

Organization; Councilwoman Price – Performing Arts Artist; Mayor Cavanaugh – Business Community; Councilman Cuning – At Large; and Councilwoman Vaughters – At Large.

Mr. LeDuc asked the Councilmembers to draw for terms for their appointments. Terms drawn were as follows: Mayor Cavanaugh 2 years; Councilmembers Clyburn, Cuning and Price 1 year terms; and Councilmembers Smith, Sprawls and Vaughters 2 years.

OLD AIKEN MASTER PLAN

Mr. LeDuc stated Council needed to set a date for the next work session on the Old Aiken Master Plan. After discussion Council chose February 23, 2005, at 5 P.M. for the next meeting.

Aiken City Council Minutes

REGULAR MEETING

February 14, 2005

Present: Mayor Cavanaugh, Councilmembers Clyburn, Cuning, Price, Smith, Sprawls, and Vaughters.

Others Present: Roger LeDuc, Gary Smith, Bill Huggins, Ed Evans, Glenn Parker, Anita Lilly, Richard Pearce, Sara Ridout, Philip Lord of the Aiken Standard, Josh Gelinas of the Augusta Chronicle, and about 12 citizens.

Mayor Cavanaugh called the meeting to order at 7:06 P.M. Mayor Cavanaugh led in prayer, which was followed by the pledge of allegiance to the flag.

APPROVAL OF AGENDA

Mayor Cavanaugh stated Council needed to approve the agenda. Councilwoman Clyburn moved, seconded by Councilman Sprawls and unanimously approved, that the agenda be approved as submitted.

MINUTES

The minutes of the regular meeting of January 24, 2005, and the Horizons meetings of February 4 and 5, 2005, were considered for approval. Councilwoman Price moved that the minutes be approved as written. The motion was seconded by Councilman Smith and unanimously approved.

BOARDS AND COMMISSIONS

Appointments

Accommodations Tax Committee

Shah, Neel

Mayor Cavanaugh stated Council needed to make one appointment to the boards and commissions of the city.

Mr. LeDuc stated there are 9 pending appointments to boards and committees of the city and 1 appointment is presented for Council's consideration.

Councilwoman Vaughters has recommended reappointment of Neel Shah to the Accommodations Tax Committee. If reappointed his term would expire March 25, 2007.

Councilwoman Vaughters moved, seconded by Councilman Smith and unanimously approved, that Council reappoint Neel Shah to the Accommodations Tax Committee, with the term to expire March 25, 2007.

Councilman Cuning stated he would like for Council to consider appointment of Henry Krippner for the Board of Zoning Appeals to fill the unexpired term of Kenneth Wiland who has resigned.

Councilman Smith stated he would like to nominate Joan Schisler to the Accommodations Tax Committee to replace Richard Allewelt.

Councilman Sprawls stated he would like to recommend reappointment of Sam Erb to the Accommodations Tax Committee.

Mr. LeDuc stated these three nominations would be on the next agenda for Council's approval.

ZONING ORDINANCE – ORDINANCE 02142005

Amendment

Fences

Walls

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to amend the Zoning Ordinance regarding fences and walls.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING SECTION 4.1.4 OF THE CITY OF AIKEN ZONING ORDINANCE.

Mr. LeDuc stated the City's regulations in effect from 1971 until 1999 allowed fences and walls up to twelve feet anywhere within the City. In 1999, the zoning laws were changed which reduced the fence height to 6 feet, except in front of the house where the height could be 4 feet or less. We have received a number of requests before the Board of Zoning Appeals asking for a variance due to the confusion and restrictions currently in our zoning regulations. For this reason, the Planning Commission has recommended that the limit on the height of fences be changed to 6 feet on all sides of the house and that a fence or a wall in a historic district can be up to 12 feet in height. The proposed ordinance also removes some of the language which was confusing within the ordinance.

These changes were approved unanimously by the Planning Commission.

At City Council's last meeting Council asked that the 4 feet versus 6 feet height in the front of the house be reviewed by the Planning staff. The staff recommended the height in the front remain at 4 feet and also presented to Council a drawing showing how they would interpret the ordinance pertaining to front yard, particularly on corner lots. He said at the last meeting Council agreed to change to 12 feet the height of fences and walls allowed in Historic Districts, but that in areas not historic Council did not want to have 6 foot fences in front of houses, but 6 feet could be on the sides. He said the staff's biggest question was what is the front yard and the front of the house. He said they were particularly concerned about corner lots and made some recommendations to Council. He said they took out the word "front yard" and replaced it with "front of the house."

The public hearing was held and no one spoke.

Councilman Cuning moved, seconded by Councilman Smith and unanimously approved, that Council approve on second and final reading an ordinance to amend the Zoning Ordinance regarding fences and walls within the City, with the ordinance to become effective immediately.

FIRE HYDRANTS – ORDINANCE 02142005AAmendmentParkingFire HydrantsCity Code

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to amend Section 16-4 of the City Code regarding parking near fire hydrants.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING SECTION 16-4, AIKEN CITY CODE, REGARDING ILLEGALLY PARKED MOTOR VEHICLES NEAR FIRE HYDRANTS OR IN A DESIGNATED FIRE LANE OR FIRE ZONE.

Mr. LeDuc stated that our City Court Judge recently made comments to our attorney regarding Section 16-4 of the City Code concerning illegal parking of motor vehicles near fire hydrants or in designated fire lanes or zones. For this reason we are recommending modifying this section of the City Code to clarify the intent to specifically declare that it is unlawful to block fire lanes and zones as well as parking near fire hydrants in the city.

The public hearing was held and no one spoke.

Councilman Smith stated he was concerned about the term “near fire hydrants.” He said he was used to having a certain number of feet rather than the term “near.”

Mr. Richard Pearce, Staff Attorney, stated the amendment was to clarify the language. He said the main concern was any item that blocks access to the fire hydrants. He said there was not a certain footage in the ordinance. He said as technology changes different distances will be needed. Council continued to discuss parking near fire hydrants and the distance needed for the fire fighters.

Councilwoman Clyburn moved, seconded by Councilman Sprawls and unanimously approved, that Council pass on second and final reading an ordinance to amend Section 16-4 of the Aiken City Code concerning illegal parking near fire hydrants and that the ordinance become effective immediately.

ANNEXATION – ORDINANCE 02142005BIndian Creek Trail 120Rahner, SeanCity ServicesSilver Bluff RoadTown Creek RoadTPN 106-18-11-001TPN 106-18-11-002TPN 00-134.0-01-212 (Old)TPN 00-134.0-01-211 (Old)

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to annex property at 120 Indian Creek Trail as RS-15.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY OWNED BY SEAN L. RAHNER AND LOCATED AT 120 INDIAN CREEK TRAIL AND TO ZONE THE SAME RESIDENTIAL SINGLE-FAMILY (RS-15).

Mr. LeDuc stated that Sean Rahner, a Public Safety Officer, recently purchased property at 120 Indian Creek Trail consisting of 1.2 acres and is requesting annexation. He is

interested in bringing this single family dwelling unit and property into the city for city services, including the city's Take Home Car Program for Public Safety. The proposed RS-15 zoning is compatible with the adjacent homes in the area, and this property meets the minimum lot size for this zone.

The Planning Commission unanimously approved this annexation request.

The public hearing was held and no one spoke.

Councilwoman Clyburn moved, seconded by Councilwoman Price and unanimously approved, that Council pass on second and final reading an ordinance to annex property at 120 Indian Creek Trail as RS-15, and that second reading and public hearing be set for the next regularly scheduled meeting.

ANNEXATION – ORDINANCE 02142005C

Virginia Avenue 2808

Lorch, Sue

Sanitary Sewer

Sewer, Sanitary

Edgefield Avenue

Vaocluse Road

TPN 104-15-30-008

TPN 30-016.0-03-002 (Old)

Mayor Cavanaugh stated this was the time advertised for second and public hearing on an ordinance to annex property at 2808 Virginia Avenue.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY LOCATED AT 2808 VIRGINIA AVENUE AND TO ZONE THE SAME RESIDENTIAL SINGLE- FAMILY (RS-10).

Mr. LeDuc stated that Sue Lorch is the owner of .22 acres at 2808 Virginia Avenue and would like to annex this property under the RS-10 zoning. The applicant is interested in receiving city sanitary sewer as well as the other services offered in the city. The lot is currently served by city water and sanitary sewer is now available to the property. The proposed RS-10 zoning is compatible with the adjacent properties and the 9,583 square foot lot is just under the minimum required of a 10,000 square foot lot. The lot can be built on, even though it would be nonconforming, as long as it meets the required setbacks. Most of the other lots in the area would meet the RS-10 zone, and therefore it is better to zone this property at this level so it is consistent with future surrounding zoning.

The Planning Commission unanimously approved this annexation.

The public hearing was held and no one spoke.

Councilwoman Price moved, seconded by Councilman Smith and unanimously approved, that Council pass on second and final reading an ordinance to annex property at 2808 Virginia Avenue under the RS-10 zoning, and that the ordinance become effective immediately.

AIKEN COUNTY PRE-DISASTER MITIGATION PLAN

Aiken County
Lower Savannah Council of Governments
LSCOG
Federal Emergency Management Agency
Hazard Mitigation Plan
Pre-Disaster Mitigation Plan
Natural Hazard Mitigation Plan

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to adopt the Aiken County Hazard Mitigation Plan prepared by the Lower Savannah Council of Governments.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE TO ADOPT THE AIKEN COUNTY HAZARD MITIGATION PLAN
PREPARED BY THE LOWER SAVANNAH COUNCIL OF GOVERNMENTS.

Mr. LeDuc stated that for the past several months, Public Safety has been working with Aiken County and the Lower Savannah Council of Governments on a Pre-Disaster Mitigation Plan. The Natural Hazard Mitigation Plan is required by the Federal Emergency Management Agency for all counties in the state of South Carolina. The plan helps to reduce risk from natural hazards and serves as a guide for decision makers as they commit resources to reduce the effects of these natural hazards. It also provides a guide for the South Carolina Emergency Management Division in its efforts to provide technical assistance and to prioritize funding for counties and cities in South Carolina. The 96-page plan is in a draft form, and once it is implemented, it will allow us to be eligible to receive fiscal year 2005 pre-disaster mitigation funding. A copy of the section concerning the City of Aiken was given to Council for review. Mr. LeDuc pointed out the City of Aiken has its own Emergency Operation Plan for the City. He said the proposed plan is being done in conjunction with several counties in the area.

The public hearing was held and no one spoke.

Councilman Sprawls moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass on second and final reading an ordinance to approve the Hazard Mitigation Plan for Aiken County.

ARTS COMMISSION - ORDINANCE

Appointment
Establishment
By-Laws

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to form an Arts Commission.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING SECTION 2-142 OF THE AIKEN CITY CODE TO
ESTABLISH THE ARTS COMMISSION AND APPROVING ITS PROPOSED BY-
LAWS.

Mr. LeDuc stated one of City Council's goals is to form a Commission whose mission would be to foster coordination among the cultural organizations in Aiken. A committee consisting of nine individuals representing the arts community, higher education, business, government and the religious community met to discuss what form this organization should take. They presented to Council late last year a format consisting of seven individuals who represent arts, education and the business community as permanent members for the commission.

In the work session prior to this meeting Council discussed the format for selecting these individuals and who they should represent. In the work session Council was given the

opportunity to draw a number for the term of their appointee and to select the area that their appointee would represent on the Commission. A copy of the proposed by-laws which are recommended for this commission, which would be staffed by the city's Recreation, Parks & Tourism Department, was presented to Council for review.

Councilwoman Price pointed out that Council had questions in the work session regarding the definition of some of the categories to be represented. She felt the definition of the categories should be spelled out in the ordinance so everyone would know.

Councilwoman Clyburn moved, seconded by Councilman Sprawls and unanimously approved, that Council pass on first reading the ordinance to establish an Arts Commission and asked that in Article III.A. definitions of the representatives be included. Second reading and public hearing of the ordinance is to be held at the next regular meeting.

INTERFUND LOAN - ORDINANCE

Agreement

Loan

Meter Reading Devices

Mayor Cavanaugh stated an ordinance had been prepared for first reading to establish an interfund loan agreement for the purchase of the meter reading devices.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO LEND UP TO \$1,056,967.70 TO PROVIDE FINANCING TO FUND THE ACQUISITION OF THE BADGER METER ORION PROJECT.

Mr. LeDuc stated in last year's budget we funded the replacement of the radio-read devices for our water meter system. Our goal was to help recover from 5% to 10% of the revenue being lost due to under reads or meters not being read at all. Through Council's approval of this ordinance we will officially be able to fund this replacement through various Special Holding Accounts. He pointed out this meter replacement was discussed in last year's Horizons.

We anticipate borrowing up to \$1,056,967.70 and repaying the General Fund loan over a seven year period. Interest will be repaid at a rate of 1% above the average SC Local Government Investment Pool. He said if extra funds come in the loan will be paid off earlier.

Councilman Cunning moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass on first reading an ordinance to approve an Interfund Loan Agreement for replacement of the reading devices for our water meters and that second reading and public hearing be held at the next regular meeting.

GOALS

FY 2005-06

City Council

Mayor Cavanaugh stated Council needed to consider adoption of the goals which had been discussed at the Horizons meeting of February 5, 2005.

Mr. LeDuc stated at the Horizons last weekend Council discussed the various goals they would like the City to accomplish during the next fiscal year July 1, 2005 to June 30, 2006. These goals are presented for Council's approval and will be included as part of our next budget.

1. Complete the design and develop a funding mechanism with Aiken County and the SC Department of Transportation for solving the major drainage problems in Hitchcock Woods.

2. Restructure the City's business license tax.
3. Design and begin construction of the Dougherty Road connectors to the Publix Shopping Center and to Pawnee Road.
4. Develop plans to better utilize the balcony at the Washington Center for the Performing Arts.
5. Develop a wetlands mitigation bank for Shaws Creek and study the restoration of Reynolds Pond.
6. Build 9 or more homes in Toole Hill and purchase property in Edgewood for future new homes.
7. Support current and future missions of the Savannah River Site through annual visits to Washington and by receiving periodic updates on Site missions and plans.
8. Support and strengthen the Character First Program by encouraging employees to attend the monthly city Character Meetings and local businesses to adopt and implement the program at the employee and administrative levels.
9. Ask City staff and the Environmental Committee to find additional ways to help control litter.
10. Obtain an ILS and the needed property at the Airport.
11. Continue to develop, strengthen, and update growth management strategies.
 - a. Work with Aiken County on a Northside Comprehensive Plan and continue to stress the overlay concept on major city corridors.
 - b. Study the use of downtown Aiken "Design Guidelines."
 - c. Investigate regulations for tenant guidelines and inoperable vehicles.

Council discussed the proposed goals and asked that No. 8 be amended to include schools. No. 8 would read as follows:

8. Support and strengthen the Character First Program by encouraging employees to attend the monthly city Character Meetings, along with schools, and for local businesses to adopt and implement the program at the employee and administrative levels.

Councilman Cuning asked about the status of the business license tax study and when it would be ready for Council's review.

Mr. LeDuc stated the paper work had been completed by the consultant, and the Finance Director is looking at the information at this time. He said staff hopes to have the report to Council in March for review. He said staff is going on the premise that the city will take in approximately \$1,550,000 in business licenses; and in order for the revenue to be about the same, some of the licenses will go up and some down.

Councilmembers wanted to know if they would have figures with new classifications before adjustments are made so Council can see what the revenue would be before any adjustments.

Councilman Cuning pointed out that he understood the consultant would reclassify and see what the revenue would be and then Council would have to do some adjusting which would have to be done equally. He stated there are two items of concern—reclassifying and the rates. Councilmembers stated they wanted to see the impact and how the new classification would affect the license rates for the various businesses.

Council continued to discuss the business license, and Councilwoman Vaughters stated she felt the problem now is that the rates are not equal. Councilwoman Vaughters stated

she did not want to raise a lot of rates. She said she felt that the way the licenses are structured now they are a deterrent to businesses staying in the city; they are unfair because they are unequal. She said she would not mind losing revenue for business licenses. She said she did not want to just see figures that are revenue neutral because that means somebody's rates are going up and that had never been her goal in looking at the business license.

Mayor Cavanaugh pointed out that it had been discussed earlier that if a new system was adopted that some rates would go up and some down. He said he felt that the new system was the way to go because it is the system that many municipalities are using and it seems to be fair and equal.

Council continued to discuss business licenses and the issues involved. Councilman Cuning stated he felt there were two issues involved—fairness and equality. He said he wanted to look at the information and see if there was some way to give businesses some tax relief. Councilwoman Clyburn cautioned that when Council looks at the business licenses and considers looking at reducing the fees, Council needs to look at where they can cut, because if the revenue is going down something has to be reduced. Ms. Lilly stated she would have some information for Council in March.

Councilwoman Vaughters moved, seconded by Councilwoman Price and unanimously approved, that Council approve the goals as listed, adding "schools" to goal No. 8.

PUBLIC EDUCATION PARTNERS

Appointment Board of Directors

Mayor Cavanaugh stated he had received a letter from Ms. Diane Mangiante, of Public Education Partners, stating that according to their by-laws a member of Aiken City Council may participate on their Board of Directors. She asked that Council discuss the matter and select a candidate to serve. Council discussed the matter briefly. At this time Council did not appoint a member to represent the Aiken City Council, but left the matter open to any Council member if they wished to serve to contact the Public Education Partners.

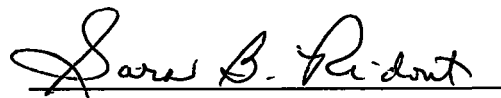
DESIGN STANDARDS

Downtown

Councilwoman Vaughters asked when the Design Standards would be ready for the downtown area. Mr. Bill Huggins stated he had talked to Mr. Randy Wilson recently, and he should have information ready for the Aiken Downtown Development Association probably in April. ADDA would review the information and would make a recommendation to City Council. The information should be to City Council in late spring or early summer.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:56 P.M.


Sara B. Ridout
City Clerk