

Aiken City Council Minutes

May 11, 1998

Present: Mayor Cavanaugh, Councilmembers Anaclerio, Clyburn, Papouchado, Price, and Radford.

Absent: Councilman Perry

Others Present: Steve Thompson, Gary Smith, Bill Huggins, Roger LeDuc, Ed Evans, Carrol Busbee, Andy Anderson, Anita Lilly, Stanley Quarles, Sara Ridout, Tom Smith of the Aiken Standard, and 20 citizens.

Mayor Cavanaugh called the meeting to order at 7:40 P.M. Mayor Cavanaugh led in prayer which was followed by the pledge of allegiance to the flag. The minutes of the regular meeting of April 27, 1998, were considered for approval. Councilwoman Papouchado moved that the minutes be approved as written. The motion was seconded by Councilwoman Clyburn and unanimously approved.

BOARDS AND COMMISSIONSAppointmentsAccommodations Tax CommitteeCwalina, Jan

Mayor Cavanaugh stated Council needed to make an appointment to the Accommodations Tax Committee.

Mr. Thompson stated City Council has an appointment available on the Accommodations Tax Advisory Committee. Ms. Jan Cwalina serves on the Commission, and Ms. Cwalina's term expired March 25, 1998. Mayor Cavanaugh has nominated Ms. Cwalina for reappointment.

The Accommodations Tax Advisory Committee advises City Council on the use of Accommodations Tax funds generated from rental of hotel and motel rooms in Aiken. Ms. Cwalina does not represent a particular accommodations industry, but is one of the general public representatives on the committee.

Mayor Cavanaugh moved, seconded by Councilwoman Price and unanimously approved, that Jan Cwalina be reappointed to the Accommodations Tax Committee with the term expiring on March 25, 2000.

ZONING - ORDINANCE 051198RezoningHidden Haven SubdivisionSilver Bluff RoadWoodside PlantationR-1M ZoneManufactured Housing

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to rezone the Hidden Haven Subdivision off Silver Bluff Road adjacent to Woodside Plantation to R-1M Zone.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING THE ZONING OF REAL ESTATE LOCATED IN HIDDEN HAVEN SUBDIVISION FROM R-1C TO R-1M.

Mr. Thompson stated that under City Council's guidance, the Planning Commission moved forward with the development of the R-1M Zone, and in February, 1998, City Council approved the establishment of the new R-1M Zone. The establishment of the zone opened the door for properties meeting the zone requirements to be rezoned to this category. The Planning Commission has recommended that Hidden Haven Subdivision be rezoned from R-1C to R-1M. Under the R-1M zone, manufactured housing would be allowed in the Hidden Haven Subdivision, and generally the Hidden Haven Subdivision has served customers of mobile homes and manufactured homes in the past.

Most properties presently within the City would not qualify for the R-1M Zone due to the strict requirements of these properties. Properties under the R-1M Zone must include at least ten acres, and must be within the city. Hidden Haven meets both of these requirements, and on review by the Planning Commission, the Planning Commission has recommended that Hidden Haven be rezoned to the R-1M zone.

The public hearing was held.

Mr. Harold Tuttle, 513 Deneb Drive in Hidden Haven Subdivision, spoke in favor of the rezoning of Hidden Haven to R-1M zone and thanked the Planning Commission for their time and effort in studying the matter of rezoning Hidden Haven.

Councilwoman Clyburn moved, seconded by Councilwoman Papouchado and unanimously approved, that the ordinance rezoning Hidden Haven Subdivision from R-1C to R-1M be passed on second and final reading to become effective immediately.

AIKEN HISTORIC REGISTER - ORDINANCE 051198A

Landmark

Johnson, C.C. Building

300 Park Avenue SE

Fairfield Street

Historic Site

Tax Parcel No. 30-048-01-007

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to remove the C.C. Johnson building from the Historic Register.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE REMOVING THE C.C. JOHNSON BUILDING AT 300 PARK AVENUE SE FROM THE AIKEN HISTORIC REGISTER AS A LANDMARK.

Mr. Thompson stated that the C. C. Johnson Building was designated as an historic landmark by City Council on July 14, 1997, at the request of the property owners and on the recommendation of both the Historic Preservation Commission and the City Planning Commission. The ordinance before Council would remove this historic designation from the C. C. Johnson Building.

The owners requested historic designation to allow the property to be eligible for historic preservation tax incentives. The tax incentives are available if the property owner complies with the requirements of the State Archives and Historic Preservation Commission, and the owners do not agree with the requirements of the State Commission for interior changes on the property.

In addition to the disagreement with the State Archives' requirements, the property was altered during the initial renovation efforts, and some of the architectural features were changed on the property.

This issue has been reviewed by both the Aiken Historic Preservation Commission and by the Planning Commission, and both groups recommend that the C. C. Johnson Building be removed from the Aiken Historic Register as a landmark.

The public hearing was held. Mr. Bill Tucker stated he was present representing the owners of the C.C. Johnson Building if anyone had any questions. There were no further comments.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that the ordinance removing the C.C. Johnson Building at 300 Park Avenue SE from the Aiken Historic Register be passed on second and final reading to become effective immediately.

KMC SOUTHEAST CORPORATION - ORDINANCE

KMC Telecom  
Franchise  
Fiber Optic  
Telecommunications Service

Mayor Cavanaugh stated an ordinance had been prepared for first reading to extend the franchise for KMC.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE EXTENDING ORDINANCE NUMBER 042296 TO EXTEND TIME REQUIRED FOR COMMENCEMENT OF CONSTRUCTION OF FIBER OPTIC CABLE NETWORK.

Mr. Thompson stated that in April of 1996, City Council approved a franchise agreement for KMC Telecom for the construction of a fiber optic network into Aiken. The company has requested a second extension on this franchise.

Theresa Krubel, of KMC Telecom, states the company has experienced delays in their construction of the fiber optic network in the Augusta area, and has asked for additional time to start on the construction of the network in Aiken. The staff recommends extension for another year.

Councilman Radford moved, seconded by Councilwoman Clyburn and unanimously approved, that the ordinance be passed on first reading extending the franchise with KMC Telecom for an additional year and that second reading and public hearing be set for the next regular meeting of City Council.

MELROSE PLACE SUBDIVISION - ORDINANCE

Deed  
Streets  
Dedication  
Rutherford Place  
Sonoma Place  
Detention Pond  
Silver Bluff Road

Mayor Cavanaugh stated an ordinance had been prepared for first reading to accept dedication of some streets in Melrose Place Subdivision.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ACCEPTING THE DEDICATION OF REAL PROPERTY OWNED BY MELROSE TOWNHOMES PHASE III ASSOCIATION, INC.

Mr. Thompson stated the City accepts ownership of streets and detention facilities under the street system, after the City has been able to evaluate the quality of construction of these facilities. The property owners in Melrose Townhomes Phase III have asked that the City accept Rutherford Place and Sonoma Place, and a detention facility in the subdivision.

Generally the city requires that the facilities be in place for at least a year to allow the city adequate time to evaluate the construction quality on these facilities. We have had an opportunity to evaluate the streets and detention facilities, and the staff recommends acceptance.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that Council pass on first reading an ordinance accepting dedication of Rutherford Place, Sonoma Place, and the Melrose Townhomes Phase III Association, Inc. detention facility into the services of the City of Aiken and that second reading and public hearing be set for the next regular meeting of City Council.

TAX MILLAGE - ORDINANCE

79 Mills  
Millage Rate  
Budget 1998-99

Mayor Cavanaugh stated Council needed to consider an ordinance to set the millage rate for 1998-99.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY CITY PURPOSES AND FOR CAPITAL DEVELOPMENT PURPOSES IN THE CITY OF AIKEN FOR THE FISCAL YEAR BEGINNING JULY 1, 1998, SET THE MILLAGE THEREFORE AT SEVENTY-NINE (79) MILLS AND TO PROVIDE FOR THE EXPENDITURES THEREOF.

Mr. Thompson stated that each year City Council adopts a budget for the year, and also establishes a millage rate to meet this budget. The proposed ordinance sets the millage rate at 79 mills for the new fiscal year.

With adoption of this millage rate, Council will have experienced ten consecutive fiscal years without a millage rate increase. Over this ten year period, we have reduced the millage rate three separate times, twice as a result of reassessment.

Councilman Radford moved, seconded by Councilwoman Price and unanimously approved, that Council pass on first reading an ordinance establishing the millage rate at 79 mills for fiscal year 1998-99, and that second reading and public hearing be set for the June 8, 1998, meeting of Council.

#### BUDGET - ORDINANCE

1998-99

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to adopt a budget for fiscal year 1998-99.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ADOPTING A BUDGET PROPOSED BY THE CITY MANAGER, CONTAINING ESTIMATES OF PROPOSED REVENUES AND EXPENDITURES BY THE CITY OF AIKEN FOR THE FISCAL YEAR BEGINNING JULY 1, 1998, AND ENDING JUNE 30, 1999, AND DECLARING THAT THE SAME SHALL CONSTITUTE THE BUDGET OF THE CITY OF AIKEN FOR SUCH FISCAL YEAR; CONTINUING CERTAIN MONTHLY WATER AND SEWER CHARGES; CONTINUING CERTAIN FIRE SERVICE RATES FOR PROPERTIES LOCATED OUTSIDE THE CITY; CONTINUING THE USER RATES FOR GARBAGE COLLECTION FOR RESIDENCES AND SMALL BUSINESSES; AND CONTINUING THE USER RATE FOR REGULAR COMMERCIAL AND INDUSTRIAL CONTAINER REFUSE AND GARBAGE COLLECTION.

Mr. Thompson stated that each year City Council adopts the budget of the City of Aiken, expressing the policy and goals of City Council for the coming fiscal year. A budget has been prepared for Council's consideration for fiscal year 1998-99.

At the budget review session of May 5, 1998, City Council reviewed the budget in detail, and briefly discussed some of the issues and goals included in the budget. The proposed budget is developed out of the discussions that Council holds throughout the year and includes the goals that Council adopted in the Horizons sessions and the Strategic Plan. The budget continues to address the major capital development projects that Council initiated over the past few years, but does not include any major new initiatives for the upcoming year. The projects that we have included in this budget include continuation of the downtown Streetscape Program, entranceway improvements, development of the next phase of Citizens Park, continuation of the Community Policing Program, update of the Zoning Ordinance, and a great many other projects and programs approved by City Council.

The proposed budget does not include any rate or tax increases, and new property taxes make up 17.13% of the combined budget.

Councilwoman Clyburn moved, seconded by Councilwoman Papouchado and unanimously approved, that Council pass on first reading an ordinance adopting a budget for fiscal year 1998-99 and that second reading and public hearing be set for the regular meeting of June 8, 1998.

COMMUNITY DEVELOPMENT BLOCK GRANTCDBGEconomic DevelopmentBusinessesEntitlement FundsHousing RehabilitationMinority Business Development ProgramBusiness Development Program

Mayor Cavanaugh stated a public hearing had been advertised for soliciting comments regarding the proposed reallocation of \$25,000 from Housing Rehabilitation to a Business Development Program to be funded under Entitlement funds from the U.S. Department of Housing and Urban Development.

Mr. Thompson stated that in 1996 City Council approved the use of \$25,000 of Community Development Funds for seed money for new businesses. Over the past two years, City Council has resolved several issues, including the use of industrial funds, industrial park developments, and other ways to assist business and industry in Aiken, and Council needs to formally approve the use of the Community Development revenues for a business development program. This is presented as a public hearing, and for approval of City Council.

On approval by City Council for this use of Community Development funds, we would ask the Aiken Corporation to consider a Business Assistance Program. Generally the guidelines that we have discussed in the past were to have this money serve as mini-grants of about \$5,000 to help start and locate businesses in Aiken. Based on City Council's discussions, we would suggest to the Aiken Corporation that these funds would be used for assistance to businesses throughout Aiken, and not restricted simply to downtown. Limiting the amount of money available to any one business will help to reduce the potential for problems under this program and allow other businesses to participate in this assistance. In future years you may wish to add to this fund with similar increments of \$25,000 from the Community Development Program.

Businesses will have to meet the Community Development guidelines in order to participate in this assistance program. The business owner must be low and moderate income, or the owner must employ low to moderate income employees. In the future, Council may wish to include incentives to specifically target certain neighborhoods for employment, but at this time this would simply be for qualified new businesses starting up in Aiken.

This has been advertised as a public hearing on the use of Community Development Block Grant funds.

The public hearing was held.

Reverend Doug Slaughter spoke in favor of the Business Development Program. He felt there was a need for such a program and that there was a certain portion of the population that had not always had the opportunity to compete on a level playing field as far as free enterprise. He felt the \$25,000 would be an opportunity for the City of Aiken to do something progressive. He recommended that Council consider making the money available for those socially disadvantaged minorities, to be able to provide a service or a product for companies in Aiken.

Councilwoman Clyburn suggested that the grant money be available to low to moderate income business owners and that the owners must employ low to moderate income employees.

Councilwoman Price pointed out that Charleston and Columbia have a business program, and they target it specifically to women and minorities. She stated she understood that Greenville and Spartanburg have similar programs. She stated in order to ensure help for people who have not had advantages she felt Council should look at targeting the program to women and minorities. She stated in looking at the present businesses and the owners, there is a need to target specific areas for the grants.

Mayor Cavanaugh stated he had a problem with restricting the funds to specific groups. He stated he would like for the grants to be available to all low to moderate income persons. He said he would be interested in seeing how the other cities operate their programs.

Reverend Slaughter stated Charleston passed an ordinance to make sure that a certain amount of purchases or contracts went to women and minorities. He said Charleston's program is open to others who are socially economically disadvantaged, but Charleston's program takes the step to make sure that minorities and women are included in the program. Charleston's program is not exclusively for women and minorities, but is weighted that way.

Mayor Cavanaugh stated he wanted the whole community to grow and to have quality of life for everyone. He said he had a problem in making funds available exclusively for a certain group. He felt that Council should set the details of the criteria for the program.

Mr. Thompson stated the details of the program would be worked out by the agency which administers the program.

Councilwoman Price suggested that information on the programs of other cities be provided to Council for information in deciding about Aiken's program.

Council continued to discuss the proposed program and whether the program should just be low to moderate income or more specific such as women and minorities. Councilwoman Price stated there are people in the community that want to see more women and minority-owned business in this community. She stated banks are not willing to make the investment to women and minorities. She stated the proposed program would be seed money to help them get started.

Councilman Radford pointed out that Reverend Slaughter emphasized a level playing field. He stated if the bracket is low to moderate income that sets the level for everyone. He said if there are a lot of requests for the grants and not enough money is available Council can possibly make more funds available. He suggested getting five businesses started and move from there.

Councilwoman Price moved, seconded by Councilwoman Clyburn, that Council table the matter until Council can get further information from other cities with such a program. She stated she would like to see a program targeted to women and minorities.

Councilman Anaclerio stated he agreed with Councilwoman Clyburn to clarify that the grants be available to low to moderate income people and that the business must employ low to moderate income employees. He felt this opens the grant to all the citizens of Aiken rather than just a specific group.

Mayor Cavanaugh called for a vote on the motion to table the issue until Council could get further information from cities that have such a program. The motion received a vote of 3 in favor and 3 opposed. In favor were Mayor Cavanaugh and Councilmembers Clyburn and Price. Opposed were Councilmembers Anaclerio, Papouchado and Radford. The motion did not pass.

Councilman Anaclerio moved that Council approve the \$25,000 allocation from Community Development Block Grant Funds to be used for a Business Development Fund with the Aiken Corporation administering the fund under the guidelines of HUD as far as the definition of low to moderate income and that the persons establishing a business must be low to moderate income and that the business employ low to moderate income employees. The motion was seconded by Councilwoman Papouchado. The vote was 3 in favor and 3 opposed, with Councilmembers Anaclerio, Papouchado and Radford in favor and Mayor Cavanaugh and Councilmembers Clyburn and Price opposed to the motion. The motion did not pass.

Mayor Cavanaugh stated the matter could be brought back to Council in the future.

#### BID

#### Roof

#### Garage

#### Public Works Department

Mayor Cavanaugh stated Council needed to consider the bids for replacement of the roof at the City Garage.

Mr. Thompson stated this year's budget includes replacement of the roof at the Garage, and we have bid this construction project. The staff is recommending acceptance of the only bid, submitted by M. A. Rozbitsky Construction.

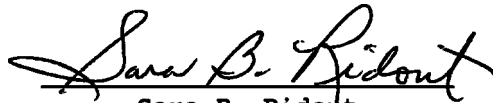
The roof at the Garage includes metal roof panels, and these panels are approximately twenty-three years old and rusting in several places. We have bid replacement of this roof, and at the same time we will be adding new insulation to help insulate the garage and lower heating costs for the entire facility.

We distributed a total of twelve bids for this project to the companies, including five from Aiken that we could identify that are capable of replacing this type of roof. The single bid received was submitted by the M. A. Rozbitsky Construction Company in the amount of \$40,715. Rozbitsky Construction furnished and installed the metal roof at the Odell Weeks Center, and we were very pleased with their work and with the Company's ability to work with us and remain on schedule.

Councilman Radford moved, seconded by Councilwoman Papouchado and unanimously approved, that Council accept the only bid for the replacement of the roof at the Public Works Garage from Rozbitsky Construction in the amount of \$40,715.

ADJOURNMENT

There being no further business the meeting adjourned at 8:30 P.M.



Sara B. Ridout  
City Clerk