Council when an FAA grant

was turned down. An FAA grant was turned down to expand the airport and build hangars. It was under a different City Manager, but it was turned down. Mr. Robbins pointed out that running a municipal airport is not a high finance business because there is not much business. It is solely functional on the sale of jet fuel basically. That is what makes the profit. The FBO rents the area, and then to help him pay the rent he will lease out an area for a flight school, or a maintenance shop. He sells Avgas because there are airplanes based that burn Avgas and transients that burn Avgas. The proportion of Avgas is minuscule compared to jet fuel. To get jet fuel you have to have comparable facilities to your competition. Aiken's competition is Bush Field, Thompson, and Augusta. When you start adding fuel flow fees on top of your cost of fuel, you get non-competitive. A pilot will look at how much fuel costs in various places to get the best deal. You have to manage the cost on jet fuel. He said he felt 8 cents per gallon to the City is more than fair. He pointed out as the buying of the fuel goes up, like the Masters with a surcharge, you get a lot more money. He pointed out the 3% fee is on an IRS form. He pointed out if one is worried about someone manipulating the business income and not paying taxes, it needs to be addressed at the IRS level. Mr. Robbins pointed out regarding the statement that the General Aviation Commission did not review the lease agreement, the lease is an agreement between the City of Aiken and the FBO. The Commission is an advisory commission, but the Commission has no ownership in either portion. The City is the one that controls the airport. The City is the one that will decide what they will take on the various fees. The FAA has looked at the proposed lease as well as the South Carolina Aeronautics Commission for regulatory reasons. They are not interested in the numbers. The numbers are between the City of Aiken and the FBO. He pointed out that the Commission looked at the proposed lease at the meeting on September 8, 2020; however, the lease had been before the FAA and SC Aeronautics and the City for several months, and they had come to an agreement. He pointed out that the FBO is doing a good job. He is improving the airport. The lease extension needs to be long term for the FBO to be able to get financing for improvements to the airport. He said the FBO has to have the ability to use the lease to secure financing for improvements to the airport. He noted that it had mentioned about having 10 year extensions, in every lease both parties have to agree for the extension. If the City does not want to extend the lease, they do not have to agree to the extension. There is protection for the City in the lease.

Mr. Mike Laver, 914 Old Graniteville Highway, Airport FBO, stated he wanted to respond to one comment that Mr. Dewar had made about the 3%. He pointed out that when he charges more for jet fuel that is because his price has increased. He said his margin is always the same. Therefore, the comment about the 3% makes no sense. He pointed out that if fuel has gone from \$2 to \$8, he is not making an additional \$6 a gallon. If he were, then you would want the fee on a percentage. The reason the cost of fuel goes up and down at the airport is because he is paying more for it. Therefore, a flow fee is the fairest for the city and for the FBO.

Mayor Osbon stated the request is for a 25-year lease for the FBO. He said if the FBO should want to change hands before the 25-year lease is up, does the City have protection.

Mr. Bedenbaugh stated any change of hands of the FBO at the airport has to be approved by the owner (the lessor-City of Aiken). The lease holder cannot just transfer the lease to another corporation or an entity of his choosing without City approval.

Councilwoman Price noted that the current lease for the airport expires in 2024. Mr. Bedenbaugh stated if both parties mutually agree, the present lease, which was approved in 1999, can be extended 10 years. Mr. Bedenbaugh stated if Council approves a new lease with the FBO, the lease that was approved in 1999 would go away. He said if after 25 years the City decides they don't want to renew the lease or extend the lease, it will just expire. The new lease would start as soon as it is formally approved by Council, the FAA and the State Aeronautics Commission.

Councilman Girardeau stated he appreciated the comments that Mr. Dewar had made. He pointed out his initial comments were that the airport is a great asset to our community. He said it is getting better and Mr. Laver has done a great job. He said regarding Mr. Dewar's comments regarding the City can build the hangars. He said he

did not want to see the City trying to get into the business of building hangars. He said it is better to leave that to the experts, it will get better and it will enhance the community. He said the sooner we get things going and moving in that direction it will be better.

Councilwoman Price noted that it took us a long time to get where we are now. She said Mr. Laver had done a fantastic job at the airport.

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

Mayor Osbon thanked Mr. Dewar for his comments. He noted that the airport had been a passion for him for some time. He thought we had got to where we are because of his input over the years.

Councilwoman Gregory stated she supports what we are doing for the airport. She said regarding the General Aviation Commission, it is important that we incorporate our Commissions in every department, not just Aviation, and keep them informed. They are an advisory committee for recommendations, and it never hurts to hear what they can bring to the table even though it is ultimately a Council decision.

CONCEPT PLAN – ORDINANCE

Village at Woodside

Woodside

Silver Bluff Development LLC

TPN 107-09-06-001

Mayor Osbon stated an ordinance had been prepared for first reading to amend the concept plan for the Village at Woodside for the relocation of multifamily apartments.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE AMENDING THE CONCEPT PLAN FOR PROPERTY LOCATED IN THE VILLAGE AT WOODSIDE.

Councilman Girardeau moved, seconded by Councilwoman Gregory, that Council pass on first reading an ordinance to amend the concept plan for the Village at Woodside for the relocation of multifamily apartments.

Mr. Bedenbaugh stated Silver Bluff Development LLC is requesting revision of the concept plan for the Village at Woodside. They are proposing to relocate +/- 98 previously planned multifamily apartments to a location generally north of Village Green Boulevard, across from the west green. They are requesting the change to improve the multi-family residential component's access to the parks, restaurants, and retail amenities and to improve the parking arrangement for the facility.

For some history of the concept plan, the 2005 Concept Plan for the Village at Woodside included 299 residential dwelling units, with +/- 136 of those units being designated as multi-family/villas. That plan showed two large buildings in the location of the proposed apartments, located on the north side of Village Green Boulevard, across from the west green. The original 2005 plan also noted multi-family/villas to be developed on the north side of Village Green Boulevard at the east end of the Village near the gate. Multiple buildings scattered throughout the development, including the buildings in the requested location, were designated as residential over office/retail.

The Concept Plan was amended in 2014 for the expansion of the assisted living facility and the conversion of the multi-family/villas concept near the gate with multiple office buildings. The 2014 plan continued to show 299 residential dwelling units, with +/- 136 of those units being designated as multi-family/villas. In 2017 the Concept Plan was amended to reflect the final size of the assisted living facility, amenities added to the green spaces, and to show additional single-family development on the south. The 2017

Concept Plan was adjusted to reflect the actual development with total residential units being 318, with +/- 114 units designated as multi-family, villas, apartments or residential over retail. In 2019 the Concept Plan was amended by Council to approve the construction of a maintenance facility near the gate, with the residential unit mix remaining unchanged from the 2017 concept plan.

As the Village at Woodside has developed, a number of the structures that could have been constructed with upper-floor apartments or condominiums were constructed as retail and/or office buildings, leaving a balance of multi-family units from the original plans. The developer now wishes to construct +/- 98 apartments, in a location that was once designated for residential over office/retail.

Any development in the Planned Residential (PR) zone must provide a concept plan for review by the Planning Commission and approval by City Council.

The Planning Commission reviewed this request for Concept Plan revision at their September 15, 2020, meeting. The Planning Commission recommended unanimously to City Council that the Concept Plan revision be approved with the following conditions:

1. That a site and landscape plan be submitted for review to ensure there are no conflicts with the existing streets, drainage, or utility systems;
2. that the development comply with the landscaping, tree preservation, open space, and signage requirements of the Zoning Ordinance;
3. that the applicant sign an agreement stating the conditions of approval within 90 days; and
4. that the developer submit a revised concept plan listing conditions of approval within 90 days.

For City Council consideration is first reading of an ordinance to amend the Concept Plan for the Village at Woodside to allow construction of a +/- 98 unit multi-family development on the north side of Village Green Boulevard, approximately 350 feet east of Silver Bluff Road.

Mayor Osbon asked for comments from the audience and Council.

Mr. Richard Steele, 127 Balfour Court, stated the Village at Woodside was always intended to be a neo-traditional designed community. The first piece is commercial. There are a number of commercial buildings in The Village. They expect to build more commercial buildings in neo-traditional setting which are typically closer to the street with sidewalks to support pedestrian access and typically to put most of the parking in the rear. He showed a slide of some of the buildings which they have constructed so far. He noted that the residential structures typically are built forward with sidewalks to encourage walking, greeting places for people to get together, with parking and garages usually in the back. The homes are a diversity of home styles—large, small, cottage close homes without garages, attached homes, and townhomes. He said they had also invested very heavily in amenities. In anticipation of completion of The Village which is approximately 300 units and approximately 200,000 square feet, they have built almost all of the infrastructure and amenities upfront. Most of the amenities are designed to get people together and to create gathering places. He pointed out that The Village at Woodside is not a retirement community; it is not a gated community; it is meant to be very open. Anybody in Aiken is welcome to The Village at any time. He noted that they also sponsor a lot of events which creates vitality and energy in The Village. Typically they do a Fourth of July festival, but this year because of COVID they did not. He said that is what a neo-traditional community is designed to do—to mix residential, commercial, retail—all together and create a community. He said Kent Baldwin would talk about the concept plan and approvals. He pointed out that in this plan there are many commercial tenants, office tenants, retail tenants and restaurants who need customers. They need residents. They relocated their business to The Village, in part, because we said we were going to build 300 units, and apartments have always been part of the units. He said many of the residents know that is what will support to make The Village sustainable in the long run.

Mr. Kent Baldwin, 621 Colleton Avenue, stated he wanted to reiterate a few important aspects of the approvals and give a quick look at the history. He said there are some meaningful aspects of some of the revisions that have occurred over time that it would be helpful to hear and understand. In 2001 The Village was part of the annexation that brought 529 acres into the city. It was also the balance of Phase III of Woodside which is known as The Reserve. In 2005 and 2006, the concept plan was amended to better define The Village and to establish the plan and approvals of The Village as we know them today. He pointed out that in the area where they are proposing apartments, the original concept plan showed two large office buildings as well as a third building that were designated as office/retail and residential/over office/retail. That location is the area proposed for the apartment facility. Since 2005 it has always been the location for residences. He said when one looks at the original plan, you can see how close they have stayed to this with the development given the market changes. The location proposed for the apartments has always been marked for residences and the size building is consistent with the original plan. The development plan and marketing effort have always contemplated multi-family apartment rentals. He noted a marketing brochure that goes back to the inception of The Village, and it shows apartments on The Village map. He said they have always planned on apartments and intended for them to be part of The Village. He noted there were two subsequent revisions in 2007 and in 2010 which were more technical in nature. They dealt with the brick signage at the entrance and on-street parking. In 2014 the revision laid the ground work for the assisted living location and converted it to a multi-family area and to medical and professional offices. The plan remained consistent with the number of residences and the intention to have apartment residences in the area proposed for the apartments. In 2019, Council approved the maintenance facility near the gate. The current application for concept revision represents further refinement, and it is felt that this component would best work in this area in The Village. He said they are not seeking to change density or unit count as they will remain the same. He said they had studied the area carefully and as laid out at the Planning Commission, they believe this area to be the best possible location. The plans on the proposed concept plan show three buildings which are consistent with the original concept in 2005. In summary the multi-family residences have always been part of the plan and vision and approvals for The Village. If they don't go in this location, they need to go somewhere. They built and installed all the infrastructure and amenities in reliance on these approvals. The building of multi-family units is vital to the long term success and sustainability of The Village. A reduction in approval of anticipated units would negatively impact the economic viability of The Village. These residences are needed to ensure the commercial entities remain viable and the wonderful amenities can be maintained properly. The apartments would be built at the same high level of execution and quality as seen in the pictures which Mr. Steele showed. They are sure when they are completed they would be appreciated by all the residents of The Village and the surrounding area would be an asset for the City of Aiken for years to come.

Councilman Woltz asked how many residential/over offices were originally planned for that area. Mr. Baldwin stated they did not break it out by number. They just had an overall count. It was a concept. Originally in 2005 they had approximately 58 units and multi-family of 136. There were 58 units proposed for the current proposed location and another 136 designated for multi-family which includes apartments in other locations of The Village. Mr. Baldwin noted that the proposed concept concentrates the apartments in the location just off Silver Bluff Road with approximately 98 units. That still leaves a remainder of other multi-family and/or residences for which they have approval. The proposal would concentrate 98 units in one location, and it is felt that would be better than scattering the units throughout The Village. The one location would concentrate the traffic flow in and out very close to the entrance to Silver Bluff Road rather than having the apartment residents driving throughout The Village. It provides easier access to the apartments. Regarding the question as to what the rental would be for the apartments, Mr. Baldwin stated they had not finalized rental rates but the anticipation is for them to be at the higher end of the Aiken market. They see a demand from not only current residents in Woodside, but professionals, and a step down unit for those wanting to scale down.

Councilman Woltz asked if they were adding more rental units in The Village or just relocating units from other locations in The Village to the area near Silver Bluff Road.

Mr. Baldwin responded that they were relocating units from other locations in The Village to the area near Silver Bluff Road. They are not adding any more units. They are gathering up the number approved for multi-family units and relocating a high concentration of the units in the area near Silver Bluff Road.

Councilman Girardeau asked if we could assume that the quality of construction would be equal to what is already in The Village. Mr. Baldwin responded that the quality of construction is a critical, vital aspect of the project. He said everything they have done in The Village they feel is first class. They would not want to compromise what they have already done in The Village. In response to a question as to whether the units would just be available to those over 55, Mr. Baldwin responded they would not be limited to those over 55 of age.

Ms. Dianne Beatty, 206 Gatepost Lane, stated she and her husband relocated from Charlotte, NC for job purposes. They are not retirees. She thanked Council for listening to their thoughts and issues with the proposed 98 unit apartment complex. She said when they discovered The Village, they fell in love with its charm and the concept of a mixed-use community. They liked the idea of diverse demographics—retirees, executives, young families, etc. They knew that entailed single family homes, townhomes, businesses, retail, residence/over retail, and probably some apartments as well. They feel that is what makes a community. Mr. Steele has made quite an investment in his vision for this community, and they in turn have also made an investment in his vision. She pointed out that at no time were they ever told there would be a large apartment complex this dense with more units than there are home sites in one area. She asked if there is any way to break the complex down into smaller, maybe more appealing buildings, perhaps similar to what is being built in Habersham, a community in Beaufort, SC. Perhaps the architecture could be more in line with the other buildings and homes in The Village. She felt that three buildings, having 98 units, a pool and a club house is a vastly different scenario than what was proposed and changes the dynamics of the community. There would be the homeowners section, the businesses, and the apartments, with all seeming to be separate entities residing within the same neighborhood. She felt nothing about that says “community” to her. Putting a pool and club house inside the scope of the apartments separates them from The Village residents. She said she was not opposed to the pool and club house, but why not put it in a spot more conducive to all residents so they can all be part of the same community as proposed in the TND. The original concept plan calls for residence/over retail/or office. That is a very charming component in a TND. There are office buildings that could have been constructed with upper floor apartments or condos, but instead they added more businesses. If they had constructed the upper floors as residences that may have alleviated the need for a large apartment complex by interspersing the units within the community. She questioned whether there would ever be apartments over retail. At the Planning Commission Mr. Baldwin spoke about the issue. A commissioner asked whether it was always designed to be an apartment unit or was the idea before to always be above retail. Mr. Baldwin responded “The residence over retail was a component of it. Our thoughts on that was, it just does not seem to be economically viable.” She said she would like to know if the development team did any type of research study to determine if it was economically viable prior to listing this and presenting it as a selling component of the concept plan. Diana Peters, a member of the development team, is also a member of The Village Homeowners’ Board, and attended the annual meeting in January. They were told then when the residents were together about the potential grocery store they were in talks with, but nothing about the large apartment complex. That would have been the perfect opportunity to fully disclose the information to the homeowners when they were together. In an email that Diana Peters sent after the Planning Commission meeting, it was stated that it was clear that the residents who spoke at the Planning Commission meeting are having an aversive reaction to renters. She noted that she was one of the speakers and was extremely offended that Ms. Peters made such an inaccurate judgmental statement. Many are not averse to renters, they are opposed to the number of units being built in one large building. She said they are not the enemy, but are the customers who helped build the vision of Mr. Steele. She asked that the development team listen and hear their concerns. Communication and transparency at every step of the process is vital to a positive outcome. She stated she loved living in The Village, and she hoped that they can come together as a community and try to work through this upcoming change in their

neighborhood in a cohesive manner. She asked Council to recommend to the developer that the development team and all of the residents have a meeting to discuss the facts, let them voice their opinions and thoughts as the plan goes forward. She asked that it be done prior to any decisions being made and they proceed with the plan.

Ms. Carolyn Tribble, 280 Coach Light Way, stated she wanted to mention another factor with this matter. She said that the residents felt very much blindsided about this matter. There was no communication. She said she was one of the most recent purchasers in The Village. She noted that the brochure that they were given shows virtually nothing. It does not show any specific apartments. She noted, however, the brochure she received about two weeks ago does show the specifics. She felt that most of the people have the same lack of information that she does. She said they feel they were buying and not being fully informed. She loves living in The Village. Even if she had known about the apartments, she probably would still want to buy in The Village. She said if the apartments were a great idea, why did they not promote apartments more in their marketing.

Ms. Faith Loeb, 306 Gatepost Lane, stated she wanted to comment on Ms. Tribble's comments about the brochures. She noted that the brochure she mentioned was given to them today. Most of them had never seen that brochure before. She pointed out that people were not informed about the apartments. That was just sort of omitted. There was discussion about a Village Inn and about a small grocery store. If the plan is approved in the area near Silver Bluff Road, she is concerned about the congestion coming in immediately into The Village and turning left into the apartments or the grocery store. She felt that the traffic engineer needs to look at that. She noted that there is not much room for many cars to come in or to cross over to the apartments. She said the size of the complex and the density just doesn't seem to fit in the scale. She said it just seems that a 98 apartment complex would not fit in the scale. She pointed out that Village Green Boulevard has a lot of traffic, and if the apartment complex is approved, there will be a lot more traffic. There needs to be more speed bumps as people are speeding in and out and there is not a good line of vision to cross to the other side. She also pointed out that there are to be luxury apartments built in the Mall area, and she wondered how the apartments to be built in The Village might affect those units. She wondered if Aiken needs about 250 luxury rental units. She suggested that possibly they could downsize the building from 98 units to about 48 or 50 units. That would probably bring the complex to scale and be able to blend with atmosphere and the ambience of The Village community as the residents bought into it.

Councilman Girardeau stated he remembers in 2001 when The Village first came up and remembers that multi-family was going to be part of it. He said he hates that the residents feel they have been misled. He said he felt no one intended for it to be that way, but he could see why they would feel that way with the brochures that were out. He said his hope would be that the developers and homeowners could get together and communicate. He said moving forward, he felt like the matter had been approved many times for some type of multi-family units. He pointed out that looking at the design of having the apartments farther back near the driving range, that it would be better to have the apartments closer up to the entrance and Silver Bluff Road as it would reduce the traffic going back through The Village. He felt the request should move forward to second reading.

Mayor Osbon asked if 300 was the number that is considered full build out. Mr. Bedenbaugh stated that is correct 299 residential dwelling units is full build out for residential, but that encompasses the single-family and multi-family, villas, etc. Mayor Osbon asked what is the current number built in The Village. Mr. Baldwin stated he did not have the exact numbers, but he thought about 70 to 80 units had been built so there is quite a number to go. Mr. Steele responded that he thinks there are 80 single-family units, 12 townhomes, and 75 assisted living units. They have built out slightly over one-half of full build out. He pointed out that they are not seeking any additional density. The proposed apartments are units already accounted for in the number of units for the development. The request is moving the location of most of the apartments to the area near Silver Bluff Road.

Councilwoman Brohl stated in being on the Planning Commission she remembers the 2005 concept plan mentioned multi-family and apartments, but she did not recall the numbers.

Councilwoman Price stated in looking at the plans, they have changed tremendously, not that it is negative, but the plans have changed. She said she thought she was hearing the residents say that they can take changes as long as they are informed. The big issue is about communication with people wanting to know and be informed. She said that it does not take much to let people know what is going on. She pointed out that she felt the proposed revision for apartments would enhance the area even though the residents have talked about the traffic flow into The Village and on Silver Bluff Road. She pointed out the plan for apartments is not new, but the area for the apartments has changed.

Mayor Osbon asked if there are any plans for a turn lane into the apartment location from Village Green Boulevard.

Councilwoman Gregory pointed out that to answer some of the constituents' questions on the concern over the traffic and Silver Bluff, etc., Silver Bluff was basically built out already to suffice for the density that encompasses Woodside, The Village and surrounding neighborhood. She said that is something that we want to keep in mind. She said to echo Councilman Girardeau's point, there is some miscommunication. She said in 2008 she considered moving into The Village. She said they were made aware of the future vision of The Village. Multi-family was the key word. Multi-family can mean different things, with apartments being one meaning. She said she understands the concern for density, and the shift in the actual plan, but the multi-family plans were on the concept plan within the density. She noted that every concept plan that has been presented since 2005 that has been approved has stayed within the density. She was concerned about the disconnect. She pointed out that Mr. Steele's past performance speaks for itself. His developments speak to a community enhancement across the board. She hoped that we can trust that his vision, his past performance, and what he has attributed to every neighborhood and development that he has touched has always been something to be proud of if you are an investor there. She pointed out that she had received communication and phone calls from people who live in The Village who truly support this project. There are residents who are excited about the plan. They want the density to support the businesses, the commercial part of the development, especially in this climate. She said she was asked to express those comments that there are residents in The Village that support the project. She said she understands the residents' concerns and thanked them for coming and expressing their opinions and concerns. She said she does believe the request for the revision of the concept plan is a good direction.

Mayor Osbon called for a vote on the motion made by Councilman Girardeau seconded by Councilwoman Gregory, that Council approve on first reading an ordinance to amend the concept plan for the Village at Woodside for the relocation of multifamily apartments. The motion was approved unanimously.

ANNEXATION – ORDINANCE

4 Parsons Circle

Janet Kabel

TPN 106-07-10-005

TPN 106-07-10-004

Mayor Osbon stated an ordinance had been prepared for first reading to annex 4 Parsons Circle and an adjoining lot and zone it Residential Single-Family (RS-15).

Mayor Osbon read the title of the ordinance.

AN ORDINANCE TO ANNEX PROPERTY LOCATED AT 4 PARSONS CIRCLE AND ADJOINING LOT AND TO ZONE THE SAME RESIDENTIAL SINGLE-FAMILY (RS-15).

Councilman Girardeau moved, seconded by Councilwoman Diggs, that Council pass on first reading an ordinance to annex 4 Parsons Circle and an adjoining lot and zone it Residential Single-Family (RS-15).

Mr. Bedenbaugh stated Janet Kabel, applicant and owner, has requested annexation of 4 Parsons Circle and the adjoining lot containing 1.902 acres and .569 acres respectively. It is proposed to zone both lots Residential Single-Family (RS-15) which is consistent with the surrounding uses and zoning. The property is located in Lane Subdivision in the Aiken Estates area.

The Planning Commission reviewed this request for annexation at their September 15, 2020, meeting and unanimously recommended approval of the application for annexation and zoning as Residential Single-Family (RS-15).

For Council consideration is first reading of an ordinance to annex 4 Parsons Circle and the adjoining lot and zone the area Residential Single-Family (RS-15).

Mayor Pro Tem Price asked for comments from the audience and Council, noting that Mayor Osbon had stepped out of the meeting.

Mayor Pro Tem Price called for a vote on the motion made by Councilman Girardeau, seconded by Councilwoman Diggs, that Council approve on first reading an ordinance to annex 4 Parsons Circle and an adjoining lot and zone it Residential Single-Family (RS-15). The motion was approved unanimously.

CITY PROPERTY – ORDINANCE

625 Aldrich Street NE
Lionel Grier
Debra Grier
Mike Calhoun
TPN 120-11-15-002

Mayor Pro Tem Price stated an ordinance had been prepared for first reading to transfer property at 625 Aldrich Street NE.

Mayor Pro Tem Price read the title of the ordinance.

AN ORDINANCE APPROVING THE SALE OF ONE PROPERTY IN CROSLAND PARK TO DEBRA GRIER.

Mr. Bedenbaugh stated recently, Council members Price and Diggs, and staff met with Lionel Grier and Mike Calhoun. Mr. Grier and his wife, Debra, own a lot at 619 Aldrich Street NE [directly behind the Burger King on York Street]. The City owns the lot next to them. Mr. Grier and Mike Calhoun have a proposal to construct up to 6 “tiny homes” which would be single family residential homes on the two lots, which together equal 0.70 of an acre. After discussion with Council and staff we propose transferring City-owned property at 625 Aldrich Street NE at no cost with a clawback that if work does not begin within 24 months, the property would revert to the City at no cost. This would be new housing construction on the north side of town. The property the City owns was most recently used as a community garden.

For Council consideration is first reading and public hearing of an ordinance to transfer property at 625 Aldrich Street NE to Debra Grier.

Councilman Girardeau moved, seconded by Councilman Woltz, that Council pass on first reading an ordinance to transfer property at 625 Aldrich Street NE to Debra Grier.

Mayor Osbon asked for comments from the audience and Council.

Mayor Osbon stated he felt the plan is good and that the proposal would be good on the entry way to Crosland Park.

Mr. Lionel Grier stated that he and Mr. Mike Calhoun want to put affordable housing on the lot using the “tiny home” concept. He said he had explained to Councilmembers Diggs and Price and city staff what they would like to do on the lot. They agreed that it is a good project. He felt that it would help the community.

Mr. Bedenbaugh stated the Planning Department had been involved as well in the discussions about what Mr. Grier wants to put on the lot. The zoning would not be an issue with the plans. It is a concept that our Zoning Ordinance does allow. The homes will roughly be 800 sq.ft. with a garage in the back of the houses. It was noted that the homes will be detached structures with a fence around the area for a gated community.

Councilwoman Gregory stated she felt the proposal is neat; it is innovative. The City does not need to own the property. To be able to open it up to an opportunity for the community is great.

Mayor Osbon called for a vote on the motion made by Councilman Girardeau, seconded by Councilman Woltz, that Council approve on first reading an ordinance to transfer property at 625 Aldrich Street NE to Debra Grier. The motion was approved unanimously.

SALE OF PROPERTY – ORDINANCE

Aviation Business Park

Security Federal

WTC Airport LLC

U.S. 1 North

Airport

TPN 133-18-05-006

Mayor Osbon stated an ordinance had been prepared for first reading for the sale of a lot in Aviation Business Park from Security Federal to WTC Airport LLC.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO WAIVE ITS RIGHT OF FIRST REFUSAL IN THE PROPERTY OWNED BY SECURITY FEDERAL BANK AND LOCATED IN AVIATION BUSINESS PARK.

Councilwoman Price moved, seconded by Councilwoman Diggs, that Council pass on first reading an ordinance for the sale of a lot in Aviation Business Park from Security Federal to WTC Airport LLC.

Mr. Bedenbaugh stated the City of Aiken sold Lot A and A1 in Aviation Business Park to Security Federal Bank in 2005 with the intention that this would become a processing center for their operations. They would like to sell their rights to these lots to WTC Airport LLC for commercial use. The City has the Right of First Refusal for the property and would need to approve the sale of the property.

Aviation Business Park was primarily designed for possible airport related operations near the runways and industrial clients elsewhere. We have included the Covenants for the Park which describe permitted and prohibited uses in Aviation Business Park. Mr. Weldon Wyatt said they intend to pursue a commercial type development which would be allowed.

For City Council consideration is approval of the Waiver of Right of First Refusal for Security Federal Bank to sell Lots A and A1 in Aviation Business Park to WTC Airport LLC.

Mayor Osbon asked for comments from the audience and Council.

Mayor Osbon called for a vote on the motion made by Councilwoman Price, seconded by Councilwoman Diggs, that Council approve on first reading an ordinance for the sale of a

lot in Aviation Business Park from Security Federal to WTC Airport LLC. The motion was approved unanimously.

BUDGET – ORDINANCE

Woodside Sanitary Sewer Lift Station

Emergency Repairs

Oxygen Injection Project

Tri-Star Contractors

Premier Water, LLC

FY 2020-2021

Mayor Osbon stated an ordinance had been prepared for first reading to amend the 2020 - 21 budget for emergency repairs to the Woodside sanitary sewer lift station.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE AMENDING THE BUDGET OF THE CITY OF AIKEN FOR THE FISCAL YEAR BEGINNING JULY 1, 2020, AND ENDING JUNE 30, 2021, FOR EMERGENCY SEWER REPAIR AT WOODSIDE SEWER LIFT STATION.

Councilwoman Gregory moved, seconded by Councilwoman Brohl, that Council pass on first reading an ordinance to adjust the budget for an emergency repair to the Woodside sanitary sewer lift station.

Mr. Bedenbaugh stated we have had two emergency repairs happen at the Woodside sanitary sewer lift station. During the Oxygen Injection Project it was found that the plug valve on the incoming force main pipe would not operate. Because of this we have not been able to shut the force main down and replace the worn pump at the lift station. Three contractors were contacted for a cost to replace the plug valve on the force main and Tri-Star Contractors gave us a cost of \$36,500, which was the lowest bid.

During scheduled Wet Well cleaning and inspections at the Woodside sanitary sewer lift station, we found that 2 of the 16" bypass valves and 2 of the 18" wet well valves are marginally operable due to broken teeth on the gears. Several contractors were contacted for a cost to replace the 4 valves. Only Premier Water, LLC carries and installs these valves due to the compact size and special locations. Premier Water LLC gave us a cost of \$34,600 to supply and install the 4 valves needed.

The 2020-21 budget needs to be adjusted to provide funds for these emergency repairs from 002-3182-468-76-02.

For Council consideration is first reading of an ordinance to adjust the budget for the emergency repairs to the Woodside sanitary sewer lift station and accept the bids for the repairs for a total cost of \$71,100.

Mayor Osbon asked for comments from the audience and Council.

Councilwoman Gregory stated she remembered the Oxygen Injection Project which was not long ago. She asked what happened regarding the plug valves and the broken teeth on the gears. Mr. Przybylowicz stated the Oxygen Injection was separate from this. He said when the Oxygen Injection project was finished, we went in to clean out the wet well where the solids are, and we saw that some of the gears were broken on the valves. In order to fix that we had to install a plug valve which is one of the components so we can cap off the area of the wet well so we don't have discharge while we are trying to make the repairs. He pointed out that the emergency issues were independent of the Oxygen Injection Project.

Mayor Osbon called for a vote on the motion made by Councilwoman Gregory, seconded by Councilwoman Brohl, that Council approve on first reading an ordinance to adjust the budget for emergency repairs to the Woodside sanitary sewer lift station. The motion was approved unanimously.

RESOLUTION 09282020B107 Chesterfield Street STax CreditsSE Palmetto LLCAbandoned Building Revitalization Act

Mayor Osbon stated Council needed to approve a resolution certifying the abandonment of a commercial building at 107 Chesterfield Street S for purposes of receiving tax credits.

Mayor Osbon read the title of the resolution.

A RESOLUTION CERTIFYING THE ABANDONMENT OF A COMMERCIAL BUILDING AT 107 CHESTERFIELD STREET SOUTH FOR THE PURPOSES OF RECEIVING TAX CREDITS AS ALLOWED IN SECT. 12-67-100 OF SOUTH CAROLINA CODE OF LAWS, AND MATTERS RELATED THERETO.

Councilwoman Diggs moved, seconded by Councilwoman Brohl, that Council approve the resolution certifying the abandonment of a commercial building at 107 Chesterfield Street S for purposes of receiving tax credits.

Mr. Bedenbaugh stated SE Palmetto, LLC, has requested that the City of Aiken certify that the former Regions Bank building at 107 Chesterfield S. was more than 66% abandoned for income producing purposes prior to the firm's purchase of the property. SE Palmetto intends to seek a SC income tax credit under the Abandoned Buildings Revitalization Act. SC Code Sect. 12-67-100 requires that a taxpayer file a Notice of Intent to Rehabilitate with the SC Department of Revenue and include a certification of abandonment to take advantage of the credit.

The Act states that a taxpayer may apply to the municipality in which the abandoned building is located for a certification of the abandoned building site made by a binding resolution of the governing body of the municipality. The certification must include findings that the abandoned building site was an abandoned building as defined in Sect. 12-67-120. Based on local knowledge of operations at the site and representations from the prior ownership, all evidence indicates the building was in fact abandoned as defined in the statute.

Mr. Bedenbaugh stated this is a matter that Mr. O'Briant worked on. Mr. O'Briant had a family emergency and is not present at the meeting.

For Council consideration is a resolution certifying the abandonment of a commercial building at 107 Chesterfield Street S. for the purpose of receiving tax credits as allowed in Section 12-67-100 of the South Carolina Code of Laws and matters related thereto.

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

Councilwoman Price asked about the level of abandonment of the building and the length of time that the building has to be abandoned to get a full abandonment credit. Mr. Bedenbaugh stated that the evidence that we were able to find about the abandonment of the building is based on about 25,160 square feet. There were 18 employees in the building, with 12 on the first floor, 5 on the second floor, and 1 on the third floor. Mr. Bedenbaugh stated that Mr. O'Briant would have to answer the question regarding the full abandonment credit.

Mayor Osbon called for a vote on the motion made by Councilwoman Diggs, seconded by Councilwoman Brohl, that Council approve the resolution certifying the abandonment of a commercial building at 107 Chesterfield Street S for purposes of receiving tax credits. The motion was unanimously approved.

RESOLUTION 09282020C

Snow and Ice Removal
South Carolina Department of Transportation
SCDOT

Mayor Osbon stated Council needed to approve a resolution for a contract with the South Carolina Department of Transportation for snow and ice removal.

Mayor Osbon read the title of the resolution.

A RESOLUTION AUTHORIZING THE CITY OF AIKEN TO ENTER INTO A
CONTRACT WITH THE SOUTH CAROLINA DEPARTMENT OF
TRANSPORTATION FOR SNOW AND ICE REMOVAL.

Councilwoman Price moved, seconded by Councilwoman Gregory, that Council approve the resolution for a contract with the South Carolina Department of Transportation for snow and ice removal.

Mr. Bedenbaugh stated the South Carolina Department of Transportation would like to enter into a new Snow and Ice Removal Agreement with the City of Aiken if the Governor declares an emergency. The agreement would go into effect when emergency conditions occur and the Governor has declared a state of emergency. The agreement would be for the purpose of leasing or renting unlicensed, heavy-duty motor graders, with qualified operators, appurtenant equipment and support personnel when needed and if city availability allows. They would like to have the agreement in place to better prepare for emergency situations.

This type of request would typically come if another part of the state is impacted by winter weather. We benefited from similar mutual aid in the past. Any use of our equipment and staff would be reimbursed using current FEMA rates.

For Council consideration is an agreement with the South Carolina Department of Transportation for snow and ice removal and use of equipment if available in emergency situations.

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

Councilman Woltz pointed out that the agreement states that the rates are based on the schedule, but no schedule is attached. He asked how we would know what we might get reimbursed for when we don't know what the rates are. Mr. Bedenbaugh stated the rates would be whatever the FEMA rates are at the time of the emergency. He noted the rate schedule was not provided with the agreement, but there is a FEMA rate schedule. He pointed out that we benefitted from it when the Governor declared a state of emergency at the beginning of the COVID 19 pandemic, and we got reimbursed approximately \$100,000.

Mayor Osbon called for a vote on the motion made by Councilwoman Price seconded by Councilwoman Gregory, that Council approve the resolution for a contract with the South Carolina Department of Transportation for snow and ice removal in case of an emergency. The motion was unanimously approved.

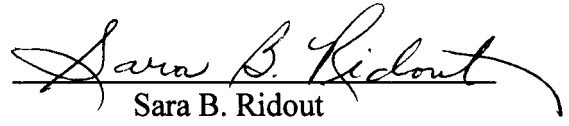
RESOLUTION

Memorandum of Understanding
James S. Watson, Jr.
Powderhouse Connector Project
South Centennial Avenue

Mayor Osbon stated a resolution authorizing the City of Aiken to enter into a Memorandum of Understanding with James S. Watson, Jr. had been removed from the agenda at the request of Mr. Watson in order to get a title to the property cleared.

ADJOURNMENT

There being no further business, Councilwoman Gregory moved, seconded by Councilwoman Diggs that the meeting adjourn. The meeting adjourned at 9:50 p.m.


Sara B. Ridout