



THE CITY OF EASLEY

AGENDA SPECIAL CALLED MEETING

City of Easley City Council Meeting
Friday, September 21, 2018
8:00 a.m. Council Chambers
205 North First St. Easley, SC 29640

1. **CALL TO ORDER** – Mayor Larry Bagwell
2. **ORDINANCES FIRST READING:** Ordinance No. 2018-18 to acquire tax map number 5019-15-63-8426 located at 122 Folger Ave for \$80,000.
3. **RESOLUTIONS:** Resolution No. 2018-26 to acquire the property and home identified as tax map number 5018-08-98-2033 and located at 1093 South Pendleton St. Easley, SC for \$260,000.
4. **Discussion:** Letter of Intent for Project Silo to lease and develop a business on Tax map #5019-15-63-8426 by December 31, 2019.

AN ORDINANCE TO ACQUIRE TAX MAP NUMBER 5019-15-63-8426 LOCATED AT 122 FOLGER AVENUE FOR \$80,000.

WHEREAS, the City of Easley has the opportunity to acquire Tax Map Number 5019-15-63-8426 located at 122 Folger Street and accounting of +/- .92 acres and several structures on the property; and

WHEREAS, upon the acquisition of the property the City of Easley will then own property for future use by the City or offer for sale or lease to potential private development;

WHEREAS, the City negotiated the Purchase Agreement for the price of \$80,000 and holds a 120-day due diligence period the expires November 25, 2018 and can be extended for 60 additional days;

WHEREAS, the City has negotiated a Letter of Intent (LOI) with a developer for the future use of this property;

WHEREAS, the City approved a \$1,516,000 Tax Increment District (TIF) Bond to cover the cost of the acquisition of this property;

NOW THEREFORE BE IT ORDINANED BY THE MAYOR AND CITY COUNCIL OF EASLEY, SOUTH CAROLINA: The Mayor and City Administrator are authorized to purchase +/- .92 acres of real property located at 122 Folger Avenue (Pickens County tax map number: 5019-15-63-8426) for \$80,000 plus any appropriate closing costs using City of Easley's \$1.516 million 2018 TIF Bond issuance monies.

First Reading: _____

Second Reading _____

Mayor

Attest:

City Clerk

A RESOLUTION TO ACQUIRE THE PROPERTY AND HOME IDENTIFIED AS TAX MAP NUMBER 5018-08-98-2033 AND LOCATED AT 1093 SOUTH PENDLETON STREET, EASLEY, S.C. FOR \$260,000.

WHEREAS, the City of Easley has the opportunity to acquire Tax Map Number 5018-08-98-2033 located at 1093 S. Pendleton Street and accounting of +/- .47 acres and a home on the property; and

WHEREAS, upon the acquisition of the property the City of Easley will then own property for future use by the City next to Fire Station 1;

WHEREAS, the City has contracted with J. Davis Construction and DP3 to renovate and expand Fire Station 1, and this property is needed in order to complete this project;

WHEREAS, the City approved a \$5,375,000 General Obligation Bond to cover the cost of the renovations and the acquisition of this property;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF EASLEY, SOUTH CAROLINA: The Mayor and City Administrator are authorized to purchase +/- .47 acres of real property located at 1093 South Pendleton Street (Pickens County tax map number 5018-09-98-2033) for \$260,000 plus any appropriate closing costs using City of Easley's \$5.375 million 2018 General Obligation Bond issuance monies.

First Reading: _____

Mayor

Attest:

City Clerk

Letter of Intent

Among the City of Easley, South Carolina and Project Silo

This Letter of Intent (LOI) is made and entered into this ____ day of September 2018, by the City of Easley, South Carolina, "The City," and Project Silo, "The Company," a business based in South Carolina with multiple restaurant locations in the state. The purpose of this LOI is to memorialize the intent of Project Silo to purchase, renovate, obtain a Certificate of Occupancy, and operate a restaurant at TMS Number 5019-15-63-8426, hereinafter referred to as the "Silos," located at 122 Folger Avenue. This LOI will also express the intention of the parties to undertake good faith negotiations to enter an Economic Development and Lease Purchase Agreement, to provide the objectives of the parties with respect to such an agreement, and to describe the general terms and conditions of the agreement contemplated by the parties.

Objectives of the Parties

The parties agree that the following objectives, terms and conditions will be fundamental to the development of the proposed agreement. The parties are entering into this Letter of Intent with the understanding that the following conditions will be incorporated into the proposed service agreement between the parties. The parties agree that:

- The City of Easley will continue to propose and provide economic development opportunities and incentives to encourage the development and expansion of Downtown Easley, inclusive of the development "Silo District" located in and around Folger Avenue.
- The parties will each devote their own good-faith efforts to mutually complete discussion, negotiation, drafting, and approval of formal contractual agreements by October 31, 2018.
- Project Silo, or its subsidiaries, agrees to open to the general public on or before December 31, 2019 on the Silos property.
- The City of Easley will construct asphalt, surface parking on the property prior to December 31, 2019. The aforementioned parking (estimated at 30 spaces) will be considered public parking and not included as part of the lease/purchase of the property. The City will complete the survey and split of the property prior to the completion of the sale of property to the Company.
- The City of Easley will design, construct, and install wayfinding signage to direct users to the 'Silo District' as part of the City's overall wayfinding signage plan.
- The City of Easley will lease/purchase the property to Project Silo under the terms of 40 months at a set price of \$2,000/month beginning the 15th of the month following the City's purchase of the Silos and after the Development Agreement is signed. At the end of the term, the Title in full will be transferred to the purchaser. At any time after occupancy, Project Silo can purchase the property in full without prepayment penalty.
- The City of Easley will design, construct, and implement a Doodle Trail extension from Wilbur Street/Cumberland Avenue intersection to the "Silos," prior to December 31, 2019.

- The parties understand and agree that this Letter of Intent is conditioned upon City of Easley’s Council determination to proceed with the purchase of the aforementioned property. Accordingly, notwithstanding anything to the contrary contained herein, the City of Easley shall not be obligated to purchase the property, and in the event the City of Easley determines it will not purchase the property, the City will within 24 hours notify Project Silo; upon receipt this Letter of Intent shall be terminated, other anticipated contracts terminated, and no force or effect.

IN WITNESS WHEREOF, the parties hereto have executed this Letter of Intent as the date indicated above.

City of Easley, South Carolina

Mayor, City of Easley

Date

Project Silo

Title

Date