

Aiken City Council MinutesREGULAR MEETING

September 23, 2019

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

Others Present: Stuart Bedenbaugh, Gary Smith, Kim Abney, Brian Brazier, Sara Ridout, Kymberley Wheat, Mike Przybylowicz, Ryan Bland, Gary Meadows, Angela Hales, Tim O'Briant, Lex Kirkland, Jessica Campbell, Joy Lester, Colin Demarest, of the Aiken Standard, and about 15 citizens.

CALL TO ORDER

Mayor Osbon called the regular meeting of September 23, 2019, to order at 7:02 P.M. Mayor Osbon led in prayer. The pledge of allegiance to the flag was led by Captain Brian Brazier.

GUIDELINES

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

ADDITIONS OR DELETIONS TO AGENDA

Mayor Osbon recognized Mayor Pro Tem Diggs for any additions or deletions to the agenda. Mayor Pro Tem Diggs asked if there were any additions or deletions to the agenda. There being no changes, Mayor Pro Tem Diggs moved, seconded by Councilman Woltz, that the agenda be approved as presented. The motion was unanimously approved.

MINUTES

The minutes of the work session and regular meeting of September 9, 2019, were considered for approval. Councilwoman Gregory moved, seconded by Councilwoman Price, that the minutes for the meeting of September 9, 2019, be approved as presented. The motion was unanimously approved.

BOARDS AND COMMISSIONSAppointmentsRicky BrownRecreation CommissionGary YountCommunity Development CommitteeCarey FrommerSarah WildasinLela WulfEquine Committee

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

Mr. Bedenbaugh stated Council has 37 pending appointments to fill vacancies on different City boards, commissions, and committees. Five appointments are presented for Council's consideration.

Councilwoman Diggs has recommended the reappointment of Ricky Brown to the Recreation Commission. If reappointed Mr. Brown's term would expire September 1, 2021. She has also recommended the reappointment of Gary Yount to the Community Development Committee, and if reappointed Mr. Yount's term would expire September 2, 2021. Councilwoman Diggs has recommended the appointment of Carey Frommer

and Sarah Wildasin to the Equine Committee. If appointed their terms would expire January 28, 2020.

Councilwoman Price has recommended the appointment of Lela Wulf to the Equine Committee. If appointed her term would expire January 28, 2021.

For City Council consideration is the reappointment of Ricky Brown to the Recreation Commission, Gary Yount to the Community Development Committee and the appointment of Carey Frommer, Sarah Wildasin, and Lela Wulf to the Equine Committee.

Councilwoman Price moved, seconded by Councilman Woltz, that Council approve the reappointment of Ricky Brown to the Recreation Commission, Gary Yount to the Community Development Committee, and the appointment of Carey Frommer, Sarah Wildasin, and Lela Wulf to the Equine Committee. The motion was unanimously approved.

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

Councilman Girardeau stated he would like to recommend reappointment of Phil Haggerty to the Building Code Appeals Committee and Graham Reynolds to the General Aviation Commission.

#### ANNEXATION – ORDINANCE 09232019

504 Henry Street  
Virginia Acres Subdivision  
Rocky Johnson Rhodes  
TPN 122-10-03-005

Councilman Woltz stated he would recuse himself from participating in the item for annexation of property at 504 Henry Street as he owns property adjacent to 504 Henry Street. He left the Council Chambers.

Mayor Osbon stated this was the time advertised for second reading and public hearing of an ordinance to annex property at 504 Henry Street and zone it RS-10 Residential Single-Family.

Mayor Osbon read the title of the ordinance.

#### AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY LOCATED AT 504 HENRY STREET AND TO ZONE THE SAME RESIDENTIAL SINGLE-FAMILY (RS-10).

Councilwoman Gregory moved, seconded by Councilwoman Price, that Council approve on second reading an ordinance to annex 504 Henry Street and zone it RS-10 Residential Single-Family.

Mr. Bedenbaugh stated pursuant to the city's Water/Sewer Annexation Policy, Resolution 09122016D, Rocky Johnson Rhodes, owner, is requesting annexation of property at 504 Henry Street and zoning as Residential Single-Family (RS-10). This property is located in Section 3 of the Virginia Acres Subdivision.

The Planning Commission at their meeting on August 13, 2019, considered this request for annexation and recommended by a vote of 6-0 (Commissioner Brookshire was not present) that the property be annexed and zoned Residential Single-Family (RS-10).

City Council approved this ordinance on first reading at the September 9, 2019, meeting. For Council consideration is second reading and public hearing of an ordinance to annex property at 504 Henry Street owned by Rocky Johnson Rhodes and zone it Residential Single-Family (RS-10).

Mayor Osbon asked for comments from the audience and Council.

Mayor Osbon called for a vote on the motion by Councilwoman Gregory, seconded by Councilwoman Price, that Council approve on second reading an ordinance to annex property at 504 Henry Street and zone it RS-10 Residential Single-Family. The motion was unanimously approved, with Councilman Woltz recusing himself from voting on the matter.

REZONING – ORDINANCE 09232019A

127 Silver Bluff Road  
129 Silver Bluff Road  
CEM Real Estate, LLC  
TPN 106-12-06-002  
TPN 106-12-06-003

Councilman Woltz stated he would recuse himself from participating in the item for rezoning of property at 127 and 129 Silver Bluff Road as he owns property across the street from the properties. He left the Council Chambers.

Mayor Osbon stated this was the time advertised for second reading and public hearing of an ordinance to rezone properties at 127 and 129 Silver Bluff Road from Residential Single-Family RS-8 to Limited Professional LP.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE AMENDING THE ZONING OF REAL ESTATE OWNED BY CEM REAL ESTATE, LLC, FROM RESIDENTIAL SINGLE-FAMILY (RS-8) TO LIMITED PROFESSIONAL (LP).

Councilwoman Gregory moved, seconded by Councilman Girardeau, that Council approve on second reading an ordinance to rezone properties at 127 and 129 Silver Bluff Road from Residential Single-Family RS-8 to Limited Professional LP.

Mr. Bedenbaugh stated CEM Real Estate LLC, applicant and owner, is requesting the rezoning of the properties at 127 and 129 Silver Bluff Road from Residential Single-Family (RS-8) to Limited Professional (LP). They are requesting this rezoning to provide more land use flexibility consistent with adjacent uses and zoning.

A Limited Professional (LP) zoning would be consistent with the Comprehensive Plan. The current zoning of Residential Single-Family (RS-8) is restricted to single-family attached dwellings, or other uses allowed by the BZA approval and the Special Exception process. The proposed Limited Professional (LP) zoning allows restricted office and medical office uses, but no retail uses. There are specific design guidelines attached to the Limited Professional zoning district that focus on maintaining a residential aesthetic. Limited Professional zoning is most suitable where properties border residential districts, such as is the case with both of these properties on Silver Bluff Road.

The Planning Commission reviewed this request at their August 13, 2019, meeting and voted 6-0 (Commissioner Brookshire not present) to recommend approval of this application to City Council.

City Council approved this ordinance on first reading at the September 9, 2019, meeting. For City Council consideration is second reading and public hearing of an ordinance to rezone the properties at 127 and 129 Silver Bluff Road from Residential Single-Family (RS-8) to Limited Professional (LP) as requested by CEM Real Estate LLC, owner.

Mayor Osbon asked for comments from the audience and Council.

Mayor Osbon called for a vote on the motion by Councilwoman Gregory, seconded by Councilman Girardeau, that Council approve on second reading an ordinance to rezone properties at 127 and 129 Silver Bluff Road from Residential Single-Family RS-8 to Limited Professional LP. The motion was unanimously approved, with Councilman

Woltz recusing himself because he owns property across the street from 127 and 129 Silver Bluff Road.

Councilman Woltz returned to the Council Chambers.

QUITCLAIM DEED – ORDINANCE 09232019B

736 Richland Avenue W

Aiken County Health Department

Aiken County Council Office Complex

TPN 104-20-21-001 (PO)

Mayor Osbon stated this was the time advertised for second reading and public hearing of an ordinance to approve a quitclaim deed to Aiken County for property that was previously used as the old Health Department and the County Council Office Complex.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE APPROVING A QUITCLAIM DEED TO AIKEN COUNTY.

Councilman Girardeau moved, seconded by Councilwoman Diggs, that Council approve on second reading an ordinance to approve a quitclaim deed to Aiken County for 736 Richland Avenue W.

Mr. Bedenbaugh stated the property at 736 Richland Avenue West has been noted in tax records and mapping records since the 1960s as being transferred by the City of Aiken to the Aiken County Health Department in the 1950s. From 1985 to 2014, the property was used by Aiken County as the Aiken County Council building and related offices. The property has been vacant since 2014 and Aiken County would like to convey it to a purchaser who will make use of the property. A review by Council's City Attorney believes that a transfer to the County via a quitclaim deed is appropriate, as this will expedite the ability to determine the future of the property. At this time, a deed showing City transfer cannot be located.

City Council approved this ordinance on first reading at the September 9, 2019, meeting. For Council consideration is second reading and public hearing of an ordinance to approve a quitclaim deed to Aiken County for the old Aiken County Council Office Building at 736 Richland Avenue W.

Mayor Osbon asked for comments from the audience and Council.

Councilwoman Price asked if the parking lot was part of the property being quitclaimed. Mr. Bedenbaugh responded that it is part of the parcel on which the old County Council building is located. He pointed out that in 1985 the City deeded the surfaced parking lot at the rear of the old County Council building to Aiken County in order for it to be paved. That ordinance was in the City records. We would be deeding to the County the old County Council office building plus they already own the surfaced parking lot to the edge of the tree line which is a different parcel.

Councilwoman Price asked about the multi-county park. Mr. Bedenbaugh stated the City is in discussion with the proposed developer, the County, and the School District about a multi-county park which is a fee-in-lieu agreement where the developer would make payments in lieu of taxes to provide an incentive to assist in the redevelopment of the property where the old Hospital (former Aiken County Office Complex) is located. He said there are some discussions to incorporate the parking portion of the old County Council building in the project.

Mayor Osbon called for a vote on the motion by Councilman Girardeau, seconded by Councilwoman Diggs, that Council approve on second reading an ordinance to approve a quitclaim deed to Aiken County for 736 Richland Avenue W, the former office complex for Aiken County Council. The motion was unanimously approved.

ANNEXATION – ORDINANCE1746 Two Notch Road SEMarvin MooreXinwen ZhaoTPN 122-09-02-020

Mayor Osbon stated an ordinance had been prepared for first reading to annex property at 1746 Two Notch Road SE and zone it Residential Single-Family (RS-10).

Mayor Osbon read the title of the ordinance.

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

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

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

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

For Council consideration is first reading of an ordinance to annex property at 1746 Two Notch Road SE owned by Marvin Moore and Xinwen Zhao and zone it Residential Single-Family (RS-10).

Mayor Osbon asked for comments from the audience and Council.

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

ANNEXATION - ORDINANCE416 Pine Avenue SEHaley CulpTPN 122-05-11-001

Mayor Osbon stated an ordinance had been prepared for first reading to annex property at 416 Pine Street SE and zone it Residential Single-Family (RS-8).

Mayor Osbon read the title of the ordinance.

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

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

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

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

For Council consideration is first reading of an ordinance to annex property at 416 Pine Avenue SE, owned by Haley Culp and zone it Residential Single-Family (RS-8).

Mayor Osbon asked for comments from the audience and Council.

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

#### LAND DEVELOPMENT REGULATIONS – ORDINANCE

##### Performance Guarantees

Mayor Osbon stated an ordinance had been prepared for first reading to amend the Land Development Regulations regarding Performance Guarantees.

Mayor Osbon read the title of the ordinance.

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

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

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

This amendment would still require performance guarantees, but change the timing to allow site improvements to be done prior to the issuance of surety while still permitting staff to have the ability to ensure the improvements are adequate or bonded when timed with the issuance of other permits, such as building permits. He noted that a goal of Council was to try to look at our processes, streamline and be business friendly. He said we feel this is an appropriate time. Engineering staff, Planning staff and City Attorney have met and reviewed this with a developer, and we believe this is a middle ground which still protects the city, but does not hinder approved development that has already come to Council.

For Council consideration is first reading and public hearing of an ordinance to amend the Land Development Regulations regarding performance guarantees.

Mayor Osbon asked for comments from the audience and Council.

Councilman Dewar asked if there had been any negative comments from developers. Mr. Bedenbaugh said none about the proposal to amend the regulations. The feedback received was when we included the grading that elevates or escalates the costs for the bond. In looking at other jurisdictions, they allow the grading before the value of the project is calculated. A bond is still required.

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

Land Development Regulations regarding Performance Guarantees. The motion was unanimously approved.

CITY CODE – ORDINANCE

Special Tax Assessment  
Rehabilitation  
Historic Properties

Mayor Osbon stated an ordinance had been prepared for first reading to amend the City Code regarding special tax assessment for rehabilitation of historic properties.

Mayor Osbon read the title of the ordinance.

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

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

Mr. Bedenbaugh stated the proposed ordinance is some clean up to provide some written direction to the Planning Department, Planning Commission and Design Review Board regarding this matter.

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

The Design Review Board at their meetings in May and July, 2019, considered amendments to the existing ordinance in an effort to ensure transparency and consistency in its implementation, while preserving the fundamental incentive of a ten-year freeze on the property tax value of participating properties. Mr. Bedenbaugh stated essentially our processes were not well defined and without being written more plainly, they were subject to interpretation. It is felt that having the process written down ensures everybody knows the rules of the process. Since the inception of the Tax Incentive Program for Historic Preservation 22 properties have received final certification to receive the special tax assessment. Two more have received preliminary certification. The recent application for assessment brought to staff's attention that there are some discrepancies between the letter of the law and the actual practice since the inception of the program.

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

For City Council consideration is first reading of an ordinance to amend the City Code regarding the Special Tax Assessment for Rehabilitation of Historic Properties.

Mayor Osbon asked for comments from the audience and Council.

Councilwoman Price asked if someone would simplify the matter.

Mr. Ryan Bland, Planning Director, stated one of the issues has been that when one enters into the Historic Preservation Tax Credit Program it allows internal things within a property to be assessed by the Design Review Board for historic preservation standards. Those costs also count to be able to use the program. The Code says that in perpetuity for everything, once you are in the Historic Preservation Tax Credit Program, if one

comes back for additional building permits for the interior of the home, those also have to go all the way back to the Board. The Board felt that was onerous. The change in text allows one, at the time of the initial visit when the Design Review Board assesses the property, to set certain specific components, such as architectural components inside the home, as requiring a higher level of review, but everything else is under the regular building permit process so one does not have to go to talk to the Board for something unnecessary. It would allow one to do more with the interior of their property with it having been well defined at the onset of entering the program. For instance, there may be a particular bannister or murals that might be worth preservation inside the house. However, if someone does something basic such as a bathroom fixture, they will not have to go all the way back to the Board. The change allows that to be established at the time they enter the program. It also allows people who are already in the program the option of being under the old set of rules which says that everything has to come back to the Board or they can have the Board come, if they feel they are going to be in the program long enough, and evaluate whether there are any specific things inside the home to define so they could make other changes without having to go back through the Board process. Another thing worth noting is that it aligns with state code. He said it was vague for some of those who did not know that if you transfer property that the new owner can take benefit of the program. He said the 10 years for the program remains which is in the state code. He said adding the language to align with the state code is to make it clear for those entering the program as well as the County offices as they implement the program on the tax side for the program.

In answer to a question to explain the 20% value, Mr. Bland stated the 20% number was probably the most significant change when the new version of the program got rolled out a couple of years ago when the ordinance was repealed and essentially replaced. Previously if one was rehabbing a property that was owner occupied, the cost had to be 50% of the value of the property. Or, if one was rehabbing income property the cost had to be 100% of the value to be able to get into the program. Now that value has been reduced to 20% to try to incentivize more people to enter the program. One problem was that a lot of people had started to do small upgrades over the course of time and with the 20% threshold being so much lower than the 50%, one could be eligible for the program accidentally where they had gone over the amount of money they were thinking about initially. The change allows them to look back retroactively for 12 months to claim the benefit if they have done work of 20% of the value on the property.

Mr. Bland stated currently there are 12 properties in the program. Several have timed out recently.

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

#### DEVELOPMENT AGREEMENT – ORDINANCE

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

Mayor Osbon stated an ordinance had been prepared for first reading to enter into a Development Agreement with Black Oak Ventures, LLC for Pressley Station on Beaufort Street.

Mayor Osbon read the title of the ordinance.

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



Councilwoman Diggs moved, seconded by Councilman Girardeau, that Council approve on first reading an ordinance to enter into a Development Agreement with Black Oak Ventures, LLC.

Mr. Bedenbaugh noted that Council approved the concept plan and zoning for this parcel over a year ago and with a different developer. The previous developer sold their interest to the new developer, Black Oak Ventures LLC.

Mr. Bedenbaugh stated Black Oak Ventures LLC is developing approximately 9 acres on Beaufort Street. This project would be single-family housing located in the eastern part of our City. As part of our staff review, we determined that a new lift station will need to be constructed in that area. The present lift station is located near the SPCA off of Willow Run Road. Black Oak Ventures LLC has offered to design, permit and install the upgrade to the sewer lift station. The development agreement for Council consideration will have the City reimburse up to 70% of cost for the lift station back to the developer. The development will ultimately use about 30% of the capacity of the lift station. The City will determine reimbursable costs by certified payments from the developer to the lift station contractor.

This lift station will enable additional development and access to sewer for this area.

For City Council approval is first reading and public hearing of an ordinance to enter into a development agreement with Black Oak Ventures LLC to upgrade the sewer lift station off of Willow Run Road.

Mayor Osbon asked for comments from the audience and Council.

Councilwoman Diggs asked when Council would be able to hear from representatives from Black Oak Ventures. Mr. Bedenbaugh responded that staff has been in contact with them. He said staff could ask them to come to a work session to give Council an update on the project. He noted that the property had changed hands in early summer. He said the developer is ready to start construction. The sewer lift station is one of the items needed to be done to start the project.

In response to a question by Councilman Woltz regarding the cost of the sewer lift station, Mr. Bedenbaugh stated the cost would be about \$200,000 and the City's share would be about 70% of the \$200,000. He said he would propose that the City's share of the cost be paid from Economic Development funds which would be about \$115,000.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Girardeau, that Council approve on first reading an ordinance to enter into a Development Agreement with Black Oak Ventures, LLC for upgrade of the sewer lift station off of Willow Run Road. The motion was unanimously approved.

#### LEASE AGREEMENT – ORDINANCE

1613 Two Notch Road  
Aiken Community Theatre  
Price Avenue  
1613 Two Notch Road  
TPN 122-09-01-001 (PO)

Mayor Osbon stated an ordinance had been prepared for first reading to approve a lease agreement for use of property at 1613 Two Notch Road by the Aiken Community Playhouse.

Mayor Osbon read the title of the ordinance.

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

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

Mr. Bedenbaugh stated Aiken Community Theatre (ACT) has made a request to enter into a Lease Agreement for the building located at 1613 Two-Notch Road on the corner of Price Avenue. This building was originally constructed and occupied by the Aiken Community Playhouse from 1968 until 2003. Since 2017, ACT has occasionally rented the space for rehearsals and made some minor interior improvements. They wish to expand their use of the facility and are willing to make capital improvements so that it can function as a performing arts theater.

For City Council consideration is first reading of an ordinance to approve a lease agreement for use of property at 1613 Two Notch Road by Aiken Community Theatre.

Mayor Osbon asked for comments from the audience and Council.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilwoman Gregory, that Council approve on first reading an ordinance to approve a lease agreement for use of property at 1613 Two Notch Road by the Aiken Community Playhouse. The motion was unanimously approved.

#### SALE OF PROPERTY – ORDINANCE

S.C. Highway Department  
SCDOT  
Hitchcock Parkway  
Bypass  
SC 118

Mayor Osbon stated an ordinance had been prepared for first reading to sell property to the S.C. Highway Department for right-of-way for Hitchcock Parkway Road improvements.

Mayor Osbon read the title of the ordinance.

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

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

Mr. Bedenbaugh stated as part of the Hitchcock Parkway [SC 118] intersection and safety improvements project, SCDOT must purchase rights-of-way near key intersections. One such location is at the intersection of SC 421 and Hitchcock Parkway. The City of Aiken owns property on the western side of the Hitchcock Parkway near the traffic signal at SC 421. The right-of-way agent for SCDOT is offering us \$2,800 for the +/-0.21 parcel. He noted that he had received information from the Right-of Way Agent for SCDOT that had the draft title and a map of the parcel. He pointed out that SCDOT will begin making intersection and safety improvements along Hitchcock Parkway from U.S. 1 to Silver Bluff Road, SC302 in 2020. The parcel requested by SCDOT was purchased by the City in about 2012. It is part of the Peggy Pond parcel. SCDOT will have a turn lane where Hitchcock Parkway and Highway 421 intersect. The appraisal for the parcel was \$2,800 which is what SCDOT is offering the City for the property.

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

For City Council approval is first reading and public hearing of an ordinance to sell property to the South Carolina Department of Transportation for Right-of-Way for Hitchcock Parkway road improvements.

Mayor Osbon asked for comments from the audience and Council.

Councilman Dewar asked if there would be a steel guard rail constructed in the middle of the road. Mr. Bedenbaugh stated in looking at the information it looks as though there will be a guard rail at the edge of the road where they are expanding the right-of-way for a turn lane.

There was more discussion on where the guard rail would be located. It was noted that buying the property from the City would allow them to move the guard rail over to the edge of the roadway. The plan is to have a dedicated right turn lane. Mayor Osbon asked if someone from SCDOT could be present at the next meeting to clarify for Council the location of the guard rail.

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

#### CAPITAL PROJECTS SALES TAX – ORDINANCE

##### CPST IV

##### Interfund Loan

##### Pool

##### Smith-Hazel Center

##### Swimming Pool

Mayor Osbon stated an ordinance had been prepared for first reading to authorize an interfund loan for Capital Projects Sales Tax IV projects.

Mayor Osbon read the title of the ordinance.

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

Councilwoman Diggs moved, seconded by Councilwoman Gregory, that Council approve on first reading an ordinance to authorize an interfund loan for Capital Projects Sales Tax IV projects.

Mr. Bedenbaugh stated on November 6, 2018, the voters of Aiken County passed the fourth round of Capital Projects Sales Tax (CPST). On November 26th, Joy Lester presented a list of projects that we would like to start work on before the funds are received in late 2019 or early 2020. The projects included the Smith-Hazel Pool upgrades (Pool and Related Building) with a cost estimate of \$500,000. Due to a higher bid than anticipated we need an additional \$750,000 to complete the project.

Mr. Bedenbaugh stated as discussed in the work session the City did have a proposal or quote as part of the project for upgrade of the Smith-Hazel pool for the Capital Projects Sales Tax IV. The estimate we were given was \$500,000 and after submitting the proposal for bids one firm gave a bid to replace the swimming pool at Smith-Hazel which was built in the 1980s as well as build a new room for changing and restroom facilities at a cost of \$1,200,000. Staff is asking for funds for a contingency which would make the total project cost estimated to be \$1,250,000. We would pay this back with CPST proceeds.

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

For Council consideration is first reading and public hearing of an ordinance to authorize an Interfund Loan to provide funding for the CPST IV project, Smith-Hazel Pool upgrades.

Mayor Osbon asked for comments from the audience and Council.

Councilwoman Price asked if the project included the pool, the pad and the pool house upgrades.

Councilwoman Gregory pointed out that the initial price for the swimming pool was basically just to rehabilitate the pool and the pool house, a basic approach. She noted she would not say the price was under quoted as the project quoted is a different project. She said the initial price was what we thought we wanted versus what staff presented which is something much more than what was initially intended, which is a good thing. She pointed out that the proposal is a significantly different project that could significantly impact the city, the children, and it will turn into a destination.

Councilman Woltz stated he thought the swimming pool upgrade project is great for the city. He said, however, he felt when a project changes and becomes two and one-half times what you expected it to be that Council should be informed before Council is to vote on the project. Council should know in the future when there is a major change. He said Council came in expecting to spend \$500,000 and now the cost is \$1.25 million. He said it is a big difference and Council should know ahead of time about a change in the project and the increase in cost before the project is brought to Council for a vote.

Councilman Dewar stated he agreed. He said Council is put in a position of getting the swimming pool built so the children can enjoy it next summer. He felt there should be a policy of getting more than one bid.

Councilwoman Gregory stated she agreed, but if we are going to do that we need to do that with every single project. Councilwoman Diggs pointed out that time is a factor. She noted that there is not much time to get the project completed before the pool season next year.

Councilwoman Gregory stated it is time sensitive. The project is a promise made to the community, and it is something that we will see happen in fruition within a year. She pointed out it is time sensitive, and the city should have a swimming pool. It is unacceptable that a city like Aiken, South Carolina, does not have a swimming pool for its citizens and low income families and a destination. She said we promote families in Aiken, and we need to have the swimming pool. It was pointed out that the pool was closed this summer because the repairs were needed.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilwoman Gregory, that Council approve on first reading an ordinance to authorize an interfund loan for Capital Projects Sales Tax IV projects. The motion was unanimously approved.

#### RESOLUTION 09232019C

Deed of Dedication  
Springstone Villas  
Country Home Builders of Aiken, LLC  
Whiskey Road  
Stratford Hall Drive  
Lynn Drive  
Khaki Court

Mayor Osbon stated a resolution had been prepared for Council consideration to accept a Deed of Dedication for streets and stormwater structures in Springstone Villas.

Mayor Osbon read the title of the resolution.

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DEED OF DEDICATION FOR ROADS AND DETENTION AREA IN SPRINGSTONE FROM COUNTRY HOME BUILDERS OF AIKEN, LLC.

Councilwoman Diggs moved, seconded by Councilman Girardeau, that Council approve the resolution accepting the Deed of Dedication for streets and stormwater structures in Springstone Villas.

Mr. Bedenbaugh stated Country Home Builders of Aiken, LLC is the developer of Springstone Villas located off Whiskey Road and Stratford Hall Drive. They are requesting that the City accept a deed of dedication that includes streets and stormwater structures, related equipment and associated easements, including the detention pond. The deed of dedication includes the streets named as Lynn Drive and Khaki Court in Springstone Villas.

Our Engineering staff has reviewed the roads, streets and drives, along with the stormwater structures and is recommending that the City accept this deed of dedication.

For Council consideration is approval of a resolution accepting the deed of dedication for the streets and stormwater structures, related equipment and associated easements, including the detention pond in Springstone Villas. Mr. Bedenbaugh stated the city had already accepted the water and sewer facilities when the development was built back in the mid-2000s. There were issues and that is the reason for the lag between the time of the development. They have made the corrective measures to our satisfaction. Also, we did get a consultant to review the work.

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

Councilwoman Price asked if the acceptance would include about 3 acres. Mr. Bedenbaugh responded that it would be about three acres including the stormwater pond and related infrastructure.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Girardeau, that Council approve the resolution accepting the deed of dedication for streets and stormwater structures in Springstone Villas. The motion was unanimously approved.

#### OPPORTUNITY ZONE

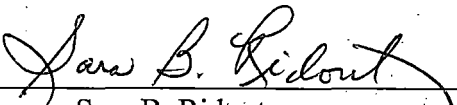
##### Work Shop

October 10, 2019

Mr. Bedenbaugh pointed out to Council that we will have the Opportunity Zone work shop on October 10, 2019, at Newberry Hall with Senator Scott. He noted that there was an Opportunity Zone meeting with our consultant last Wednesday which was well attended. He asked that Councilmembers let staff know whether they plan to attend the work shop on October 10, 2019.

#### ADJOURNMENT

There being no further business, Councilwoman Diggs moved that the meeting adjourn. The motion was seconded by Councilman Girardeau, and unanimously approved. The meeting adjourned at 7:48 P.M.

  
Sara B. Ridout  
City Clerk