

Aiken City Council Minutes

September 28, 1998

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

Others Present: Steve Thompson, Gary Smith, Bill Huggins, Anita Lilly, Ed Evans, Carrol Busbee, Roger LeDuc, Stanley Quarles, Sara Ridout, Tom Smith of the Aiken Standard, Margaret O'Shea of the Augusta Chronicle, and 14 citizens.

Mayor Cavanaugh called the meeting to order at 7:35 P.M. Steve Thompson led in prayer which was followed by the pledge of allegiance to the flag. The minutes of the regular meeting of September 14, 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 COMMISSIONSAppointmentsCommunity Development Committee on HousingBrown, LawrineMcKie, Eugene

Mayor Cavanaugh stated Council needed to make an appointment to the Community Development Committee on Housing.

Mr. Thompson stated Council appoints volunteers to the boards and committees of the City of Aiken, and this is an appointment to the Community Development Committee on Housing.

Mayor Cavanaugh has suggested nomination of Mr. Eugene McKie, of 615 Lincoln Avenue, to serve on this committee. This will be for a two year term, with the term expiring September 2, 2000. Under the process adopted by City Council, a member of City Council nominates a volunteer for the Committee, and the full Council votes to confirm this appointment.

Mayor Cavanaugh moved, seconded by Councilwoman Price and unanimously approved, that Eugene McKie be appointed to the Community Development Committee on Housing replacing Lawrine Brown for a two year term expiring September 2, 2000.

ANNEXATION - ORDINANCE 0928981981 Whiskey RoadBojanglesRufo, Raymond T.Mazzio'sTax Map Parcel No. 30-059.0-02-001

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to annex property at 1981 Whiskey Road, the present location of Bojangles.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF 1.45 ACRES OF LAND, MORE OR LESS, OWNED BY RAYMOND T. RUFO AND LOCATED AT 1981 WHISKEY ROAD AND BEING ALSO KNOWN AS TAX MAP PARCEL NUMBER 30-059.0-02-001 AND TO ZONE THE SAME NEIGHBORHOOD BUSINESS (NB).

Mr. Thompson stated City Council has received a request to annex the property presently occupied by Bojangles Restaurant on Whiskey Road. This property was required to sign an annexation agreement as a condition of city services in 1991. The owners are willing to move forward with this commitment, and have submitted an annexation petition on this property.

The Planning Commission has reviewed this annexation and is recommending that the annexation be approved on the following conditions:

1. the front Planting Strip be planted with as many trees as possible with a caliper of at least three inches as approved by the City Horticulturist to compensate for the smaller Planting Strip that the Commission has allowed; and
2. the Bojangles' pole sign be brought into conformance with the sign standards found in the Zoning Ordinance within one year.

Mr. Thompson stated Council had discussed the matter and had suggested that the staff make sure that the trees do not constitute a sight problem.

The public hearing was held and no one spoke.

Councilwoman Papouchado moved, seconded by Councilman Anaclerio and unanimously approved, that the ordinance approving the annexation of the property at 1981 Whiskey Road into the City of Aiken, with conditions as recommended by the Planning Commission be passed on second and final reading to become effective immediately.

ANNEXATION - ORDINANCE

Excel Inc.
Whiskey Road
Stratford Drive
Watson, James
Traughber, Dianne W.
Office Building
Tax Parcel No. 00-158.0-01-699

Mayor Cavanaugh stated since he was an independent representative for Excel, he would not participate in the discussion or vote on the item regarding amending the annexation ordinance for the Excel property. Mayor Cavanaugh left the room at 7:43 P.M.

Mayor Pro Tem Perry stated this was the time advertised for the second reading and public hearing on the ordinance to amend the ordinance annexing property located at the southwest corner of Whiskey Road and Stratford Drive, the site of the Excel office building. He stated there had been a request to delay the public hearing.

Mr. Thompson stated that at the August 24, 1998, meeting of City Council, Council approved the annexation of the site proposed for the new Excel Communications facility. Excel has asked that City Council amend this ordinance slightly.

Mr. Thompson stated the annexation ordinance previously approved allowed the annexation to be effective on September 15, 1998, and was intended to allow closing on the property prior to annexation. The owners and the developers have asked that annexation of the property be delayed until October 12, 1998, to allow more time prior to closing and to allow time to meet with the homeowners in the area to work through any issues.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that Council delay second reading and public hearing on the amended ordinance for annexation until the October 12, 1998, Council meeting.

Mayor Cavanaugh returned to the room at 7:45 P.M.

AIKEN MALL - ORDINANCE 092898A

Metropolitan Life Insurance Company
Sign
Whiskey Road
East Gate Drive
Easement

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to grant an easement to Metropolitan Life Insurance Co., owners of the Aiken Mall, to provide access to and maintenance of the sign at the Aiken Mall.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO GRANT AN EASEMENT TO METROPOLITAN LIFE INSURANCE COMPANY AT THE AIKEN MALL.

Mr. Thompson stated City Council has received a request from the Metropolitan Life Insurance Company, owners of the Aiken Mall, asking the city to grant an easement to the company, to provide access to and maintenance of the sign at the Aiken Mall. The proposed ordinance will allow that easement.

Mr. Thompson stated the Mall sign was built within the right of way of East Gate Drive, and this right of way was later conveyed to the city. Generally signs would not be placed within the right of way, but in this case the sign was, and the insurance company needs the city's permission to leave the sign in place and to maintain the sign. Gary Smith, the City Attorney, has worked with the company to develop an easement for this purpose.

The public hearing was held and no one spoke.

Councilman Radford moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass on second and final reading an ordinance authorizing an easement to Metropolitan Life Insurance Company for access and maintenance of the sign at the Aiken Mall with the ordinance to become effective immediately.

AIRPORT - ORDINANCE 092898B

Easement

Hangar

BW Airplane, LLC

Corporate Hangar

Municipal Airport

Wyatt, Weldon

Airport Boulevard

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to grant an easement to provide access to a corporate hangar to be constructed by BW Airplane at the Airport.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO GRANT AN EASEMENT TO BW AIRPLANE, LLC AT THE AIKEN MUNICIPAL AIRPORT.

Mr. Thompson stated the city has a request for an easement for access to the new corporate hangar proposed by the FBO and by BW Airplane.

Mr. Thompson stated the airport is outside of the city limits of Aiken, and the County's regulations do not recognize the entranceway to the Airport as a public road but as a private road. This has been discussed with the County and with the company and the staff is recommending that the city grant an easement to BW Airplane, LLC over both Aiken Airport Boulevard and over the present unnamed gravel road developed for access to the hangars at the airport. This will solve this problem on a temporary basis.

The public hearing was held and no one spoke.

Councilwoman Papouchado moved, seconded by Councilwoman Price, that the ordinance granting access to BW Airplane on both Airport Boulevard and on the gravel road between the boulevard and the corporate hangars at the airport be passed on second and final reading and that the ordinance become effective immediately. The motion was approved by a majority vote with Councilman Radford opposing the motion. He stated he did not understand the County making this requirement.

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

Economic Development Assistance

Small Business Assistance Program

Business Program

Seed Money

Mayor Cavanaugh stated this was the time advertised for a public hearing on the proposed use of Community Development Block Grant Funds for economic development assistance.

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 incentives, industrial park developments, and other ways to assist business and industry in Aiken, and we need 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.

Mr. Thompson stated City Council had expressed an interest in developing a Small Business Assistance Program. He stated guidelines for such a program had been presented to Council for consideration. He said the program would provide \$25,000 from Community Development funds as seed money for new businesses. Under the guidelines funds would be available in grants up to \$5,000 with an interest rate based on the project's projected cash flow and based on the need expressed by the applicant. The total proposed at this time is \$25,000. This would be a one time grant but Council could choose to add additional grants at a later date. The proposed program is to be set up similar to other programs around the state. The application would be submitted either to the City or to the Downtown Development Association for review. In this case the city would ask the Downtown Association to make a recommendation to the Planning Director and the Planning Director would approve or disapprove the use of funds. The program is set up for low and moderate income companies or to benefit low to moderate income persons. It does not target any special groups except for low to moderate income.

Businesses will have to meet the Community Development guidelines in order to participate in this assistance program. The business owner must be low to 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 money would 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 and no one spoke.

Mr. Thompson stated he had discussed the program with Janet Morris, of the Aiken Downtown Development Association, and she was excited about the program. The guidelines set up in the proposed program are for the Planning Department to administer the program. Mr. Thompson pointed out the program guidelines would have to be approved by Council and any changes to the guidelines would have to come back to City Council. The application and approval guidelines can be modified at the staff level so the staff can be more responsive.

Councilwoman Price moved, seconded by Councilwoman Clyburn, that Council approve the use of \$25,000 of Community Development Block Grant funds for implementation of a Small Business Assistance Program with guidelines as suggested in the proposed program presented to Council. The motion was approved by a majority vote with Councilman Perry opposing the motion.

Councilman Perry was concerned about the program. He pointed out that banks can provide funds for such a program and the program could be administered through the Chamber of Commerce. Councilman Perry stated in his 25 years on Council he had never had someone tell him that the city needed such a program. He felt the program would be starting a new bureaucracy. He felt the city should not get into such a program, and he did not feel that there was a demonstrated need that cannot or has not been fulfilled.

Mayor Cavanaugh stated he felt the program could be a good program. He pointed out the funds are from Community Development Funds for use in the community.

Councilman Anaclerio pointed out the program is for low to moderate income persons not for special groups. He pointed out the banks have made money available for minorities. He stated he supported the program.

OUTDOOR CAFES - ORDINANCE

Restaurants
Cafes, Outdoor
Sidewalks
Downtown

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to adopt guidelines for outdoor cafes in the downtown area.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ADDING SECTION 20-15 TO THE CODE OF THE CITY OF AIKEN TO ALLOW THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF OUTDOOR CAFES WITHIN THE CENTRAL BUSINESS DISTRICT OF THE CITY OF AIKEN.

Mr. Thompson stated over the past several months the city has received requests for outdoor cafes, to be placed on or adjacent to the sidewalks and right of ways of the city. The ordinance before Council adopts guidelines for these cafes, and restricts cafes on the city sidewalks and right of ways to the downtown area.

We have several restaurants in the downtown that have located tables and chairs on or adjacent to the city sidewalks, and the problem arises when these restaurants actually use the sidewalks as a part of their restaurant establishment for eating and dining. We have generally discouraged this in the past, because we did not have guidelines to help assist these restaurants with this service. We have been working with the Downtown Development Association to develop a series of guidelines to allow outdoor cafes. The Downtown Association has voted unanimously to support this ordinance to City Council.

Bill Huggins, Gary Smith, and Richard Pearce have been working on the guidelines, and under this process, the Department of Public Safety could issue permits to allow restaurants to use the city sidewalks for feeding and dining areas. At the request of the Downtown Association, we have kept these regulations fairly tight, to avoid potential problems with littering and blocking of the sidewalk. The Department of Public Safety has reviewed the guidelines, and is satisfied that we can avoid or eliminate any problems under this ordinance.

Under this ordinance, businesses would be able to place tables, chairs, and umbrellas in the sidewalk area, but would not be able to block the sidewalk. We would require that the restaurant keep a pathway of at least 4 feet in width open through the area, to allow through traffic, and that the tables and chairs in use be maintained in an attractive manner.

This ordinance deals only with businesses that are interested in using the public sidewalks or right of way within the downtown. This ordinance also allows public display of alcoholic beverages if the restaurant meets the guidelines of the ordinance, the guidelines of any alcohol and health permits and licenses necessary.

Many cities have successfully allowed outdoor cafes, and this does open up a new opportunity for our downtown restaurants. This is a very interesting issue, and we hope that this will further improve the vitality of our downtown.

Council discussed the proposed ordinance briefly with Councilman Perry asking why the ordinance was restricted to the downtown. It was pointed out that the ordinance covers sidewalks that have pedestrian traffic and most of the restaurants in other areas of the city would front on private parking lots so it would not be public right of way if they wanted to have dining outside.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved that the ordinance allowing outdoor displays and cafes on the sidewalks in the downtown area be passed on first reading with second reading and public hearing set for the next regular meeting of Council.

ANNEXATION - ORDINANCE

112 Smallridge Street
Silver Bluff Estates
Whiskey Road
Steele, Mary
Tax Parcel No. 30-058.0-06-005

Mayor Cavanaugh stated an ordinance had been prepared for annexation of 112 Smallridge Street in Silver Bluff Estates.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF .22 ACRES OF LAND, MORE OR LESS, OWNED BY MARY STEELE AND LOCATED AT 112 SMALLRIDGE STREET, BEING KNOWN AS TAX MAP PARCEL NUMBER 30-058.0-06-005 AND TO ZONE THE SAME SINGLE FAMILY RESIDENCE (R-1B).

Mr. Thompson stated Council has received a request from, Mary Steele, the owner of the property at 112 Smallridge Street, requesting annexation under the R-1B zone. This has been reviewed by the Planning Commission, and is recommended to City Council.

This single family home is located on the east side of Smallridge Street, and this area includes many lots that are smaller than required in the R-1A zone. The R-1B zone is appropriate on Smallridge Street, and as other properties annex into the city this will be in use to a greater extent.

Councilman Radford moved, seconded by Councilman Anaclerio and unanimously approved, that the ordinance annexing property at 112 Smallridge Street into the City of Aiken and zoning the property R-1B, Single Family Residential be passed on first reading and second reading and public hearing be set for the next regular meeting of City Council.

ANNEXATION - ORDINANCE

109 Gregg Avenue
Walton, Thomas
Richland Avenue W.
U.S. 1 South
Tax Parcel No. 30-002.0-01-001

Mayor Cavanaugh stated an ordinance had been prepared for first reading to annex 109 Gregg Avenue.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF ONE ACRE OF LAND, MORE OR LESS, OWNED BY THOMAS WALTON AND LOCATED AT 109 GREGG AVENUE, BEING KNOWN AS TAX PARCEL NUMBER 30-002.0-01-001 AND TO ZONE THE SAME SINGLE FAMILY RESIDENCE (R-1).

Mr. Thompson stated City Council has received a request from Thomas Walton to annex a lot on Gregg Avenue, under the R-1 zone. This has been reviewed by the Planning Commission, and is recommended to City Council.

This lot includes a single family home, and is located in an area of both residential and Planned Unit Development (PUD) zones. The size of the lot meets the requirements for the R-1 zone, and this has been recommended for approval based on the R-1 Single Family Zone.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that the ordinance be passed on first reading annexing the property at 109 Gregg Avenue into the City of Aiken with R-1 Single Family Residence zoning and that second reading and public hearing be set for the next regular meeting of City Council.

ANNEXATION - ORDINANCE

617 Boardman Road
Cubbage, Kent and Cynthia
Dunbarton Circle
Chatham Street
Tax Parcel No. 30-076.0-02-015

Mayor Cavanaugh stated an ordinance had been prepared to annex 617 Boardman Road.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF .28 ACRES OF LAND, MORE OR LESS, OWNED BY KENT AND CYNTHIA CUBBAGE AND LOCATED AT 617 BOARDMAN ROAD, BEING KNOWN AS TAX MAP PARCEL NUMBER 30-076.0-02-015 AND TO ZONE THE SAME SINGLE FAMILY RESIDENCE (R-1A).

Mr. Thompson stated City Council has received a request for annexation of a lot at 617 Boardman Road, under the R-1A zone. This has been reviewed by the Planning Commission and is recommended for approval.

Mr. and Mrs. Kent Cubbage have requested annexation of their home at 617 Boardman Road. Although this is somewhat isolated from the city by other properties on Boardman Road, we currently serve other homes along Boardman and Chatham Street, and this should not be a difficult property to serve with city services. The Planning Commission has recommended the R-1A zoning based on the size of the lot, and the size of adjacent lots in this area.

Councilwoman Clyburn moved, seconded by Councilwoman Papouchado and unanimously approved that the ordinance approving annexation of property at 617 Boardman Road be passed on first reading and second reading and public hearing be set for the next regular meeting of Council.

ANNEXATION - ORDINANCE

3506 Augustus Road
Eckenrode, Raymond and Miriam
Gregg Avenue
Richland Avenue W.
U. S. 1 South
Tax Parcel No. 30-002.0-01-011

Mayor Cavanaugh stated an ordinance had been prepared for first reading to annex 3506 Augustus Road.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF 1.5 ACRES OF LAND, MORE OR LESS, OWNED BY RAYMOND AND MIRIAM ECKENRODE AND LOCATED AT 3506 AUGUSTUS ROAD, BEING KNOWN AS TAX MAP PARCEL NUMBER 30-002.0-01-011 AND TO ZONE THE SAME SINGLE FAMILY RESIDENCE (R-1).

Mr. Thompson stated City Council has received a request for annexation of property on Augustus Road, under the R-1 zone. This has been reviewed by the Planning Commission, and is recommended for approval.

Mr. and Mrs. Raymond Eckenrode have requested annexation of their property on Augustus Road, and the property is contiguous to the city on the south side of the property. The owners have requested annexation under the R-1 Single Family Residential zone, and this zone is appropriate as the 1.5 acre lot does exceed the required lot size of 15,000 square feet and the width of 200 feet exceeds the 100 foot minimum in the R-1 zone. The staff will be bringing back to Council annexation of Augustus Road as other properties are inside the city and the road in front of the properties needs to be annexed.

Councilwoman Papouchado moved, seconded by Councilman Radford and unanimously approved, that the ordinance to annex 3506 Augustus Road with R-1 zoning be passed on first reading and that second reading and public hearing be set for the next regular meeting of City Council.

ANNEXATION - ORDINANCE

110 Thomas Street
Haynes, Susan
Reynolds, William Roderick Trust
Smallridge Street
Taylor Street
Silver Bluff Estates
Tax Parcel No. 30-036.0-02-004

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to annex 110 Thomas Street.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF .23 ACRES OF LAND, MORE OR LESS, OWNED BY SUSAN HAYNES, TRUSTEE OF THE WILLIAM RODERICK REYNOLDS TRUST, AND LOCATED AT 110 THOMAS STREET, BEING KNOWN AS TAX MAP PARCEL NUMBER 30-036.0-02-004 AND TO ZONE THE SAME SINGLE FAMILY RESIDENCE (R-1B).

Mr. Thompson stated City Council has received a request from the owners of the property at 110 Thomas Street, requesting annexation under the R-1B zone. This has been reviewed by the Planning Commission, and is recommended to City Council.

Ms. Susan Haynes, Trustee of the ownership trust on this property, has requested annexation under the R-1B Single Family Residential zone. The R-1B zone is appropriate in this area, due to lot size, and the city presently serves other properties in this area. This is one of the properties presently surrounded by the City of Aiken.

Councilwoman Price moved, seconded by Councilwoman Papouchado and unanimously approved, that Council pass on first reading an ordinance approving the annexation of property at 110 Thomas Street with R-1B Single Family Residential zoning and that second reading and public hearing be set for the next regular meeting of City Council.

ANNEXATION - ORDINANCE

129 Silver Bluff Road
Evensen, Martin and Myrna
Pine Log Road
Whiskey Road
Silver Bluff Estates
Tax Parcel No. 30-057.0-07-008

Mayor Cavanaugh stated an ordinance had been prepared to annex 129 Silver Bluff Road.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF .21 ACRES OF LAND, MORE OR LESS, OWNED BY MARTIN AND MYRNA EVENSEN AND LOCATED AT 129 SILVER BLUFF ROAD, BEING KNOWN AS TAX MAP PARCEL NUMBER 30-057.0-07-008 AND TO ZONE THE SAME SINGLE FAMILY RESIDENCE (R-1B).

Mr. Thompson stated City Council has received a request from Mr. and Mrs. Martin Evensen, of 129 Silver Bluff Road, asking that the city annex their lot under the R-1B Single Family Residential zone. This has been reviewed by the Planning Commission, and is recommended to City Council.

This property is entirely surrounded by the City of Aiken, and it would not be difficult to serve with city services. The R-1B zone is compatible with the development of other lots in this area.

Councilwoman Clyburn moved, seconded by Councilman Anaclerio and unanimously approved, that Council pass on first reading an ordinance annexing property at 129 Silver Bluff Road with R-1B Single Family Residential zoning and that second reading and public hearing be set for the next regular meeting of Council.

REZONING - ORDINANCE

East Gate Drive
Aiken Mall
Brookhaven Drive
Palmetto Federal Service Corporation
Tax Parcel No. 00-158.0-01-009

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to rezone 71.54 acres behind the Aiken Mall between East Gate Drive and Brookhaven Drive.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING THE ZONING OF REAL ESTATE LOCATED ON THE SOUTHEAST SIDE OF EAST GATE DRIVE, BEHIND THE AIKEN MALL, AND BEING KNOWN AS TAX MAP PARCEL NUMBER 00-158.0-01-009.

Mr. Thompson stated City Council has received a request to rezone property behind the Aiken Mall. This request has been reviewed by the Planning Commission, and has been recommended to City Council with conditions.

This rezoning request includes a total parcel of 71.54 acres. The owners have asked that the city change the section zoned Professional from a total of 9.07 acres to a new total of 20.04 acres. The owner has also asked to eliminate zoning of an R-2 portion, and to reduce the Planned Unit Development (PUD) acreage from 53.93 acres to 37.22 acres. The owners have also asked to expand the amount of properties zoned Neighborhood Business (NB), from a present total of 1.92 acres to a new total, for two parcels, of 11.2 acres and 1.0 acre.

The Planning Commission has reviewed this issue and the only area of concern for the Planning Commission was with the rezoning of the 1 acre property to Neighborhood Business. There was concern that allowing the Neighborhood Business property on East Gate Drive could open this area to a wide range of commercial uses which may not be appropriate for this area. The Planning Commission has recommended approval of the rezoning on the condition that the proposed 1 acre tract to be zoned Neighborhood Business is used only as a restaurant for sit down dining with no drive through, and that, if construction does not commence in one year, that the zoning would revert to Professional. This seems to be an adequate compromise for the owners, and this has been recommended to City Council.

Councilwoman Papouchado asked if residents of the area attended the Planning Commission meeting when this was discussed and if any of the residents in the area were opposed to the rezoning. Mr. Evans pointed out four residents of the area attended the meeting and two spoke against the rezoning.

Councilman Anaclerio moved, seconded by Councilman Radford, that Council pass on first reading an ordinance rezoning property owned by the Palmetto Federal Service Corporation, located behind the Aiken Mall between East Gate Drive and Brookhaven Drive as recommended by the Planning Commission and that second reading and public hearing be set for the next regular meeting of City Council. The motion was approved by a majority vote with Councilwoman Papouchado opposing the motion.

ANNEXATION - ORDINANCE

Lowe's Store
H/S AIKLO, LLC
Whiskey Road
S.C. 19 S.
Tax Parcel No. 00-158.0-01-211
00-158.0-01-029 and 00-158.0-01-072

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to amend the ordinance adopted in August annexing the Lowe's property on Whiskey Road.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO AMEND ORDINANCE NO. 081098 WHICH ANNEXED THE NEW LOWE'S STORE PROPERTY.

Mr. Thompson stated that in August City Council approved the annexation of the property now occupied by the new Lowe's facility. For City Council consideration, this proposed ordinance amends two portions of that annexation ordinance.

The original ordinance included annexation of three separate tracts of land shown on the plat as Tracts A, B, and C. Tract C did not, at that time, belong to the developer, H/S AIKLO, LLC, and this ordinance will delete the annexation of Tract C from that earlier ordinance. The developer is acquiring the property and is submitting a separate petition for annexation of Tract C.

The earlier ordinance also limited the number of curb cuts to a maximum of one. The original recommendation of the Planning Commission allowed two curb cuts, including one at the traffic signal and a second with at least a 150 foot separation from the first. This seems to be a simple omission error, and the developers have requested this second cut. The staff recommends the second cut from a traffic safety perspective.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved that Council pass on first reading an ordinance amending the previous ordinance to annex the new Lowe's property to allow deletion of Tract C, and inclusion of a second curb cut and that second reading and public hearing be set for the next regular meeting of Council.

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

HOME Funds

Grant

New Home Construction

S.C. State Housing Finance & Development Authority

Department of Housing and Urban Development (HUD)

Mayor Cavanaugh stated Council needed to accept a HOME grant for new home construction.

Mr. Thompson stated the city has been notified that the city will receive a \$200,000 grant from the Department of Housing and Urban Development (HUD) administered by the South Carolina State Housing Finance and Development Authority for construction of single family homes in Aiken. This is a continuation of the previous HOME construction and ownership program for the city, and this will help us to continue to meet the housing requirements of low to moderate income residents in this area. The grant information was mailed to us September 15, 1998, and required acceptance by September 23, 1998.

We were unable to bring this to Council for prior approval, but we are suggesting that City Council accept this grant from the South Carolina State Housing Finance and Development Authority, in the amount of \$200,000 for continuation of the HOME program.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that Council accept the \$200,000 HOME grant from the S.C. State Housing Finance and Development Authority for new home construction for low to moderate income residents in Aiken.

BIDS

Water Line Construction

Pine Log Road

Werts Utility Construction

Raw Water Line

Water

Public Works Department

Robbin Road Well

Mayor Cavanaugh stated Council needed to consider acceptance of bids for construction of a raw water line on Pine Log Road.

Mr. Thompson stated the city has taken bids for the installation of a water line along Pine Log Road, and the staff is recommending acceptance of the low bid of Werts Utility Construction, in the amount of \$36,906.45.

This bid is for the construction of a raw water line, and the line would carry untreated water from the well site on Robbin Road to the water treatment plant on Pine Log Road. We sent out a total of 17 bid invitations to firms capable

of performing this work, and received 6 bids. Werts Construction was low for the project, and for any additional work required with construction. We asked for prices on the use of any crushed stone stabilization or excavation in the trenches if necessary and Werts was low.

The bids received were as follows:

<u>Bidder</u>	<u>Items 1-8</u>	<u>Extra Work</u>	<u>Total</u>
Werts Utility Construction	\$36,906.45	\$13,780.00	\$ 50,686.45
Hutto Construction	79,958.50	69,500.00	149,458.50
Beam's Pavement	46,860.00	19,775.00	66,635.00
Gene Ray Fulmer Const.	50,390.00	15,850.00	66,240.00
T.B. Bulldozing	59,938.00	18,450.00	78,388.00
Blair Construction	59,601.60	15,825.00	75,426.60

Funds are available for this work in the current budget, and the staff is recommending acceptance of the low bid of Werts Utility Construction Company out of Ninety Six, South Carolina, with a total bid of \$36,906.45 for the installation of a water line along Pine Log Road.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that Council accept the low bid of Werts Utility Construction in the amount of \$36,906.45 for construction of a raw water line on Pine Log Road.

BIDS

Water Line Materials

Water

Pine Log Road

Raw Water Line

Public Works Department

Pipeline Supply Company

Hughes Supply

Mayor Cavanaugh stated Council needed to consider acceptance of the bids for purchase of water line construction materials.

Mr. Thompson stated for some of the larger construction projects the city bids the construction materials separate from the labor to construct the project. We have taken bids for the materials for the new Pine Log Road Raw Water Line, and are recommending acceptance of the low bid for the pipes, fittings, and valves, with a total bid price of \$23,945.30.

We established this bid to allow the bid to be split into two separate parts, including bids for the pipe and fittings, and a bid for electrical conduit. We are awarding the conduit bid separately to the low bidder Hughes Supply. We are also very familiar with the materials bid by Pipeline Supply Company, and are recommending acceptance of the Pipeline Supply Company bid for pipes, fittings, and valves.

The bids received were as follows:

<u>Bidder</u>	<u>Electrical Conduit</u>	<u>Pipe, Fittings & Valves</u>
Independent Water Works		\$26,072.19
U.S. Filter		24,012.96
Pipeline Supply		23,945.30
Atlantic Supply & Equipment		25,677.87
Hughes Supply	\$1,434.69	24,633.58
Cities Supply	2,120.00	25,870.29

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council accept the low bid submitted by Pipeline Supply Company for water line construction materials, with a total bid price of \$23,945.30.

BIDS

Recreation Department
Paving
Kennedy Kolony
Basketball Court
Smith-Hazel
Walking/Jogging Track
Gene Ray Fulmer Grading Company

Mayor Cavanaugh stated Council needed to consider acceptance of the bids for resurfacing of the basketball court at Kennedy Kolony and the walking track at Smith-Hazel.

Mr. Thompson stated the city has taken bids for the resurfacing of the outdoor basketball court at the Kennedy Kolony Neighborhood Park, and for resurfacing of the walking/jogging track at the Smith-Hazel Activity Center. The staff is recommending acceptance of the low, and only, bid submitted by Gene Ray Fulmer Grading Company, with a total bid of \$20,361.65.

We distributed a total of 10 bid invitations on this project, and received only the single response. The City Engineer has reviewed the bid, and believes that rebidding the project would probably not produce better results. We are, therefore, recommending that we award this contract to Gene Ray Fulmer Grading, of Ridge Spring. Funds are available in the current budget for this project.

Councilwoman Clyburn moved, seconded by Councilwoman Papouchado and unanimously approved, that Council accept the bid of Gene Ray Fulmer Grading Company for paving of recreational facilities with a total price of \$20,361.65.

UTILITY REQUEST

Water Service
²¹⁹²~~2031~~ Whiskey Road
_{SP} Cavalcante, Joanna & Sherry
Dougherty Road
Tax Parcel No. 30-060.0-08-009

Mayor Cavanaugh stated Council needed to consider the request for city services at the corner of Dougherty Road and Whiskey Road.

Mr. Thompson stated City Council has received a request for city water services to property located at 2031 Whiskey Road. This has been reviewed by the Planning Commission, and the Planning Commission has recommended approval of the extension of water and fire protection services to this property with conditions.

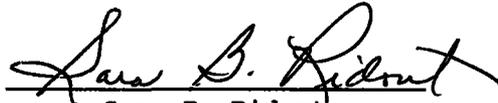
The request is for city services to serve a party and package store at the northwest corner of the intersection of Dougherty and Whiskey Roads. We have water service and fire service readily available for this site, but will not be providing sewer at this time. The Planning Commission has recommended approval on the following conditions:

1. that the property owners annex to the City of Aiken when the property becomes contiguous;
2. the site complies with the Sign Ordinance;
3. the design for water service is approved by the City Engineer;
4. waivers from the Tree Protection and Landscape Ordinance are allowed as follows:
 - a) that planting strips along street rights-of-way be five feet instead of the 10 feet required;
 - b) that planting strips along the northern and western property lines not be required where parking or driveways are needed as shown on the plan submitted with the application;
 - c) that the planting strips along the street rights-of-way have the number and size of trees required but that the trees not be required in the planting strips along the northern and western property lines on the condition that as much evergreen shrubbery as possible be planted;
5. that a revised landscape plan reflecting the landscape conditions be approved;
6. the site complies with the Neighborhood Business Zone regulations.

Councilwoman Papouchado moved, seconded by Councilman Anaclerio and unanimously approved, that Council approve the request for extension of water and fire protection to the property at 2031 Whiskey Road, with conditions as recommended by the Planning Commission.

ADJOURNMENT

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



Sara B. Ridout
City Clerk