

Aiken City Council Minutes

November 9, 1998

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

Absent: Councilman Radford

Others Present: Steve Thompson, Gary Smith, Bill Huggins, Ed Evans, Carrol Busbee, Anita Lilly, Terry Rhinehart, Stanley Quarles, Roger LeDuc, Sara Ridout, Tom Smith of the Aiken Standard, Margaret O'Shea of the Augusta Chronicle, and 24 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 October 12, 1998, and the special meeting of October 19, 1998, were considered for approval. Councilwoman Papouchado moved that the minutes be approved as written. The motion was seconded by Councilwoman Price and unanimously approved.

PRESENTATIONRecreation DepartmentS.C. Recreation & Parks AssociationOutstanding Agency of the Year AwardAwardInnovative Programing AwardArts and Humanities AwardSpring in Hopelands ProgramEthnics Minority Lay Person of the Year AwardMoses, Clinton

Mayor Cavanaugh stated the Recreation Department had won several awards and Mr. Gary Mixon, President of the South Carolina Recreation and Parks Association, was present to make the presentations.

Mr. Thompson stated it is no surprise that the City of Aiken Parks and Recreation Department has once again received top honors from the South Carolina Recreation and Parks Association for several outstanding recreation activities.

Mr. Gary Mixon, President of the South Carolina Recreation and Parks Association, stated the City of Aiken received several awards on October 13 from the SC Recreation and Parks Association. Mr. Mixon presented the awards to Council.

Mr. Mixon stated for the tenth time out of the past 13 years, the Department was presented the Outstanding Agency of the Year Award. This is the highest award an agency can receive in the state.

The Department also received the Innovative Program of the Year Award for Camp Eco. This program is a summer camp for middle school students which emphasizes outdoor recreational activities related to environmental awareness.

The Spring in Hopelands Program received the Arts and Humanities Program of the Year Award. The event provided a venue for local musicians and artists to present and display their work. The cooperation and support of the Friends of Hopelands and the Aiken Garden Council are cited as two of the reasons for the success of this program.

Mr. Mixon stated there were also two very special individual awards presented. He stated Mr. Clinton Moses received the SCRPA Ethnics Minority Lay Person of the Year Award. Mr. Moses' outstanding efforts are based on his nearly 20 year involvement with the Recreation Department and his great support of athletic activities and recreational endeavors. Mr. Mixon presented the award to Mr. Moses.

Mr. Mixon also pointed out that Terry Rhinehart, Recreation Director, has been presented the highest individual award bestowed on an individual from the State Association, the Professional of the Year Award. He congratulated Mr. Rhinehart on his award.

Mr. Rhinehart pointed out that the awards were possible through the support of City Council, the staff and the community in the efforts to make the Recreation Department the best.

Council also recognized the people from the Mt. Hill Church who were present supporting Clinton Moses.

#### BOARDS AND COMMISSIONS

##### Appointments

##### Park Commission

McCartney, Robert

##### Planning Commission

Brodie, Brad A.

Bolton, Ronald B.

##### Zoning Board of Adjustment

Wiland, Kenneth

##### Environmental Committee

Yates, Jim

Mayor Cavanaugh stated Council needed to make some appointments to the various boards and committees of the city.

Mr. Thompson stated Council appoints volunteers to the boards and committees of the city and Council needs to make appointments to the Park Commission, Planning Commission, Zoning Board of Adjustment, and the Environmental Committee.

Mr. Robert McCartney has served as a volunteer on the Park Commission, and Mr. McCartney's term expires December 1, 1998. Mayor Pro-tem Perry has recommended the reappointment of Mr. McCartney to the Park Commission, and has submitted this for consideration. On approval by City Council, this volunteer would serve through December 1, 2000.

Councilman Perry moved, seconded by Councilman Anaclerio and unanimously approved, that Council reappoint Robert McCartney to the Park Commission for a two year term with the term to expire December 1, 2000.

Mr. Thompson stated Council has two appointments available on the Planning Commission. The term of Mr. Brad A. Brodie expires on December 1, 1998, and Councilman Perry has recommended reappointment of Mr. Brodie to the Planning Commission. The term of Ronald B. Bolton also expires on December 1, and Councilman Anaclerio has recommended reappointment of Mr. Bolton. On approval by City Council, the volunteers will serve through December 1, 2000.

Councilman Anaclerio moved, seconded by Mayor Cavanaugh and unanimously approved, that Ronald Bolton be reappointed to the Planning Commission for a two year term with the term to expire December 1, 2000.

Councilman Perry moved, seconded by Councilman Anaclerio and unanimously approved, that Council reappoint Brad Brodie to the Planning Commission for a two year term to expire December 1, 2000.

Mr. Thompson stated Mr. Kenneth Wiland presently serves on the Zoning Board of Adjustment, and Mr. Wiland's term expires December 1, 1998. Mayor Pro-tem Perry has nominated Mr. Wiland for reappointment, and on approval by City Council, this term would expire December 1, 2000.

Councilman Perry moved, seconded by Mayor Cavanaugh and unanimously approved, that Council reappoint Kenneth Wiland to the Zoning Board of Adjustment for a two year term with the term to expire December 1, 2000.

Mr. Thompson stated the term of Mr. Jim Yates expires December 31, 1998, on the Environmental Committee, and Councilman Perry has nominated Mr. Yates for reappointment. On approval by City Council the term for this position would expire December 31, 2000.

Councilman Perry moved, seconded by Councilwoman Price and unanimously approved, that Council reappoint Jim Yates to the Environmental Committee for a two year term with the term expiring December 31, 2000.

SUBDIVISION REGULATIONS - ORDINANCE 110998Staff Approval  
Major Subdivision  
Preliminary Plats

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to amend the Subdivision Regulations to allow staff approval of major subdivision preliminary plats.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING THE SUBDIVISION REGULATIONS OF THE CITY OF AIKEN TO ALLOW STAFF APPROVAL OF MAJOR SUBDIVISION PRELIMINARY PLATS AND RELATED PROVISIONS.

Mr. Thompson stated the Planning Commission is constantly reviewing the Subdivision Regulations and the Zoning Ordinance to try to eliminate barriers and obstacles to developments. The Planning Commission has reviewed the approval process for the Subdivision Regulations and is recommending that City Council change the present requirements to allow the staff to approve major subdivision preliminary plats.

Under the present requirements, the approval process for subdivisions is very clear, and if a developer meets all of the requirements for a development, any approval is almost automatic. The Planning Commission has recommended that the requirement for approval of preliminary major subdivision plats by the Planning Commission adds an extra step in the approval process and unnecessary delay in approval of development.

The ordinance before Council will allow staff approval of these major subdivision plats.

We have been allowing staff approval of final plats, and the Planning Commission has been reviewing preliminary plats. If a subdivision meets city ordinances, there are essentially no grounds for turning it down unless there is some overriding issue of public health, safety, or welfare, which would be an extremely rare exception. In other words, once a subdivision reaches the Commission, it has almost always been "rubber stamped." The Planning Commission has recommended the process be changed to allow staff approval of these major subdivision preliminary plats.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that the proposed ordinance be amended deleting reference to the Chairman of the Planning Commission signing off on the plats as this would keep an extra step and the potential for delay in the approval of these plats.

The public hearing was held and no one spoke.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that the ordinance be passed on second and final reading, as amended, approving amendments to the Subdivision Regulations to allow staff approval of major subdivision preliminary plats and related provisions and that the ordinance become effective immediately.

RYE PATCHRye Patch Expansion  
Meeting Facility

Mayor Cavanaugh moved, seconded by Councilman Perry and unanimously approved, that Council add the proposed expansion of Rye Patch to the agenda for action by City Council.

Mr. Thompson stated that last summer City Council adopted a \$5 million five year priority listing of capital projects in Aiken. One of those projects included the expansion of Rye Patch to construct more of an open meeting facility at Rye Patch. The project developed through the Friends of Hopelands. City Council approved the use of an architect to move the plans forward. City Council asked the Friends to come back with a recommendation on the plans presented. The Friends recommended against continuing the project. City Council has discussed the possibility of tabling or eliminating the Rye Patch expansion project. Since the project was approved on the agenda with

the priority listing and with the selection of the architect, City Council needs to take action on whether to discontinue the project.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council delete the Rye Patch expansion project from the Capital Improvements Program.

ANNEXATION - ORDINANCE

Lowe's (Old)  
Whiskey Road 2530  
S.C. 19 S.  
TPN 00-158.0-01-212

Mayor Cavanaugh stated an ordinance had been prepared to annex the site formerly occupied by Lowe's store on the east side of Whiskey Road immediately adjacent to the new Lowe's store.

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 11.87 ACRES OF LAND, MORE OR LESS, OWNED BY LOWE'S HOME CENTERS, INC. AND LOCATED ON THE EAST SIDE OF SOUTH CAROLINA HIGHWAY 19, BEING THE SITE OF THE BUILDING FORMERLY OCCUPIED BY LOWE'S AND BEING KNOWN AS TAX MAP PARCEL NUMBER 00-158.0-01-212 AND TO ZONE THE SAME NEIGHBORHOOD BUSINESS (NB).

Mr. Thompson stated this is a request from Lowe's Home Centers to annex the site formerly occupied by the old Lowe's store on Whiskey Road. He said one of the conditions placed by the City on the annexation and development of the new Lowe's facility was that the old Lowe's site also be annexed to the city. He said Lowe's is meeting that commitment and has submitted an annexation request to City Council for approval. This includes an 11.87 acre parcel of property.

The Planning Commission has recommended approval of the annexation with several conditions intended to bring the old Lowe's site in line with our existing Tree Protection and Landscaping Ordinance. The old Lowe's site was developed prior to implementation of that ordinance and therefore does not contain substantial vegetation, particularly in the parking lot area.

The Planning staff noted that the Crepe Myrtles located along the Whiskey Road frontage would be acceptable to meet City standards if they are not extensively cut or pruned. It was also indicated that additional trees could be planted along a small portion of the southern boundary adjacent to Aiken Office Supply, to the north of the northernmost drive way, and perhaps along the northern boundary. Other recommended conditions involve providing landscaped areas within the existing parking lot.

Based upon the staff recommendations, the Planning Commission voted to recommend approval of the annexation request on the following conditions:

- 1) the Crepe Myrtles along the Whiskey Road frontage not be pruned except lightly if needed for the health of the tree;  
and
- 2) before occupancy of the building, additional trees be planted where there is additional room along the southern and northern boundaries including the area just north of the northernmost driveway, and the site comply with 4.3 of the Tree Protection and Landscaping Ordinance regarding the minimum distance of a parking space from landscaped areas and landscaped islands at the ends of the rows of parking.

Councilwoman Papouchado moved, seconded by Councilwoman Clyburn and unanimously approved, that the ordinance be passed on first reading to annex 11.87 acres, the site of the old Lowe's store, and that second reading and public hearing be set for the next regular meeting of Council.

PURCHASING - ORDINANCEProcurement  
Bid Procedure  
Local Vendor Preference

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to amend the city procurement code.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING ARTICLE V. OF THE CODE OF THE CITY OF AIKEN TO AMEND THE CITY'S PROCUREMENT CODE TO CHANGE THE BID APPROVAL PROCEDURES AND TO ALLOW FOR A LOCAL VENDOR PREFERENCE IN AWARDING BIDS.

Mr. Thompson stated this proposal to amend the City procurement code actually addresses two procurement issues which have been discussed by staff and Council at various times over the years. After reviewing these issues, the staff is recommending several amendments to the existing procurement code that we feel will streamline the process and address the issue of a local vendor preference and bid awards.

The first element in these proposed amendments would incorporate a local preference into the bid procedure. The City Code currently does not allow for a preference on the basis of vendor location.

Mr. Thompson stated there are two philosophies with the use of local preference with one being that if you do not have a local preference that the citizens of Aiken receive the best "buy" for their tax dollars and that everyone benefits by spending the least amount of money. The other is that local businesses buy business licenses, pay property taxes and incur expenses in the city and a city organization particularly should support those businesses.

This issue continues to surface from time to time, and we feel that a limited preference for local vendors is appropriate. It is important in developing the language for this ordinance amendment to define the term "local vendor". We have chosen to borrow language from the State Procurement Code to address that issue. We have suggested four separate criteria for a vendor to qualify for the local preference. Under this proposal, the vendor must be authorized to transact business in the City or in Aiken County, maintain an office in the City or the County, maintain an inventory with a total value of \$10,000 or more with that inventory located in Aiken County at the time of the bid, and he or she must have paid all assessed taxes. The inventory requirement is intended to eliminate from consideration businesses which maintain only a minimal presence in the community through a post office box or some other limited status.

The proposed amendment sets the preference limit at 5% above the lowest bid received for vendors within the City and 3% for vendors located outside the municipality but inside Aiken County. In both cases a ceiling of \$2,000 is set on the amount of the preference. The amendments also address penalties for any vendors who falsely claim local vendor status.

The other change that we recommend deals with the code requirement that any purchase of goods or services where the contract is expected to exceed \$10,000 must be submitted to Council for bid approval. Historically City Council has had great confidence in the staff recommendations on purchase awards and has been consistent in its support of the staff recommendation on those items. We are suggesting that we remove approval of purchases from the agenda, and from the requirement of approval by City Council, unless the project is greater than \$25,000 in value and has not been specifically budgeted in the current budget. This continues to allow you to decide projects and purchases through your approval of the budget, but once the budget is approved, then we would move forward with a contract.

This will help us to remove several items from the agenda during each regular meeting of Council, and will allow us to move quickly forward with purchases and awards of contracts. At the same time, however, our records are completely open to you and to vendors in Aiken County, and we will make sure that we have documented every large purchase and that we are following these guidelines.

Councilman Perry stated he would like to amend the proposed ordinance to include that the Purchasing Agent have the ability to purchase an item with a cost of up to \$25,000 if the item is a budgeted item but he would like to delete the local preference in the ordinance. The motion was seconded by Mayor Cavanaugh. Councilman Perry pointed out he served on a committee which was represented by the Aiken Business Alliance, the Chamber of Commerce and other businesses and their biggest concern was being included in the bid process. He stated the businesses do not want a part of a local preference because this adds cost to the citizens of Aiken. He pointed out businesses in the city pay taxes, but the city is supposed to be giving them their value for those taxes. He stated representatives of that committee will come to the public hearing on the ordinance. He said to his knowledge no one has asked for a local preference.

Mr. Thompson pointed out that over the years when there was a purchase some member of Council would ask about flexibility for a local vendor, but the Code does not allow for local vendor flexibility. He said the city must award bid on low bid unless there is a difference in quality or service that can be justified. He said it seems to be an issue that keeps coming back to City Council that has been unresolved.

Councilwoman Clyburn pointed out Aiken has a slogan "Shop Aiken First" which asks that citizens look first in Aiken before buying. She pointed out the State has a policy which allows a local vendor preference. She stated she did not see anything wrong with Aiken having a local vendor preference policy, but felt it was in line with the theme "Shop Aiken First."

Councilwoman Papouchado stated she agreed with the reasons given by Councilman Perry against a local vendor preference, but it is hard when a local bidder is only \$100 over the low bid and the contract is awarded to the low bidder out of the county.

Councilman Perry responded that he looked at the total amount over a year. He stated allowing local preference is another tax. He said the merchants wanted to be included in the bid process; they are not asking for a local preference.

Councilwoman Price pointed out she frequently asks about a local bidder because she believes strongly in buying in Aiken first.

Councilman Perry pointed out if it is to be local preference then it should just be those inside the city.

Mayor Cavanaugh stated he agreed with Councilman Perry and does not believe in a local preference on a dollar value. He stated there are other things to consider other than price such as delivery, quality, spare parts, etc. He said everyone has equal opportunity to bid, and there is no preference for a bidder.

Mayor Cavanaugh called for a vote on the motion to amend the ordinance to delete the reference to local vendor preference, but allow removal of purchases from the agenda and from the requirements of approval by City Council unless the project is greater than \$25,000 in value and has not been specifically budgeted in the current budget. In favor: Mayor Cavanaugh, Councilmen Anaclerio and Perry. Opposed: Councilmembers Clyburn, Papouchado and Price. The motion did not pass.

Mayor Cavanaugh asked if there was a motion to pass the ordinance as written with a local vendor preference.

Councilwoman Clyburn moved, seconded by Councilwoman Price, that the ordinance be passed on first reading to amend Article V of the City's Procurement Code to change the process for bid approval and to allow for local vendor preference in awarding bids and that second reading and public hearing be set for the next regular meeting of Council. The motion passed by a vote of 4 in favor and 2 opposed. In favor were Councilmembers Anaclerio, Clyburn, Papouchado and Price. Opposed were Mayor Cavanaugh and Councilman Perry.

ANNEXATION - ORDINANCE

Augustus Drive  
U.S. 1 South  
Gregg Avenue  
Richland Avenue W.

Mayor Cavanaugh stated an ordinance had been prepared to annex the street right of way for Augustus Drive.

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 AUGUSTUS DRIVE, STATE SECONDARY ROAD S-2-1154.

Mr. Thompson stated properties on Augustus Drive have individually annexed into the City of Aiken, and we now need to annex the street.

Generally we try to annex the street at the same time that we annex contiguous properties, but due to the piecemeal approach of annexing different properties along Augustus Drive, we now need to have a separate ordinance annexing the street. The State Department of Transportation has approved the annexation of this street, and this serves as the owner's petition for the property.

Councilwoman Price moved, seconded by Councilwoman Papouchado and unanimously approved, that the ordinance be passed on first reading approving the annexation of Augustus Drive into the City of Aiken and that second reading and public hearing be set for the next regular meeting of Council.

ACCOMMODATIONS TAX FUNDS

Mayor Cavanaugh stated Council needed to consider the recommendation of the Accommodations Tax Committee for expenditure of Accommodations Tax funds.

Mr. Thompson stated as City Council is aware, the city receives funds from the hotels, motels and campgrounds in Aiken, to fund projects that help to generate tourism in the community.

We budget funds after they have already been received, and in the last fiscal year we received a total of \$116,283.62 in Accommodations Tax funds. Under state law, these funds are divided among several pools, including funding to the city, funding to the Chamber of Commerce, and to other groups, and after the legal distributions are accomplished, we had a balance of \$60,703.61 available for distribution for tourism related projects. City Council has approved a commitment of \$25,000 for the Aiken 20/20 fund raiser, and with this approval you have a balance of \$35,703.61 available for distribution to arts and tourism related organizations.

The Accommodations Tax Advisory Committee has reviewed these requests, and is recommending the following projects for a total of \$31,350.

<u>Organization</u>	<u>Project Description</u>	<u>Amount</u>
Chamber of Commerce	Meeting Facilities Promotion	\$ 3,350
City Parks & Recreation	Citizens Park Bid Fees	4,000
Aiken Downtown Dev.	Decorations & Brochures for International Festival	2,000
Aiken Soccer Club	Classic Soccer Tournament	9,000
Josef Hoffman Piano Competition	Piano Competition	1,000
Aiken County Sports Council	Promote Sports Events	3,000
Steeplechase Assoc.	Fall Steeplechase Advertising	4,000
Battle of Aiken	Advertising for Battle Reenactment	3,000
Aiken Center for the Arts	Building Operations	2,000
	<b>TOTAL</b>	<b>\$31,350</b>

Mr. Thompson stated the city actually would have a total of \$4,353.61 left to be distributed. Mr. Thompson suggested that Council consider allocating some

or all of this remaining balance. He said he had asked that the Accommodations Tax Committee allocate funds to help attract festivals and conventions of at least 100 people, and that the city use a pool of up to \$5,000 to help bring these conferences into Aiken. We would use this on a "first in" system, and the suggestion is that if Council would like to fund this for up to \$3,000, that the city provide \$1,000 grants to conferences and conventions coming into Aiken that can justify the use of the money. When the \$3,000 is allocated, then we will have no further funds available for this use, and the suggestion is that we ask the Chamber President and the City Manager to review these requests. This project was mistakenly included under the Chamber's request and although funding was not considered, the Committee supported the project and these conferences do provide overnight visits to Aiken.

The Committee was also not able to fund the Festival of Trees activity. This started last year and is an activity that is intended to build over a few years. If you would like to help fund this request, you may wish to consider an allocation towards the Festival of Trees activity.

Council asked that each item be considered individually.

Mayor Cavanaugh asked for a motion.

Councilwoman Clyburn moved, seconded by Councilwoman Price and unanimously approved, that the Chamber of Commerce be allocated \$3,350 for meeting facilities promotion.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that Council allocate the City of Aiken Parks & Recreation Department \$4,000 for Citizens Park bid fees.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that the Aiken Downtown Development Association be allocated \$2,000 for decorations and brochures and for the International Festival. Councilwoman Papouchado stated she felt the project was underfunded and would like for an additional \$1,000 to be allocated. Mayor Cavanaugh asked that the request be considered after consideration of the other projects on the list.

Councilwoman Clyburn moved, seconded by Councilman Anaclerio and unanimously approved, that the Aiken Soccer Club be allocated \$9,000 for the Classic Soccer Tournament.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that Council allocate \$1,000 for the Josef Hoffman Piano Competition.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn, that \$3,000 be allocated to the Aiken County Sports Council to promote sports events. The motion was approved by a majority vote with Councilman Perry not participating in the voting.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that \$4,000 be allocated for the fall Steeplechase advertising.

Councilwoman Papouchado moved, seconded by Councilman Anaclerio, that \$3,000 be allocated to the Battle of Aiken for advertising. Councilwoman Clyburn pointed out that this was the fourth year the Battle has been funded and she felt this was against the recommendation that Council fund requests for three years. Councilman Perry pointed out then most of the projects would be taken off the list. Ms. Beth Newburn, a member of the Accommodations Tax Committee, stated the guidelines they use for recommending allocations is tourism and overnight stays. She stated she did not recall a limit of three years funding. She stated the recommendations were all based on bringing in out of town guests and overnight stays.

Mayor Cavanaugh suggested that Council take action on this year's recommendations and then possibly draw up some guidelines for next year's consideration.

Councilman Anaclerio stated he felt the Committee should continue with their recommendations and let Council decide whether they will fund a project year after year.

Mayor Cavanaugh asked for a vote on the motion to fund \$3,000 for the Battle of Aiken. The motion was unanimously approved.

Mayor Cavanaugh moved, seconded by Councilman Anaclerio and unanimously approved, that Council allocate \$2,000 for the Aiken Center for the Arts.

Councilwoman Papouchado pointed out in finishing up the downtown streetscape the Downtown Association will be moving towards new kinds of decorations and advertisements for the Christmas season. She pointed out that \$2,000 will not do much. She stated that an additional \$1,000 would help.

Councilwoman Papouchado moved, seconded by Mayor Cavanaugh and unanimously approved, that Council allocate an additional \$1,000 to the Aiken Downtown Development Association, making a total allocation of \$3,000.

Councilman Anaclerio moved, seconded by Mayor Cavanaugh and unanimously approved, that Council support the Festival of Trees with an allocation of \$3,353.61.

In response to a question why the Accommodations Tax Committee did not recommend an allocation, Ms. Newburn stated the committee felt the Festival attracted local people and did not bring in out-of-town people. Discussion continued on funding for the Festival of Trees with Councilwoman Clyburn pointing out that a group from Charleston will perform for the Festival and they will be staying overnight.

Councilman Anaclerio commented that as guidance for the Accommodations Tax Committee, he liked the idea of the City Manager that after the \$25,000 contributions to Aiken 20/20 are made, that some funds be provided as an inducement to attract conventions, seminars and large groups to Aiken.

Mayor Cavanaugh pointed out that Council's intent is to meet with the Accommodations Tax Committee and staff and talk about a policy for funding for future years.

#### STREET PAVING PROGRAM

Mayor Cavanaugh stated Council needed to consider approval of the street paving priorities.

Mr. Thompson stated each year, the staff prepares a listing of all streets eligible for repaving within the city limits, and submits these for City Council approval. He said the listing had been prepared for Council's consideration. He said the streets to be paved are ranked in order of priority and by condition.

Table 1 highlights the State Street Paving List, and these projects would be paid for from the funds the city receives from the State of South Carolina for paving of state-maintained roads. We are recommending paving of a total of 3.27 miles of state-maintained streets.

Table 2 lists the paving of city-maintained streets, and the staff is recommending that we pave a total of 2.41 miles of streets presently maintained by the city.

TABLE 1  
1999 State Street Paving List

<u>Street</u>	<u>Location</u>	<u>Miles</u>
Kershaw N. Bound	Colleton to Staubes	0.10
S. Bound	Colleton to Staubes	0.10
Marlboro	Sundy to Richland	0.69
Edgefield E. Bound	Morgan to York	0.71
W. Bound	Morgan to York	0.71
Alfred	Schroder to Sommer	0.05
Abbeville	Perrin to Morgan	0.17
Perrin	Edgefield to Abbeville	0.19
Toole	Edgefield to Abbeville	0.17
Edgefield	Church to Church	0.26
Lancaster	Edgefield to Barnwell	<u>0.12</u>
1999 Totals		3.27

TABLE 2  
1999 City Maintained Street Paving List

<u>Street</u>	<u>Location</u>	<u>Miles</u>
Carnoustie Court	St. Andrew to End	0.18
Brookline	Woodbine to End	0.26
Houndslake Drive	Club to Bypass	0.52
St. Andrews Way	Troon to Carnoustie	0.25
Perth N & S	St. Andrew to End	0.15
Turnberry Ct. N & S	St. Andrew to End	0.12
Jehossee	Monetta to Stewart	0.38
Reid	Jehossee to Polo	0.15
Polo	Jehossee to Stone	0.09
Poplar	Cherry to End	0.11
Stone	Jehossee to Monetta	<u>0.20</u>
	1999 Total	2.41

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the paving list for 1999 as submitted.

#### BIDS

##### Recreation Department

##### Picnic Shelter

##### Smith-Hazel Center

##### Bliss Products & Services

Mayor Cavanaugh stated Council needed to consider the bids for purchase of a picnic shelter at Smith-Hazel Center.

Mr. Thompson stated bids were received on October 20, 1998, for a picnic shelter to be constructed at the Smith-Hazel Recreation Park. This project is included in the Parks and Recreation budget for the current fiscal year and reflects our efforts to continue upgrading our existing recreation facilities. The shelter will feature wood construction with fiberglass shingles, and electrical service will be provided to the facility. Requests for bids were sent to five (5) vendors, but only one bid was received. That bid was submitted by Bliss Products and Services of Bryson City, North Carolina, with a bid price of \$26,835.

The Parks and Recreation Department staff has reviewed the bid and determined that the proposal does meet the required specifications and does recommend approval of this bid.

Councilwoman Price moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the bid of Bliss Products & Services in the amount of \$26,835 for a picnic shelter at Smith-Hazel Center.

#### AUDIT - 1997-98

##### Cherry, Bekaert & Holland

Mayor Cavanaugh stated Council needed to consider approval of the audit for fiscal year 1997-98.

Mr. Thompson stated each year City Council receives an audit prepared by independent auditors of the city's accounts and records.

In the Letter of Opinion, the auditors, Cherry, Bekaert & Holland, gave the city a clean finding, or audit. In the course of the audit, the auditors did note six conditions that raised the possibility that receipts would not be reconciled, and that some of the internal controls be strengthened. Generally there were no substantial problems in this, but as we have discussed, we do agree with these findings and are taking steps to strengthen our internal controls.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that Council accept the audit for fiscal year 1997-98 as information.

UTILITY REQUEST

Water  
Williams Lane  
Priester, Nelson  
Mobile Home Park  
S.C. Highway 19 N  
TPN 00-153.0-01-045 (formerly 201)

Mayor Cavanaugh stated Council needed to consider a request for amendment of the conditions of approval for water service on Williams Lane.

Mr. Thompson stated this request involves a proposed amendment to conditions of approval on a 1996 request for utility service to property outside of the City of Aiken. The utility request involved a 9.36 acre tract located on Williams Lane, a county dirt road which intersects with S.C. 19 North of the city. The applicant, Mr. Nelson Priester, received utility approval in 1996 from City Council to provide water service for a proposed mobile home park. The applicant has executed an annexation agreement for the subject property.

The applicant is now requesting an amendment to the conditions of approval for that utility request to allow the development of a day care center adjoining the mobile home park to provide day care services to residents of the development. However, one of the conditions of utility approval was that the development comply with the city's R-4 zoning requirements which do not allow day care facilities.

The Planning Commission's previous approval was based on compliance with five conditions, and those were later modified with the submittal of a landscape and site plan for the project. Not all of those conditions have been met by the applicant. For example, dirt roads, landscaping, and on-site improvements do not meet the standards established for utility approval.

A day care center is a permitted use under County zoning requirements for the area in question. However, the condition imposed for utility approval requires the project to abide by City zoning standards, thus the need for an amendment of the approval conditions to allow for the day care center. The Planning Commission has recommended that Council approve the day care center with conditions as follows:

1. The day care center must comply with City sign standards and the Landscape and Tree Protection Ordinance;
2. Fencing and/or vegetative screening must be provided around the perimeter of the day care center;
3. The day care center must meet engineering standards and receive approval from the City Engineer regarding water system design and parking lot/driveway design and improvements; and
4. The mobile home park, including the day care center, must meet the conditions established in Applications #968 (Extension of City Services) and #969 (Site and Landscape Plan).

Mr. Thompson pointed out Council had discussed the request and there was some concern that the mobile home park must move forward with meeting the early conditions.

Councilman Anaclerio moved, seconded by Mayor Cavanaugh, that since the owner has had approval since 1996 for water service but has not met the approval conditions he felt amendment of the approval to allow a daycare center should be withheld until the previous conditions have been met. He said upon completion of the previous conditions he would recommend that the daycare center be approved.

Mr. Nelson Priester, owner of the property, stated he had obtained a loan for \$1.2 million to bring in 25 more trailers and the money includes funds for paving, landscaping, etc. and meeting the previous conditions for the utility approval by the city. He said he had applied for approval of the day care so he would have the approvals when the mobile home park is completed and be able to start the day care project. He stated the conditions for approval of the mobile home park should be completed by the time he obtains approval of the day care.

Councilman Anaclerio stated his concerns about meeting the conditions for water approval had been clarified with Mr. Priester's comments, and he withdrew his previous motion.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the request for amendment to the 1996 conditions of approval of water service on Williams Lane to allow the development of a day center adjoining the mobile home park contingent upon the conditions stipulated by the Planning Commission being met.

EXECUTIVE SESSION

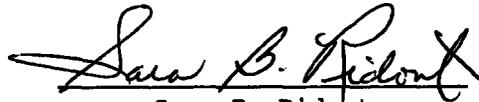
Personnel Matter  
City Manager

Mayor Cavanaugh stated Council needed to go into executive session to discuss a personnel matter regarding obtaining a new City Manager.

Councilman Anaclerio moved, seconded by Councilman Perry and unanimously approved, that Council go into executive session to discuss a personnel matter regarding obtaining a new City Manager. Council went into executive session at 8:50 P.M. After discussion Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that the executive session end.

ADJOURNMENT

There being no further business the meeting adjourned at 9:13 P.M.



Sara B. Ridout  
City Clerk