

Aiken City Council MinutesREGULAR MEETING

October 24, 2016

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

Absent: Councilman Dewar

Others Present: John Klimm, Stuart Bedenbaugh, Gary Smith, Charles Barranco, Jessica Campbell, Kim Abney, Sara Ridout, Ryan Bland, Michelle Jones, Tim Coakley, John McMichael, Dan Brown of the Aiken Standard, TV Channels 6 and 12, and about 25 citizens.

CALL TO ORDER

Mayor Osbon called the regular meeting to order at 7:01 P.M. Pastor Craig Middleton, of the Aiken Church of Christ, led in prayer. The pledge of allegiance to the flag was led by Public Safety officer Rick Brown.

GUIDELINES

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

ADDITIONS OR DELETIONS TO AGENDA

Mayor Osbon asked if there were any additions or deletions to the agenda. Mayor Pro Tem Ebner stated he would like to suggest one change in the sequence of the agenda. He moved that Item 5 under New Business regarding the city tax millage rate be moved under Presentations and considered after the presentation of the Proclamation regarding Native American Heritage month. The motion was seconded by Councilwoman Price and unanimously approved.

MINUTES

The minutes of the Work Session and Regular Meeting of October 10, 2016, were considered for approval. Councilwoman Diggs moved, seconded by Councilman Ebner, that the minutes of the Work Session and Regular Meeting of October 10, 2016, be approved. The motion was unanimously approved.

PROCLAMATION

Native American Heritage Month
American Indians
Daughters of American Revolution
Henry Middleton Chapter
Trenton Chapter

Mayor Osbon stated Council would like to recognize Native American Heritage Month.

Councilman Homoki read the proclamation declaring November as American Indian Heritage Month.

Councilman Ebner moved, seconded by Councilman Homoki, that Council approve the proclamation declaring November, 2016, as American Indian Heritage Month. The motion was unanimously approved.

Mayor Osbon and Councilman Homoki presented the proclamation to representatives of the Henry Middleton and the Trenton Chapters of the Daughters of the American Revolution.

TAX MILLAGE – ORDINANCEReassessmentFiscal Year 2016-17Tax Millage

Mayor Osbon stated Council needed to consider on first reading an ordinance to set the city property tax millage rate due to reassessment.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE TO AMEND THE MILLAGE RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2016.

Councilman Merry moved, seconded by Councilwoman Price, that Council approve on first reading option (A) in the ordinance which is to maintain the millage rate of 62 mills, as the tax millage rate for fiscal year 2016-17.

Mr. Klimm stated as City Council is aware, Aiken County completed reassessment of all county real estate this past year which is done about every five years. The last reassessment was in 2011. Aiken County has provided us with the 2016 appraised and assessed values to use in our calculations for our City taxes for 2016. In accordance with State laws, we must review our tax rate and adjust the millage rate, as applicable.

Mr. Klimm stated there is a comprehensive power point presentation if Council would like to go into the details of the terminology and calculations that are involved in setting the millage rate. He said a decision needs to be made on the confirmation of the setting of the millage rate. He said if the millage rate is increased from 62 mills to 63.7 mills we will not have to adjust the budget downwards. If Council supports keeping the millage rate at 62 mills which it has been for many years, staff would come back to Council for a budget adjustment.

Mr. Klimm stated he wanted to talk about some considerations and make a staff recommendation. He pointed out that this is October and the budget process has been completed for some time, and we are actually beginning to work on next year's fiscal budget. During the budget process this past year we totally revamped the budget document and have done much work in the area of financial forecasting. During the budget process this past year, staff recommended several new targeted revenue sources to address specific needs, such as the need to implement a Roads Maintenance Program for the 90 miles of city roads where no maintenance program presently exists through the implementation of a Vehicle Maintenance Fee. The need to create a fund for new roads to address traffic congestion, especially on Whiskey Road, and other road improvements like sidewalks to increase public safety in our neighborhoods with the increase of the franchise fee. To the need to address public safety concerns, which we talked about in the work session, regarding the condition of the Public Safety Headquarters through increases in the franchise fee. To the need to refocus the Hospitality Tax in very specific areas such as addressing the downtown parking, increase city marketing, etc.

Mr. Klimm stated during the budget discussion over the past 6 to 8 months, there was never any discussion about a general tax increase. We did not propose it; we did not discuss it; we did not suggest it; and we don't support it. An increase in the millage rate at this time is not supported by staff, and we believe it would not be consistent with what we have said and what we have done in the Council Chambers over the past 6 months. We recommend the motion made by Councilmember Merry to keep the millage rate at 62 mills and for many of our citizens, that will result in a tax cut.

Mayor Osbon asked for comments from the audience and Council.

Ms. Barbara Stafford, 1510 Colleton Avenue, gave an example of her taxes and how it would impact her and what has already happened. She noted the assessment of her house in 2015 and the assessment after she did work on her house. She pointed out that her

taxes had already increased because of the increase in assessment and if the millage rate were increased to 63.7 her taxes would increase again.

Ms. Ann Dicks, 314 Jehossee Drive, stated she would like to commend staff for recommending the current millage rate of 62 mills. She noted there had already been a lot of increases over the last few months in fees and taxes and for some people that is a critical issue as they have low or fixed incomes. She thanked Council for voting to not raise the tax millage rate.

Mayor Osbon called for a vote on the motion by Councilman Merry, seconded by Councilwoman Price, that Council approve on first reading option (A) in the ordinance which is to maintain the millage rate of 62 mills, as the tax millage rate for fiscal year 2016-17. The motion was unanimously approved.

BOARDS AND COMMISSIONS

Appointments

Ann Dicks

Community Development Committee

John Owens

General Aviation Commission

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

Mr. Klimm stated Council has 16 pending appointments to fill vacancies on different City boards, commissions, and committees. Two appointments are presented for Council's consideration and vote at the meeting tonight.

Councilman Dewar has recommended the reappointment of Ann Dicks to the Community Development Committee. If appointed Ms. Dicks' term would expire September 2, 2018.

Councilwoman Diggs has recommended that John Owens be reappointed to the General Aviation Commission. If appointed, Mr. Owens' term would expire September 1, 2018.

For Council consideration is the reappointment of Ann Dicks to the Community Development Committee and John Owens to the General Aviation Commission.

Councilman Homoki moved, seconded by Councilman Merry, that Council approve the reappointment of Ann Dicks to the Community Development Committee and John Owens to the General Aviation Commission. The motion was unanimously approved.

Mayor Osbon asked for nominations for appointments to be considered at the next meeting of Council.

Councilwoman Diggs recommended that Jack Benjamin be appointed to the Arts Commission to fill the position of LaVerne Justice.

WATER TOWER – ORDINANCE 10242016

Lease Agreement

Amendment

New Cingular Wireless

Bellsouth-AT&T

York Street

South Boundary

Water Tower

Mayor Osbon stated this was the time advertised for second reading and public hearing on an ordinance to amend the lease agreement for lease of space on the York Street Water Tower with New Cingular Wireless (Bellsouth-AT&T).

Mayor Osbon read the title of the ordinance.

AN ORDINANCE APPROVING THE AMENDMENT OF A LEASE OF SPACE ON THE YORK STREET WATER TOWER TO NEW CINGULAR WIRELESS, PCS, LLC.

Councilwoman Price moved, seconded by Councilwoman Diggs, that Council approve on second reading an ordinance approving a third amendment to the 2000 lease agreement with New Cingular Wireless, PCS, LLC (Bellsouth-AT&T) allowing them to modify their equipment on the water tower at York Street and South Boundary.

Mr. Klimm stated the city had been contacted by representatives of New Cingular Wireless PCS, LLC (Bellsouth-AT&T) requesting that they be allowed to add equipment on the water tower at York Street and South Boundary.

Mr. George Grinton, Engineering and Utilities Manager, has reviewed their proposed modifications and our current lease contract. He is recommending that the proposed lease agreement amendment be approved. The proposed amendment is the Third Amendment to the 2000 lease agreement. Mr. Grinton was able to negotiate an increase in the annual payment from \$17,854 to \$25,000 if we allow them to make changes to their equipment. The payment terms also include a 15% increase with each 5 year renewal.

City Council approved this ordinance on first reading at the October 10, 2016, meeting. For City Council consideration is second reading and public hearing of an ordinance approving a third amendment to the 2000 lease agreement with New Cingular Wireless, PCS, LLC (Bellsouth-AT&T) allowing them to modify their equipment on the water tower at York Street and South Boundary. Mr. Klimm pointed out that the representative from New Cingular Wireless is present to answer any questions.

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

Mayor Osbon called for a vote on the motion by Councilwoman Price, seconded by Councilwoman Diggs, that Council approve on second reading an ordinance allowing New Cingular Wireless to add equipment on the water tower at York Street and South Boundary. The motion was unanimously approved.

PROCUREMENT CODE – ORDINANCE 10242016A

Amendment

Mayor Osbon stated this was the time advertised for second reading and public hearing on an ordinance to amend the Procurement Code.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE AMENDING THE PROCUREMENT CODE OF THE AIKEN CITY CODE.

Councilwoman Diggs moved, seconded by Councilman Homoki, that Council approve on second reading an ordinance to amend the Procurement Code.

Mr. Klimm stated our current Procurement Code is based on a Municipal Association Model Ordinance dating back to 1983. There have been minor modifications since then, but as methods of procurement evolve additional review is necessary. Our Code has always specifically addressed so-called “hard bid” projects, which typically involve the selection of a professional service such as an engineer or architect, who designs plans that we then bid out to contractors through a sealed bid process. These projects are awarded to the lowest responsible bidder after careful evaluation of submitted bids. After consultation with local and national procurement experts, we reviewed the American Bar Association’s Model Procurement Code for State and Local Governments and the Government Finance Officers Association’s Elected Officials Guide to Procurement. We recommend an amendment to our Procurement Code that would add a section which would allow a number of other options that could be utilized on a case-by-case basis: (a)

design-bid-build; (b) construction management at-risk; (c) operations and maintenance; (d) design-build; (e) design-build-operate-maintain.

In addition to those methods identified in the ordinance amendment, Council may approve as an alternate project delivery method any combination of design, construction, finance, and services for operations and maintenance of an infrastructure facility.

This process would utilize an RFQ or RFP process as applicable to an individual project. This proposed change would not eliminate the chance to use the sealed bid process on projects, but is a necessary addition to the Procurement Code.

City Council approved this ordinance on first reading at the October 10, 2016, meeting. For Council approval is second reading and public hearing of an ordinance amending the Procurement Code of the Aiken City Code. Mr. Klimm stated Keith Powell, an attorney who is very familiar with procurement matters, is present to answer any questions for Council.

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

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Homoki, that Council approve on second reading and public hearing an ordinance to amend the Procurement Code. The motion was unanimously approved.

FRANCHISE AGREEMENT - ORDINANCE

Mobilitie, LLC
Telephone-Related Services
Lines
Telecommunications Services

Mayor Osbon stated an ordinance had been prepared for Council's consideration on first reading approving Mobilitie, LLC as a telecommunications services provider in the City of Aiken.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE APPROVING MOBILITIE, LLC AS A TELECOMMUNICATIONS SERVICES PROVIDER WITHIN THE CITY LIMITS OF AIKEN.

Councilwoman Diggs moved, seconded by Councilman Merry, that Council approve on first reading an ordinance approving Mobilitie as a telecommunications services provider in the City of Aiken.

Mr. Klimm stated we have been contacted by representatives of Mobilitie, LLC, requesting that they be granted the right to install new utility infrastructure in the City of Aiken. Mobilitie plans to construct the utility infrastructure within the next three months. Mobilitie is a public utility company regulated by the South Carolina Public Service Commission to provide telephone-related services, such as facilities-based competitive local exchange and interexchange services. State law provides that for a utility to construct and operate lines and facilities in a public street or on public property they must obtain the consent of the governing body of the municipality. State law also requires that municipal governments act by ordinance in granting, renewing or extending a franchise. The maximum franchise fee allowed by South Carolina law to the applicant providing telecommunication services is \$1,000 per year.

The proposed franchise agreement has been reviewed by George Grinton, Engineering and Utilities Manager, and Gary Smith, City Attorney, and they have recommended that the franchise be granted. Representatives from Mobilitie are present to answer any questions from Council.

For City Council consideration is first reading and public hearing of an ordinance granting a franchise agreement for telecommunications services within the Aiken city limits to Mobilitie, LLC.

Mayor Osbon asked for comments from the audience and Council.

Councilwoman Price asked several questions and whether the system was an antenna system or Wi-Fi system to which Ms. Brandeis Parkman responded that it is both and an antenna system in which they deploy the infrastructure in the right of way and on top of the pole they use a relay system. She pointed out they had made an application for a new pole at Fore Street and Pine Log Road.

Councilwoman Price also asked about the maximum franchise fee allowed only being \$1,000 per year. Mr. Gary Smith, City Attorney, pointed out that is state law which was passed several years ago. He said the fee is based on population and not the amount of dollars earned by the company and smaller cities can only charge lesser fees.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Merry, that Council approve on first reading an ordinance granting a franchise agreement for telecommunications services within the Aiken city limits to Mobilitie, LLC. The motion was unanimously approved.

RECYCLING SERVICES – ORDINANCE

Public Works Department

Public Services Division

Recycling Every Other Week

Mayor Osbon stated Council needed to consider first reading of an ordinance amending Section 32-1 of the Aiken City Code regarding recycling services and changing the name of the Public Services Department.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE AMENDING SECTION 32-1 OF THE AIKEN CITY CODE REGARDING RECYCLING SERVICES AND CHANGING THE NAME OF THE PUBLIC SERVICES DEPARTMENT.

Councilwoman Price moved seconded by Councilman Ebner, that Council approve on first reading an ordinance amending Section 32-1 of the Aiken City Code regarding recycling services and changing the name of the Public Services Department.

Mr. Klimm stated at the October 10, 2016, work session, City Council heard a presentation from Public Works official Tim Coakley about a number of solid waste issues. One proposal from Public Works is a recommendation to move recycling to every other week, which will cut costs of fuel and wear on a portion of our solid waste fleet. In addition, service fees, currently at \$17.00 per month, would not be increased for our residents. Since our Solid Waste service is an enterprise fund, revenues must be at least equal to expenditures. Public Works staff will promote this change through notification in City publications, such as the Aiken Report monthly water bill newsletter, newspapers, social media and the City website. This proposed ordinance also changes references to "Public Services Department" to reflect our recombining of Public Services and Engineering and Utilities into a "Public Works Department."

For Council approval is first reading of an ordinance amending Section 32-1 of the Aiken City Code regarding recycling services and changing the name of the Public Services Department.

Mayor Osbon asked for comments from the audience and Council.

Ms. Ann Dicks, 314 Jehossee Drive, expressed concern about every other week collection of recycling during holidays when many times there may be much more recycling material to be collected.

Mr. Tim Coakley, Public Services Manager, responded that the schedule probably could not be changed but they could do other things such as public education to make sure

people are recycling correctly with the right products. Also, large barrels are available if someone has a small barrel for the recycling material. For temporary overflow the residents could use clear plastic bags or something that could be identified as recycling material and put it beside the barrel.

Mr. Klimm asked Mr. Coakley to summarize the rationale for requesting to go to every other week for recycling pickup. Mr. Coakley responded that the Public Services Division had lost the use of 6 inmates a day to help with the pickup of recycling materials and garbage, and he would like to keep the fee at \$17 and not raise the fee but the system has to be self-supporting so there has to be a way to offset the 6 employees which were lost. One way is to eliminate the second recycling truck and reassign those employees and pickup recycling materials every two weeks. Mr. Coakley stated he wanted to promote recycling and encourage recycling of more materials. Staff had checked the recycling barrels and most were only half full so they felt the materials could be held for another week. Picking up recycling material every other week would help the city keep the fee at \$17 per month. To inform people of the change to every other week, Mr. Coakley stated his staff would do a lot of public education in the water bill newsletter, the website, newspaper, etc. A sticker would be put on every barrel to state the day of pickup and what can be recycled.

Mayor Osbon called for a vote on the motion by Councilwoman Price, seconded by Councilman Ebner, that Council approve on first reading an ordinance amending Section 32-1 of the Aiken City Code regarding recycling services and changing the name of the Public Services Department. The motion was unanimously approved.

ROLL CART RETURN FEE – ORDINANCE

City Code

Return Cart to House

Mayor Osbon stated Council needed to consider first reading of an ordinance amending Section 32-2(1) of the Aiken City Code amending the fines charged for Customers failing to return their roll carts to their house.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE AMENDING SECTION 32-2(1) OF THE AIKEN CITY CODE AMENDING THE FINES CHARGED FOR CUSTOMERS FAILING TO RETURN THEIR ROLL CARTS TO THEIR HOUSE.

Councilwoman Diggs moved, seconded by Councilman Ebner, that Council approve on first reading an ordinance amending Section 32-2(1) of the Aiken City Code amending the fines charged for customers failing to return their roll carts to their house.

Mr. Klimm stated Council heard from Public Works staff on October 10, 2016, about a recurring problem in several locations around the City. Residents are not returning the roll carts provided for residential garbage and residential recycling within 24 hours of pickup to their house, which has drawn numerous complaints from neighbors and nearby property owners. Staff has proposed a \$30.00 roll back fee when our workers have to roll the carts off the curb back near the residence. The proposed ordinance calls for the amount to be added to the water bill account, however several Council members expressed an interest in charging the property owner of record through a summons and fining process similar to what we do for nuisance property owners. This is an item in the ordinance that staff will need Council to provide some additional guidance. He said we are not talking about the occasional cart left at the curb, but the carts which are left out every week and which the neighbors are complaining about. The proposed ordinance gives staff the right to enforce the rule to return the carts to the residence or be fined. He noted that we are talking about chronic abusers who leave the carts at the curb week after week. The proposed ordinance would give staff an additional tool to be able to be responsive to the neighbors who complain about the carts being left at the curb.

For Council consideration is first reading of an ordinance amending section 32-2(I) of the Aiken City Code amending the fees charged for customers failing to return their roll carts to their house.

Mayor Osbon asked for comments from the audience and Council.

Mr. Jeffery Jordon asked if the landowners could be fined. He wondered how the city would know who each cart belongs to and how they would go after the correct offender because many of the offenders are at multi-family locations.

Mr. Coakley, Public Services Manager, pointed out that each cart has a serial number and the city has a listing of those so they know who the cart belongs to.

Mayor Osbon asked if the city would still make provisions for handicapped and shut-in persons who are not able to take the cart to the curb and return it to their house. Mr. Coakley pointed out that anyone who has a hardship can file paperwork with his office and someone will go to their house and get the cart, service it, and return it to the house as is presently done. There was a question about whether there was a warning to the citizens. Mr. Coakley responded that the ordinance allows two warnings and the third time a fine is imposed. He noted that this provision is currently on the books now. There was a question as to how many residents currently leave their carts at the curb. Mr. Coakley stated if two warnings and the third time a person is ticketed is the standard, there could be several hundred persons involved. It is hoped that persons will heed the warning in the new ordinance.

Councilman Merry stated he understands the problem with chronic offenders and those can be problems. He expressed several concerns about the proposed ordinance. One, being making property owners who might be a landlord responsible for his tenants. It might be harder for a landlord to enforce returning the carts to the residence than the city enforcing it. Secondly, he felt \$30 is a lot of money and is excessive for the fine. Thirdly, he felt 24 hours is a short window for some people to get their carts back to their residence, especially those on work shifts. He felt he was not comfortable with the ordinance yet and the proposed solution, but recognizes the problem.

Ms. Ann Dicks, 314 Jehossee Drive, asked how the fine would work and if the fine was every third time if people continue to leave the carts at the curb. Mr. Gary Smith, City Attorney, pointed out that once a person reaches the third offense, they pay a fine for every offense after that.

Councilman Homoki asked if the three violations would accumulate from the first violation. He wondered if there is a violation in January, the next in April, and the third one in September, would the one in September be the third violation or would the violations need to be closer together. Mr. Coakley felt the way the ordinance is written, it would not matter if there was a period of time between offenses. However, the ordinance could be written so the violations reset after a year or a certain period of time. Mr. Coakley expressed the concern that with the fine on the water bill, the person would not receive the bill for about 6 weeks and if they continue to leave the cart at the curb during that time there could be two or three charges on the bill for the violations. Another option would be for the violations to be under code enforcement instead of placing the fee on the water bill. That may allow the person to appeal to the judge as to why they left the cart at the curb. Mr. Smith responded that could be a possibility if Council would like to go that route. He also pointed out that on the third offense staff could put a sticker on the cart which tells the person they have been fined \$30 and the charge will be on the next water bill so they would have been notified of the charge.

Councilman Merry liked the suggestion for the offense to be under code enforcement as he felt there could be extenuating circumstances for a cart to be left at the curb. He liked the process of being able to go before the City Court to appeal the fine.

Councilwoman Price suggested that Council consider a fine of \$15 rather than \$30 after the second offense.

Mayor Osbon noted there are still some questions on this issue. He stated he would like for Council to consider the ordinance on first reading and for staff to take into consideration the comments made by Council concerning this matter and perhaps make recommendations at the next meeting.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Ebner, that Council approve on first reading an ordinance amending Section 32-2(1) of the Aiken City Code amending the fines charged for customers failing to return their roll carts to their house with staff to consider the comments made at this meeting and make a recommendation at the next meeting. The motion was unanimously approved.

YARD TRASH – ORDINANCE

Residential Yard Trash
Commercial Landscapers
Tree Trimmers

Mayor Osbon stated Council needed to consider first reading of an ordinance amending Section 32-3 of the Aiken City Code regarding residential yard trash.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE AMENDING SECTION 32-3 OF THE AIKEN CITY CODE REGARDING RESIDENTIAL YARD TRASH.

Councilwoman Diggs moved, seconded by Councilman Ebner, that Council pass on first reading an ordinance to amend Section 32-3 of the Aiken City Code regarding residential yard trash.

Mr. Klimm stated one item discussed by Public Works official Tim Coakley at the October 10, 2016, Council work session was the problem of commercial landscapers, tree trimmers and other non-property owners placing yard trash at or near the curb of the property at which they worked. The proposed ordinance under consideration by City Council would require these professional contractors to remove the yard trash themselves. The City crews spend an inordinate amount of time and fuel hauling this debris for disposal at landfills. Staff has a list of all landscapers and other contractors performing similar work, and will notify them of this change should Council pass this ordinance to ensure compliance.

For Council consideration is first reading of an ordinance amending Section 32-3 of the Aiken City Code regarding residential yard trash.

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

Mr. David Burkhalter, 130 Springstone Court, stated he supports the ordinance as written, but felt it does not go far enough. He said it is specified when roll carts can be placed on the street and when they have to be removed, but there is nothing in the ordinance which says when yard trash can be placed in the street. He pointed out that the city may pick up yard trash early one morning and by afternoon there is more yard trash at the curb within a few hours of it being collected and it remains there until the next week's pickup.

Councilwoman Price asked about yard trash being placed in bags. Mr. Coakley stated there is no provision that yard trash be placed in bags. He said staff prefers the trash to be in bags as it keeps the trash from blowing down the street.

Mayor Osbon asked if the current ordinance requires contractors to carry their trash to the landfill. Mr. Coakley responded it does, but it is in the context of construction and demolition materials such as brick and wood rather than landscaping and yard trash. Mayor Osbon also asked if there was a way to distinguish between the professional landscapers and the middle school kid who cuts grass to make some spending money.

Mr. Gary Smith, City Attorney, pointed out the way the proposed ordinance is worded it refers to professional tree trimmers, professional landscapers, professional tree surgeons, and other contractors. He said staff would not be looking for the normal piles of grass clippings, but looking for the large piles of yard trash where a crew comes in and does a lot of work.

Councilman Ebner pointed out that this is required to be done, but it has not been enforced very well. He noted that he had received calls from the Springstone housing area, and they would very much like to have this enforced. Another consideration is if the contractor does not haul the trash off and there is a pile in front of a residence is there a penalty. Mr. Coakley stated if the contractor does not take the trash away, he thought the ordinance says the homeowner is equally responsible for the removal of the trash. He noted that it is estimated that about 30% of the volume of yard trash is generated by professional landscapers, tree surgeons and other contractors. If this yard trash is removed by the landscapers, etc. this would make a big difference for the city's pick up.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Ebner, that Council pass on first reading an ordinance to amend Section 32-3 of the Aiken City Code regarding residential yard trash. The motion was unanimously approved.

DEDICATION – RESOLUTION

Dogwood Chase
Streets
Utilities
Banks Mill Road
Wildhaven Drive
Lacey & Associates, LLC

Mayor Osbon stated Council needed to consider approval of a resolution accepting a deed of dedication for Dogwood Chase Subdivision streets and utilities.

Mayor Osbon read the title of the resolution.

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DEED OF DEDICATION OF WATER, STORMWATER, AND SEWER UTILITIES, STREETS, AND UTILITY EASEMENTS FROM LACEY & ASSOCIATES, LLC.

Councilman Ebner moved that Council continue this item due to some plantings on one part of the main entrance street which need to be cleaned up before acceptance by the city. He said everything else seems fine, but the plantings are overhanging into the street. There is about 800 to 1,000 feet that needs to be cleared. The motion was seconded by Councilwoman Price and unanimously approved.

DEDICATION – RESOLUTION 10242016B

Woods End Subdivision
Hitchcock Parkway
Rinehart Way

Mayor Osbon stated Council needed to consider a resolution accepting a deed of dedication for Woods End Subdivision for streets and utilities.

Mayor Osbon read the title of the resolution.

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DEED OF DEDICATION OF UTILITIES AND STREETS FOR WOODS END FROM R & S APS, LLC.

Councilman Ebner moved, seconded by Councilwoman Price, that Council approve the resolution accepting a deed of dedication for Woods End Subdivision for streets and utilities.

Mr. Klimm stated R & S APS, LLC, owner of Woods End Subdivision, has requested that the City accept a deed of dedication for the roadways, sidewalks, landscaped islands or greenspaces, water, stormwater drainage and sanitary sewer utilities, and associated utility easements. This subdivision is located on Hitchcock Parkway adjacent to Foxchase Subdivision and across from Rinehart Way. Currently there is one house in this subdivision.

Engineering staff has inspected the existing infrastructure and has determined that it meets City requirements. The subdivision was inspected in accordance with the convention that was established prior to the 2008 change to the Engineer of Record certification methodology. Staff recommends that the deed of dedication for Woods End Subdivision be accepted by the City.

For Council consideration is a resolution to accept a deed of dedication for Woods End Subdivision accepting roadways, sidewalks, landscaped islands or greenspaces, water, stormwater drainage and sanitary sewer utilities, and associated utility easements.

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

Mayor Osbon called for a vote on the motion by Councilman Ebner, seconded by Councilwoman Price, that Council approve the resolution accepting a deed of dedication for Woods End Subdivision for streets and utilities.

SCDOT – RESOLUTION 10242016C

South Carolina Department of Transportation

Contract

Snow and Ice Removal

Use of Equipment

Mayor Osbon stated Council needed to consider approval of a resolution to enter into 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 Diggs moved, seconded by Councilwoman Price, that Council approve a resolution to enter into a contract with the South Carolina Department of Transportation for snow and ice removal.

Mr. Klimm stated The South Carolina Department of Transportation would like to enter into a Snow and Ice Removal Agreement with the City of Aiken. 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 during Winter Storm Pax as crews and equipment from Greenville, Lexington and Springdale came to assist us. Any use of our equipment and staff would be reimbursed using FEMA rates in effect at the time of the gubernatorial-declared state of emergency.


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 for comments from the audience and Council.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilwoman Price, that Council approve a resolution to enter into a contract with the South Carolina Department of Transportation for snow and ice removal. The motion was unanimously approved.

ADJOURNMENT

There being no further business, Councilwoman Price moved that the meeting adjourn. The motion was seconded by Councilwoman Diggs and unanimously approved. The meeting adjourned at 8:08 P.M.



Sara B. Ridout
City Clerk