

Aiken City Council Minutes

May 22, 1995

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

Others Present: Steve Thompson, Frances Thomas, Jim Holly, Ed Evans, Andy Anderson, Larry Morris, Carrol Busbee, Terry Rhinehart, Anita Lilly, Barbara Hamilton, Fowler Cary, Janis Ladd, Philip Lord of the Aiken Standard, and 54 citizens.

Mayor Cavanaugh called the meeting to order at 7:40 P.M. Steve Thompson led in prayer which was followed by the pledge of allegiance to the flag.

The minutes of the May 8, 1995, meeting were considered for approval. Councilwoman Papouchado moved that the minutes be approved as written. The motion was seconded by Councilman Radford and unanimously approved.

BOARDS AND COMMISSIONSAppointmentsAnnexation Study CommitteeGirardeau, EdwardHarrington, Robert J.Aiken County Transit CommissionBarner, ReggieAiken County Human Relations CommissionCardosi, Leo

Mayor Cavanaugh stated Council needed to consider appointments to the Annexation Study Committee, Aiken County Transit Commission, and the Aiken County Human Relations Commission.

Mr. Thompson stated the terms of two members of the Annexation Study Committee will expire on May 20, 1995. He said the Annexation Committee includes seven members serving three year terms. The Committee includes representatives from both inside and outside the city. The Committee assists with annexation efforts and advises City Council on policy issues concerning annexation. The Committee has been very active in the past year, and the members have put a great deal of time and commitment into these annexation efforts.

The terms of Mr. John Baldwin and Mr. Robert Haythorn expire on May 20. Mr. Baldwin and Mr. Haythorn are not interested in reappointment.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that Edward Girardeau, Jr. and Robert J. Harrington be appointed to the Annexation Study Committee for three year terms expiring May 20, 1998.

Mr. Thompson stated the Aiken County Transit Commission advises County Council on the Best Friend Express and other public transit issues. Ms. Letha Jones, who represents the City of Aiken along with Ms. Essie Patterson and Mr. Steve Okawa, has resigned. Council needs to appoint a replacement for Ms. Jones. Transit Commission members serve four year terms. This term will expire June 30, 1999.

Councilwoman Price moved, seconded by Councilwoman Clyburn and unanimously approved, that Mr. Reggie Barner, with the Aiken Housing Authority, be appointed to replace Ms. Letha Jones on the Aiken County Transit Commission for a four year term to expire June 30, 1999.

Mr. Thompson stated the term of Mr. Ernie Allen on the Aiken County Human Relations Commission will expire June 1, 1995. He said the City has three appointments to this Commission to represent the city in human relations matters in Aiken County. Mr. Allen has taken other responsibilities and has asked that Council appoint a replacement with the expiration of his term on June 1. Mr. Thompson stated Mr. Leo Cardosi, of Gorham Bronze, would be willing to serve as the city's representative. Terms on the Aiken County Human Relations Commission are for four years.

Councilwoman Clyburn moved, seconded by Councilman Anaclerio and unanimously approved, that Council appoint Mr. Leo Cardosi, from Gorham Bronze in the Industrial Park, to the Aiken County Human Relations Commission for a four year term to expire June 1, 1999.

ANNEXATION - ORDINANCE

1333 Two Notch Road
Harris, Betty C.
Dogwood Road

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to annex 1333 Two Notch Road.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN THE PROPERTY DESIGNATED AS 1333 TWO NOTCH ROAD AND THE ADJOINING LOT OWNED BY BETTY HARRIS TOGETHER WITH THE RIGHT-OF-WAY OF TWO NOTCH ROAD, (S-2-327) ABUTTING THE AFORESAID PROPERTIES AND TO ZONE THE SAME R-1, SINGLE FAMILY RESIDENTIAL.

Mr. Thompson stated the city had received a petition from Ms. Betty Harris asking that the parcel at the corner of Two Notch Road and Dogwood Road be annexed into the city. Ms. Harris is having a problem with the septic system and would like to connect to the city sewer system. The property is bounded on the northeast by residential property owned by Ms. Harris which is also outside the city. As a condition of annexation the Planning Commission recommended that the city annex both properties owned by Ms. Harris.

Mr. Thompson pointed out the city had received a response from Ms. Betty Harris regarding the condition of annexation recommended by the Planning Commission that the two lots owned by Ms. Harris be annexed rather than just one lot. He pointed out the ordinance is written to annex both lots. He stated Ms. Harris had stated she was not interested in annexing both lots to the city and would like to withdraw the request for annexation.

Councilman Radford moved, seconded by Councilman Anaclerio and unanimously approved, that the ordinance to annex two lots on Two Notch Road owned by Ms. Betty Harris be tabled.

BUDGET - ORDINANCE

1995-96

Mayor Cavanaugh stated Council needed to consider first reading of an ordinance to adopt a budget for fiscal year 1995-96.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ADOPTING A BUDGET PROPOSED BY THE CITY MANAGER, CONTAINING ESTIMATES OF PROPOSED REVENUES AND EXPENDITURES BY THE CITY OF AIKEN FOR THE FISCAL YEAR BEGINNING JULY 1, 1995, AND ENDING JUNE 30, 1996, AND DECLARING THAT THE SAME SHALL CONSTITUTE THE BUDGET OF THE CITY OF AIKEN FOR SUCH FISCAL YEAR; CONTINUING CERTAIN MONTHLY WATER AND SEWER CHARGES; AND CONTINUING CERTAIN FIRE SERVICE RATES FOR PROPERTIES LOCATED OUTSIDE THE CITY.

Mr. Thompson stated the proposed budget for Fiscal Year 1995-96 had been developed under the guidelines of City Council and was prepared by the department heads and employees of the city to meet the service needs of the community.

The proposed budget continues to emphasize the projects and goals outlined by Council through the Aiken's Horizons goal setting sessions and listed through the city's Strategic Plan. The proposed General Fund budget includes \$14,465,730 for operating expenses and \$5,532,400 for capital items; the Utilities Fund includes \$8,815,260 for operating and \$995,890 for capital items. The Stormwater Fund includes \$398,050 for operating expenses and \$41,950 for capital improvements. This makes a grand total operating budget of \$23,679,040 and a capital budget of \$6,570,240. Mr. Thompson pointed out the budget includes major expenditures for a new economic development program for economic development and capital improvements to the streets in the Aiken area. Excluding capital and new

programs, the total operating budget for the city reflects an 8% increase. The proposed budget does not increase taxes or increase fees or rates for services. The budget recommends 5 new full time employees and 4 part-time employees. The budget also includes a 2% wage adjustment for all employees plus merit.

Mr. Thompson pointed out Council will not be able to adopt a millage rate until tax information is provided through the County. The County is having difficulty in calculating the property values with reappraisal.

Council discussed the proposed budget.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that the proposed budget for Fiscal year 1995-96 be passed on first reading and the second reading and public hearing be set for the next regular meeting of Council.

AIKEN HISTORIC REGISTER - ORDINANCE

Landmark

Farmers and Merchants Building

167 Laurens Street SW

NationsBank

Historic Site

Tax Parcel No. 30-046-03-004

Mayor Cavanaugh stated Council needed to consider an ordinance for designation of the Farmers and Merchants Building located at 167 Laurens Street as an Historic Landmark.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE DESIGNATING THE FARMERS AND MERCHANTS BUILDING LOCATED AT 167 LAURENS STREET SW AS A LANDMARK UNDER THE CITY OF AIKEN HISTORIC PRESERVATION ORDINANCE.

Mr. Thompson stated the city had received a petition from NationsBank requesting that the building known as the Farmers and Merchants Building located at 167 Laurens Street SW be designated as a landmark on the Aiken Historic Register.

Mr. Thompson stated the Historic Preservation Commission and the Planning Commission had considered an application from NationsBank proposing designation of the Farmers and Merchants Building which is located at 167 Laurens Street SW to the Aiken Historic Register as a landmark. The property is owned and occupied by NationsBank at the present time.

Mr. Thompson stated the Farmers and Merchants Building is significant because the building was originally a bank in 1888 and still exists as one in 1995. On the Laurens Street side of the building there is a sign identifying the building as "The Farmers and Merchants Bank Building" done in gold leaf. An interesting feature of the building on the Laurens Street side is the stained glass fan over each of the second story windows.

Council discussed the request.

Councilwoman Price moved, seconded by Councilwoman Papouchado and unanimously approved, that the ordinance designating the Farmers and Merchants Building at 167 Laurens Street SW as a landmark to the Aiken Historic Register be passed on first reading and that the second reading and public hearing be set for the next regular meeting of Council.

BUILDING CODES - ORDINANCE

Amendments

1994 Standard Building Code

1994 Standard Plumbing Code

1994 Standard Mechanical Code

1994 Standard Gas Code

1994 Standard Fire Prevention Code

1994 Standard Housing Code

1994 Standard Swimming Pool Code

1992 CABO One and Two Family Dwelling Code

1993 National Electrical Code

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Mayor Cavanaugh stated Council needed to consider an ordinance to adopt amendments to the Building Codes.

Mr. Thompson stated the Building Code of Appeals Board reviews updates to the Standard Building Codes and recommends whether or not the updates should be adopted. He stated the Building Code of Appeals Board has recommended that Council adopt the latest editions of several building codes with certain exceptions and an ordinance has been prepared for first reading. He read the title of the ordinance.

AN ORDINANCE TO AMEND SECTION 6-2 OF THE AIKEN CITY CODE SO AS TO INCORPORATE THEREIN, WITH CERTAIN EXCEPTIONS, THE 1994 EDITIONS, INCLUDING APPENDICES, OF THE STANDARD BUILDING CODE, STANDARD PLUMBING CODE, STANDARD MECHANICAL CODE, STANDARD GAS CODE, STANDARD HOUSING CODE, STANDARD SWIMMING POOL CODE, AND STANDARD FIRE PREVENTION CODE, AND THE 1992 EDITION OF THE CABO ONE AND TWO FAMILY DWELLING CODE, TOGETHER WITH THE APPENDICES AND THE 1993 AND 1994 AMENDMENTS THERETO, AND TO AMEND SECTION 6-3 OF THE AIKEN CITY CODE SO AS TO INCORPORATE THEREIN, WITH CERTAIN EXCEPTIONS, THE 1993 EDITION OF THE NATIONAL ELECTRICAL CODE.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that the ordinance to adopt the latest editions of the building codes with certain exceptions be passed on first reading and the second reading and public hearing be set for the next regular meeting of Council.

REZONING - ORDINANCE

131 Silver Bluff Road

Shugart, Mary H.

Tax Parcel No. 30-057-07-027

Mayor Cavanaugh stated a request had been made to rezone 131 Silver Bluff Road from R-1A Single Family Residential to Professional.

Mr. Thompson stated Ms. Mary Shugart had submitted a request to the Planning Commission for rezoning a .42 acre lot at the corner of Smallridge Street and Silver Bluff Road. Ms. Shugart is requesting that the property which is contained within the Silver Bluff Estates Subdivision be rezoned from R-1A Single Family Residential to Professional.

Mr. Thompson stated Ms. Shugart submitted the same request in 1988, but it was denied by City Council after the Planning Commission recommended denial. Mr. Thompson stated the Planning Commission considered the request and the changes which have been made in the area's zoning and land use patterns. In 1993 Aiken County adopted zoning and zoned the area along Silver Bluff Road RC a residential zone. Within the past two months County Council rezoned 23 of the lots fronting on Silver Bluff Road to a new zoning category called OR (Office/Residential). The new zone is intended to allow for office, institutional and residential uses in areas which are in transition. The zone is designed primarily for use along major corridors serving residential areas where an alternative to residential use may be accommodated without adversely impacting surrounding residential neighborhoods. Other changes in the area since the previous rezoning request include the development of Silver Bluff Commons Shopping Center at the intersection of Whiskey Road and Pine Log Road and the recent rezoning of the South Aiken Presbyterian Church property to Neighborhood Business.

Mr. Thompson stated despite changes along the Silver Bluff corridor in recent years, several factors were cited not supportive of a zoning change:

1. Most of the lots fronting on Silver Bluff Road are occupied by single-family dwellings.
2. Additional rezonings could lead to increased traffic and a need to widen Silver Bluff making it less desirable to nearby residential areas.
3. It has not been demonstrated that additional office and professional property is needed in the area since a significant amount of vacant space already zoned for these uses exists.
4. Without design standards to control the appearance of nonresidential development on small lots, a negative impact on nearby residential areas could result.

After discussion the Planning Commission voted 5 to 3 to recommend denial of the request for rezoning. The feeling was that the site is predominantly single-family residential and that allowing commercial development without design standards to control appearance could be detrimental to surrounding neighborhoods.

Council discussed the request for rezoning 131 Silver Bluff Road from R-1A to Professional and the proposed use of the property.

Councilman Anaclerio moved, seconded by Councilman Perry, that the ordinance to rezone 131 Silver Bluff Road from R-1A to Professional be passed on first reading and the second reading and public hearing be set for the next regular meeting of Council. The motion was passed by a majority vote in favor with Councilwoman Clyburn voting in opposition.

WOODSIDE PLANTATION SUBDIVISION

Tract 5

Burden Lake Road

Planned Unit Development

Preliminary Plat

Mayor Cavanaugh stated Council had received a request from Woodside Development Limited Partnership for preliminary plat approval for Tract 5.

Mr. Thompson stated Woodside Plantation was developed as a Planned Unit Development (PUD). Under the PUD concept developers have to develop a site under a master plan. The Planning Commission has reviewed a preliminary plat for Woodside Plantation Tract 5. The Planning Commission has recommended denial of the request.

Mr. Thompson stated the request from Woodside Development Limited Partnership is for preliminary plat approval for Tract 5 of Woodside Plantation to develop a 40-lot single family residential area on 10.37 acres. The request is within the allowed number of units based on the density requirement. The developers are requesting a variance from Section 5.6.2.(c)(ii) of the Subdivision Regulations regarding the length of a cul-de-sac. The length of the proposed dead end street is 1200 feet where 1000 feet is the limit. The developer has stated that a variance is needed because no other roads could tie into the property.

Mr. Thompson stated the Planning Commission reviewed the request regarding the length of the cul-de-sac and felt that the need to restrict the length of dead-end streets as emphasized by City Council has been reasonable and in the interest of the city. Therefore, the Planning Commission recommended denial of the variance to allow the dead-end street to be longer than 1,000 feet.

The Planning Commission also recommended denial of the subdivision request. The recommendation is based on the length of the dead-end street, the density and location of the project, and the location of the intersection of the proposed street with Burden Lake Road.

Mr. Thompson stated the owners of the property have appealed the recommendation of the Planning Commission and are asking for preliminary subdivision plat approval for Tract 5 of Woodside Plantation.

Mr. Mark Graham, of Southern Partners, and Jim Farber, of Woodside Development, represented Woodside Plantation, and presented the request for approval of a variance for a 1200 foot cul-de-sac. They pointed out the city's approval of seven other variances for cul-de-sacs in Phase I and two variances in Phase 2 as well as others.

Council discussed the subdivision request at length asking whether previous approval of the master plan included approval for this area and what potential purchasers of property are told about future development in Woodside.

Mr. Mark Graham pointed out the original 1985 layout showed 40 lots for the area, with the original grading permit showing 49 lots. The plan now shows 45 lots.

Mr. Holly pointed out the concept plans for PUD show general development of the area, but do not give specifics to scale for the property.

Residents of Woodside claimed that advertising brochures distributed by real estate companies and Woodside Development did not give a clear picture of future development. The property owners claimed that they were not given the full development plan, only areas indicated by "future development." Residents said they thought development would be normal lots, not small lots for this type of development.

The Mayor then asked for comments from the citizens present, but asked that remarks be timely and speakers not repeat what previous speakers had said.

Mr. Lowell E. Tripp, of 145 Pine Needle Road, commented about the Woodside brochures being false advertising for the area shown on the brochure as Woodside Plantation Club. He objected to inconsistency of development compared to other Woodside areas; units being smaller (only 1800 sq. ft.), only 15 feet between lots, forcing long and narrow homes to be built; removal of large trees to allow development of this density; no buffer zone on tennis court side of properties; a safety problem because the entrance to this area will be on a curve over the crest of a hill; the narrow lots forcing on-street parking which will ultimately block emergency vehicles; and the noise issue.

Mr. Tom Tilford, 750 Burden Lake Road, stated his lot is surrounded on three sides by the golf course. He had brochures for the past five years and all showed Woodside Club for the area to be developed. He stated safety needs to be considered as the proposed road is at the crest of the hill.

Mr. Clyde Bryant, of 770 Burden Lake Road, was concerned about safety. He pointed out there were two golf cart crossings within 100 yards on the proposed road.

Ms. Prentice Tucker, of 10 Wax Myrtle, commented about the length of the cul-de-sac and reasons for regulations. She talked about ingress/egress for emergency vehicles, the long cul-de-sacs causing additional problems and having a large enough turn-around for large emergency vehicles. She pointed out increased density causes less water absorption; and the lack of continuity in the area with small lots compared to homes on one and two acre lots.

Mr. Jack Clements, of 125 Charleston Place, stated he didn't see the purpose of an ordinance if a developer can get variances.

Mr. John Paveglio, of 313 Live Oak Road, stated that the homeowners of Woodside are asking that they be a part of the process of the development of undeveloped areas. He elaborated on the meeting held Monday, May 22, 1995, at the Club House from 3 to 5 P.M. and said that homeowners had tried to solve the problem with Jim Foregger and desired to come to a consensus that all can live with. He suggested if Council denied the variance that the subdivision should go back to the Planning Commission with the developer and property owners trying to work out the problem.

Mr. Mark Graham replied to the concerns expressed by the homeowners concerning safety, the amount of traffic on Burden Lake Road, Burden Lake Road being a major thoroughfare, and on-street parking. He explained that Juniper Loop has a 40 foot right of way with a 24 foot pavement. The proposed phase has a 50 foot right of way with a 31 foot pavement.

Mr. Ed Lozier, 117 Charleston Place, stated he bought his house because of the nice wooded area. With the proposed development most of the trees would have to be removed.

Mr. Jack Clements, 125 Charleston Place, stated he attended the meeting held by the developers. He expressed concern about the aesthetics of the development.

Council continued to discuss the proposed subdivision with members expressing concern about safety of the road, the long cul-de-sac, the buffer at the tennis courts, and concerned about the brochure not giving the true picture.

Councilman Anaclerio moved, seconded by Councilman Perry, that the variance for the 1200 foot cul-de-sac be approved. The motion was defeated by a

vote of 3 in favor and 4 opposed. Opposed to the motion were Mayor Cavanaugh and Councilmembers Clyburn, Price and Radford.

After much discussion Councilman Anaclerio moved that the subdivision be sent back to the Planning Commission and that the Commission work with the citizens and with the developer to develop a compromise plan that is acceptable to both the developers and the citizens and that a recommendation be made to Council within 60 days of the appeal. The motion was seconded by Councilwoman Clyburn and unanimously approved.

RETIREMENT PLAN

Pension Plan

Employee Retirement Plan

Investment Manager

Mayor Cavanaugh stated Council needed to consider designation of an investment manager for the city employees' retirement plan.

Mr. Thompson stated for the past two years the Pension Committee for the City of Aiken has been reviewing the different aspects of the pension system. The Pension Committee has recommended that Council designate the firm of Companion Capital Management, Inc. as the investment manager for the City of Aiken Pension Plan.

Since 1962 the pension plan has been administered by James R. Tice & Co., and the investments for the plan were administered through the Farmers and Merchants Bank and the subsequent banks that purchased the assets of the bank. The pension system is presently invested through the NationsBank and the plan administrator has suggested that the city retain a financial advisor for the system and that this investment manager retain a separate investment company to actually hold and invest the funds. The Pension Committee has reviewed proposals from several investment firms for investment services, and the Committee has recommended that the city retain the services of Companion Capital Management, Inc. The Pension Committee's recommendation is that there should be a conservative investment strategy, but that it should offer some opportunity for investments in both stocks and bonds. The Committee understands from discussions with the firms that active management of the investments of the plan is critical to controlling the costs of the pension system. In the past, the investments have not performed up to the actuarial projections for the plan, and this has resulted in a trend of poor investments and higher contributions by the city. With active management of the investment system, the city hopes to reverse this and to stabilize the demand on city expenses for the pension system.

Councilwoman Price moved, seconded by Councilwoman Clyburn, that Council designate the firm of Companion Capital Management, Inc. as the investment manager for the pension plan for city employees. The motion was unanimously approved, with Councilman Anaclerio not participating in the voting or discussion.

RETIREMENT PLAN

Pension Plan

Revised

Mayor Cavanaugh stated Council needed to consider some proposed changes to the city's Pension Plan.

Mr. Thompson stated the Pension Committee has been reviewing the pension system and over the past several years changes have been submitted to Council for consideration. At this time the Committee is recommending that Council adopt several changes to the Retirement Plan.

Mr. Thompson stated most cities in South Carolina offer retirement through the State Retirement System, but Aiken offers a private retirement plan. The Pension Committee reviewed the State plan, but the assets in the city's pension plan were not adequate to buy all employees into the State Retirement System. The Pension Committee felt that with minor adjustments the city's system would be more stable than the plan offered through the State Retirement System and could be just as attractive without adding a great deal of expense to the city. The changes recommended are as follows:

1. Cost of Living Adjustments. Cost of living adjustments for retirees would be formally incorporated into the plan. Council would reserve the right whether or not to fund retiree cost of living adjustments through adoption of the budget.
2. Actuarial Assumptions. The actuarial assumptions included in the pension plan change on a regular basis and the committee is recommending that the Pension Committee have the ability to change the actuarial assumptions as necessary through administrative changes to the plan. The present plans are to change to the 1984 Unisex table to reflect current mortality.
3. Lump Sum Distributions for Former Employees. The plan presently allows lump sum distributions for former employees that have accumulated up to \$2,000 in the plan. The staff has to monitor the amounts that these former employees have in the plan and keep track of the employees for many years. The consultants have recommended that the city give the former employees their investment in the plan if it is not more than \$10,000 and the employee would have the ability to invest this in an IRA or other recognized plan.
4. Transfer from State Plan. The committee is recommending that employees be allowed to buy time into the city system if the time was included under the South Carolina State Retirement System, but that the employee only be able to buy the time after five years of service with the city and at a rate of up to 50% of the number of actual years of service with the city.
5. Social Security Coordination. The amendment to the plan would allow employees to coordinate Social Security and pension plan benefits so that an employee is able to draw pension benefits early in their retirement and offset the early draw on the pension benefits later as Social Security becomes available.
6. Work changes. Minor changes to the wording of the plan are recommended to clarify some of the wording.

Mr. Thompson stated the Pension Committee continues to review the system and the proposed changes will update the pension plan and help keep the pension plan sound and competitive with little extra cost to the city.

Council briefly discussed the proposed changes.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that the city's Pension Plan be amended to adopt the changes recommended by the Pension Committee.

CHURCH

St. Barnabas Church
229 Pendleton Street NW
Tax Parcel No. 30-043-01-014

Mayor Cavanaugh stated a request had been received to allow a church at 229 Pendleton Street NW.

Mr. Thompson stated the Planning Commission considered a request from Saint Barnabas Church to locate a church at 229 Pendleton Street NW. Under Section VII.A.4 of the Zoning Ordinance religious institutions and facilities are allowed in any zone with the approval of City Council after review by the Planning Commission. The national office of the Episcopal Missionary Church is located in the building presently and the church has been using it for worship unaware that approval was needed. The national office is moving, and the congregation wishes to purchase the building and continue to use it for worship. St. Barnabas Church received approval to locate a church in a building immediately to the north on January 9, 1995, however, the applicant decided not to use that location.

Mr. Thompson pointed out five parking spaces are provided at the rear of the site. The church projects a maximum of 70 people attending which would require 14 parking spaces. Section III.J.1 of the Zoning Ordinance allows up to 50% of the required parking to be provided off-site within 1500 feet of the property with the written authorization of the property owner. The owner of the adjacent property to the south has provided a letter stating that the church may use the parking on his property totaling 10 spaces.

However, since there are only five parking spaces on the church site, the 50% limitation would mean only five spaces on the adjoining property could be used which would limit maximum seating capacity to 50. If the church wishes to increase the seating capacity beyond 50, a variance would have to be obtained from the Zoning Board of Adjustment to allow more than 50% of the off-street parking to be located on the adjacent property. The church should also submit a letter as required by Section III.J.1 stating that, should permission to use the adjacent property be withdrawn that it would provide the needed parking on site or obtain a variance.

The Planning Commission recommended that approval be granted for Saint Barnabas Church to locate a church at 229 Pendleton Street NW on the condition that letters complying with Section III.J.1 regarding use of adjacent property for parking be submitted.

Council discussed the request. Mr. Mike Hardwick, of St. Barnabas Church, questioned the parking spaces versus the membership and seating capacity of the proposed church. He said he felt the church would be asking for a variance on the parking requirements soon.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that the property at 229 Pendleton Street NW be allowed to be used as a church on the condition that the church obtain letters from adjacent property owners allowing the use of off-site parking and that the church also proceed with the various requests through the Zoning Board of Adjustment if the site is unable to accommodate the requirements of the Zoning Ordinance.

BIDS

Tax Sale

Title Search

Mayor Cavanaugh stated Council needed to consider the bids which had been received for title research assistance.

Mr. Thompson stated each year the city contracts with a private firm to assist with title search information on delinquent taxes for an upcoming tax sale. The service has been sent out for bids. The staff is recommending acceptance of the low bid of Evans M. Bunch, III and Associates with a total bid price of \$26.25 per parcel. This firm has assisted Aiken County for a number of years with title searches.

Three proposals were received as follows:

Evans M. Bunch, III & Associates	\$26.25 per parcel
F. Thomas Abstract, Inc.	27.00 per parcel
Andrew C. Marine, Attorney	42.50 per parcel

The staff recommends the low bid of Evans M. Bunch, III & Associates at \$26.25 per parcel.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that the bid be awarded to the low bidder, Evans M. Bunch III & Associates for title search for delinquent taxes at \$26.25 per parcel.

BIDS

Roof

Shiloh Springs

Mayor Cavanaugh stated Council needed to consider the bids for roof replacement at Shiloh Springs.

Mr. Thompson stated the city maintains a pumping station at Shiloh Springs as part of the city's overall water system. Bids have been received for the replacement of the roof at the facility. The staff is recommending acceptance of the low bid of Roofco, Inc. with a total bid of \$14,100.

Bids were distributed to several contractors and local roofing contractors. Two bids were received as follows:

Roofco, Inc.	\$14,100
Coastal Roofing	32,500

The staff has evaluated the bids and is recommending acceptance of the low bid.

Councilwoman Price moved, seconded by Councilwoman Papouchado and unanimously approved, that the low bid of Roofco, Inc. in the amount of \$14,100 be accepted for replacement of the roof at the Shiloh Springs facility.

BRIDGES

Newberry Street
Agreement
S.C. Department of Highways
and Public Transportation
Railroad Bridges
Norfolk Southern

Mayor Cavanaugh stated Council needed to consider an agreement with the S. C. Department of Highways and Transportation for replacement of the Newberry Street bridge.

Mr. Thompson stated that since 1988 the city has been working with the South Carolina Department of Transportation to obtain funding for the replacement of the bridges over the railroad cut in Aiken. The city has received a new agreement between the city and the Department concerning the replacement of the bridge on Newberry Street. The staff is recommending approval of the agreement.

Mr. Thompson stated the bridge replacement has been an extensive project and Council has been involved since the beginning of the project in 1988. Mr. Thompson stated the bridge project had been reduced in scope from four bridges over the railroad cut, York Street, Union Street and Newberry Street, to only the replacement of the bridge on Newberry Street. The Department of Transportation has taken the position that only bridges over water will be replaced by the Department of Transportation and that bridges over railroads are not the responsibility of the State. However, they are willing to replace the Newberry Street bridge in keeping with the earlier agreement between the Department and the city. Under this arrangement, the Department of Transportation would fund 80% of the project, and the city would be responsible for a total of 20%. It is hoped that Norfolk Southern Railroad would pay for 10% of the project. Norfolk Southern has indicated in the past that they would pay for 10% of the project.

Mr. Thompson stated that over the past several years several members of the Historic Preservation Commission and other residents active in this issue have suggested that the city use this bridge replacement project as an opportunity to upgrade the appearance of the bridges and not settle for the concrete slab type bridge that is in use throughout South Carolina. The city has notified the Department of Transportation that the city would expect design review on this project. The Department is willing to pay for the cost of 80% of the project before any architectural enhancements are added. The city will be responsible for any enhancements above and beyond the base cost of the bridge. At this time it is not known how much, if any, this will add to the project. The Department of Transportation has estimated that the total cost of the project is \$437,000 and that the city will guarantee payment of \$87,400 plus any architectural enhancements. It is hoped that the city will obtain half of this funding from the railroad.

The city was pleased to have the Department of Transportation agree to ownership and maintenance of the new bridge after the construction. In the past the Department of Transportation has insisted that they may not accept ownership. Although there is no timetable for the bridge construction, it is hoped that it will be within the next two years.

Mr. Thompson stated Council needs to consider approval of the agreement with the S.C. Department of Transportation for construction of the Newberry Street bridge.

Mr. Thompson stated funds for the city's portion for construction of the bridge could possibly come from "C" funds.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that the city approve the agreement with the S. C. Department of Transportation for replacement of the bridge over Newberry

Street with the Department paying 80% of the cost and the city responsible for 20% of the cost plus any architectural enhancements.

STREET NAMES

Camellia Trailer Park Hampton Avenue

Mayor Cavanaugh stated Council needed to consider a request that the streets in Camellia Mobile Home Park be named.

Mr. Thompson stated the Camellia Mobile Home Park is located at 543 Camellia Street NE. All of the mobile homes within the park carry the same address. At the request of the E-911 Division of Aiken County, the property owners have agreed to name the streets within the mobile home park to assist with emergency response. The Planning Commission has reviewed the request and has recommended that Council approve the new names for the streets within the mobile home park. The proposed street names include: Camellia Park Circle, Napa Lane, Zola Lane, and Mesa Lane. The streets will continue to remain private streets and will not be maintained by the City of Aiken. However, naming the streets will allow easier identification and access for emergency vehicles.

Councilwoman Clyburn moved, seconded by Mayor Cavanaugh, that the private streets in Camellia Mobile Home Park be named as recommended by the Planning Commission to assist with emergency response. The motion was approved by a vote of six in favor and with Councilwoman Price opposing the motion.

CITIZENS PARK

Frazer, Bob 320 Woodbridge Drive

Mayor Cavanaugh stated Council had received a request from Mr. Bob Frazer that the hours of operation of Citizens Park be limited.

Mr. Thompson stated Council has received a request from Mr. Bob Frazer, of 320 Woodbridge Drive, asking the city to consider limiting play at Citizens Park to 8 or 9 P.M. Mr. Frazer is concerned about the amount of noise generated at Citizens Park with softball and soccer games. The City is presently trying to end play by 10:30 P.M. on week nights.

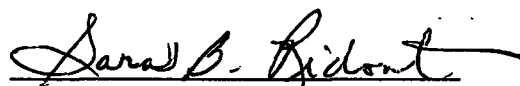
Terry Rhinehart has met with Mr. Frazer and has tried to speed up league play, limit use of the PA system during league play and met with a nursery to get proposals for increasing plantings along the berm in an effort to create a more effective sound barrier. Mr. Thompson pointed out that Council members had also had an opportunity to visit the Park at night to observe the noise level. He stated the Recreation Department had also used a sound meter to record the level of noise from the Park. The readings were taken on the berm on Banks Mill Road directly behind Mr. Frazer's house. The readings fluctuated from a high of 80, recorded from a passing truck, to a low of 50, recorded from normal play on the fields. The highest sound reading from the field recorded behind Mr. Frazer's house was 60 which resulted from a spectator after a close play on field #1.

Council discussed Mr. Frazer's request and the efforts the city had made to try to keep the noise level from the field to a minimum.

Councilman Radford moved, seconded by Councilman Anaclerio and unanimously approved, that the request of Mr. Frazer to limit play at Citizens Park to 8 or 9 P.M. be denied as the city had done everything possible to try to limit the noise level from the Park.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:10 P.M.


Sara B. Ridout
City Clerk