

Aiken City Council Minutes

June 24, 1996

EXECUTIVE SESSION

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

Others Present: Steve Thompson, Frances Thomas, Gary Smith, and Sara Ridout.

Mayor Cavanaugh called the meeting to order at 5:35 P.M. Councilman Radford moved, seconded by Councilwoman Papouchado that Council go into executive session to discuss a personnel matter and a contractual matter. After discussion, Mayor Cavanaugh moved, seconded by Councilwoman Clyburn that the executive session end. The executive session adjourned at 7:15 P.M. Then Council held a work session on undergrounding of utilities with a presentation by Rusty Harris, of South Carolina Electric & Gas Co., and a presentation by Lynnnda Bassham, of the Council on Aging, requesting funds for the Best Friend Express.

REGULAR MEETING

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

Others Present: Steve Thompson, Gary Smith, Frances Thomas, Roger LeDuc, Anita Lilly, Terry Rhinehart, Richard Abney, Gerald Taylor, Sara Ridout, and Chasiti Kirkland of the Aiken Standard, Chandra McLean of the Augusta Chronicle, and 9 citizens.

Mayor Cavanaugh called the meeting to order at 8:30 P.M. Mayor Cavanaugh apologized for being an hour late starting the meeting. He said Council had held an executive session on a personnel matter and contractual matters and also had work sessions on undergrounding utilities and the Best Friend Express/Dial-A-Ride. Councilwoman Price led in prayer which was followed by the pledge of allegiance to the flag.

The minutes of the regular meeting of June 10, 1996, were considered for approval. Councilman Anaclerio moved that the minutes be approved as corrected. The motion was seconded by Councilman Perry and unanimously approved.

PRESENTATIONRecognitionTree City AwardS.C. Urban and Community Forestry Council

Mayor Cavanaugh stated the city had received the Tree City Award for the eleventh year.

Mr. Thompson stated the City of Aiken had always emphasized preservation and planting of trees and received the Tree City Award for the first time in 1985. To qualify for the award, the city must have an active tree replacement program, a tree board or commission, and adopt a policy that emphasizes tree replacement and preservation. The Park Commission serves as the tree board for the city and Council has adopted ordinances which emphasize protection of trees. He said this was the eleventh year the city had received the award.

Mayor Cavanaugh stated Council was appreciative of the work involved by the staff in making it possible for the city to receive this award.

BUSBest Friend ExpressDial-A-RideCouncil on Aging

Mayor Cavanaugh stated a request had been received from the Council on Aging asking for funding for the Best Friend Express.

Mr. Thompson stated Council had contributed funding for the Dial-A-Ride/Best Friend Express for several years. The request this year comes from the

Council on Aging which is the agency operating the bus system for Aiken County. Mr. Thompson stated Ms. Lynnda Bassham had made a presentation to Council in its work session on the need for continuation of the bus service. In information given to Council Ms. Bassham stated the bus service had been substantially expanded in Aiken and in the areas around the City of Aiken. Ms. Bassham noted that 22% of the riders on the Best Friend Express are either elderly or have a disability. The Dial-A-Ride enrollment has grown to over 200 riders this year. Federal funding for the Best Friend Express has decreased this year, and Ms. Bassham has asked Council to consider increasing the local funding for the Best Friend Express/Dial-A-Ride from \$11,000 to \$15,000. Mr. Thompson pointed out that in the past Council had designated the city's contribution to the Dial-A-Ride program.

Mayor Cavanaugh stated he felt the bus program was worthwhile and that many people in the community depend on the bus and Dial-A-Ride services. He felt that if Aiken is to be a total community and with the many elderly people and retirees in Aiken that the bus service is needed.

Mayor Cavanaugh moved, seconded by Councilwoman Clyburn, that Council approve a contribution of \$15,000 to the Best Friend Express.

Councilman Anaclerio stated he felt the program was a worthwhile endeavor. However, he was concerned about the increase in the contribution each year. He was in favor of contributing to the Dial-A-Ride, but felt the contribution should be limited. He pointed out the City of Aiken had not had a tax increase in a number of years, however the cost of operation of the city continues to increase. He stated he also felt the retirement communities or assisted living centers should provide transportation for the people in their complexes. He said he would like to continue the contribution of \$11,000 rather than \$15,000 and make the contribution to the Dial-A-Ride program.

Mayor Cavanaugh stated he was not willing to amend his motion to make the contribution \$11,000 with the funds going to the Dial-A-Ride program. He pointed out his motion was that Council contribute \$15,000 with the funds going to the Council on Aging for use in the Best Friend Express/Dial-A-Ride Program where needed.

Mayor Cavanaugh called for a vote on the motion to contribute \$15,000 to the Best Friend Express/Dial-A-Ride Program. The motion passed by a majority vote of 4 to 3 with Councilmembers Anaclerio, Perry and Radford opposed to the motion.

#### ANNEXATION STUDY TASK FORCE

##### Appointments

Mayor Cavanaugh stated Council needed to consider appointments to the special Annexation Study Task Force Committee which Council had established at the special May 23, 1996, meeting of Council.

Mr. Thompson stated Council had discussed possible appointments during the work session before the June 10, 1996, Council meeting with each Councilmember selecting two members and the Mayor selecting three from a suggested list plus the regular Annexation Study Committee. He pointed out Councilmember Papouchado was not present at that meeting and Council had continued the appointment process until Councilwoman Papouchado could make her appointments.

He stated many of the people suggested for appointment had not been contacted so Council also needed to contact the persons before making the appointments official.

Mr. Thompson stated Council had selected the following persons for appointment to the study group:

Ron Feller - Facilitator

Outside City  
Residents

Joe Lewis  
Bill Manfredi  
Sally Brodie  
Leighton McLendon  
Rosemary English  
David Thomas Rakin  
John Walker

Inside City  
Residents

Roland Windham  
Pat Cuning  
Bob Newburn  
Steve Jahn  
Teresa Haas  
Andrew Bouknight  
Nathaniel Dicks  
Carol Botsch

Annexation Study  
Committee

Rachel d'Entremont  
Jann Smith  
Bernette Roberson  
Ed Girardeau, Jr.  
Jan Epting  
Robert Harrington  
Henry Holland  
(Vacant Position)

Mr. Thompson stated the proposed list gives Council a good cross section of members inside and outside the city. Mr. Ron Feller will also assist with facilitating the meetings. The city will provide a staff member to do whatever research the committee needs. He said he understands the intent of Council is that the committee return with recommendations no later than 8 months from this date which will be January, 1997.

Councilwoman Price moved, seconded by Councilwoman Clyburn and unanimously approved, that Council appoint the following persons to the Annexation Study Task Force: Ron Feller - Facilitator, Joe Lewis, Bill Manfredi, Sally Brodie, Leighton McLendon, Rosemary English, David Thomas Rankin, and John Walker representing areas in the donut holes and outside the city; Roland Windham, Pat Cuning, Bob Newburn, Steve Jahn, Teresa Haas, Andrew Bouknight, Nathaniel Dicks, and Carol Botsch, residents of the city; and the members of the regular Annexation Study Committee.

BOARDS AND COMMISSIONS

Appointments

Annexation Study Committee  
Graham, Mark

Councilman Anaclerio stated he would like to make his appointment to the regular Annexation Study Committee so the member could be a part of the discussions of the special Annexation Study Task Force.

Councilman Anaclerio moved that Mark Graham be appointed to the regular Annexation Study Committee for a two year term to expire May 20, 1998. The motion was seconded by Councilman Radford and unanimously approved.

BOARDS AND COMMISSIONS

Appointments

General Aviation Commission  
Airport Committee  
Tyler, Allison  
Jackson, Stan

Mayor Cavanaugh stated Council needs to consider appointments to the General Aviation Commission.

Mr. Thompson stated the term of Mr. Allison Tyler on the General Aviation Commission expires on September 1, 1996, and Councilman Anaclerio had suggested reappointment of Mr. Tyler to the Aviation Commission. Mr. Tyler lives in Wagener and serves as a non-resident member of the Aviation Commission. With the changes to the appointments process, there is a vacancy on the Aviation Commission, and Councilwoman Papouchado has suggested appointment of Mr. Stan Jackson to the Aviation Commission. These appointments would be for two years, with the terms expiring September 1, 1998.

Councilman Anaclerio moved, seconded by Mayor Cavanaugh and unanimously approved, that Allison Tyler and Stan Jackson be appointed to the General Aviation Commission for two year terms with the terms to expire September 1, 1998.

AIKEN CORPORATION - ORDINANCE 062496

105 Richland Avenue East  
JimBo's

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to transfer property at 105 Richland Avenue East to the Aiken Corporation.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO TRANSFER ALL OF ITS RIGHT, TITLE AND INTEREST IN THE PROPERTY LOCATED AT THE INTERSECTION OF RICHLAND AVENUE EAST AND CHESTERFIELD STREET, FORMERLY KNOWN AS JIMBO'S GAS N' GOODIES, TAX MAP PARCEL NO. 30-047-02-008.

Mr. Thompson stated in May Council had discussed the request of the Aiken Corporation that Council donate the property at 105 Richland Avenue East, formerly known as JimBo's to the Aiken Corporation for development and resale. He said this was the property that the city has assisted with the environmental restoration or clean up.

In the motion to request this property, the Aiken Corporation voted to reimburse the city for hard costs associated with the clean up and acquisition of the land. The Aiken Corporation is considering sale of the property to either commercial customers or to the Chamber of Commerce. The appraised value of the property totals \$40,500. The city presently has a total of \$33,051 invested in the property. The County also holds outstanding back taxes for the property totaling between \$6,000 and \$8,000 which brings the total investment in the property to almost \$41,051.

At the last meeting Council discussed this and suggested that the property be donated to the Aiken Corporation at the cost of the environmental assessment, or a total of about \$8,000. The new property owner would be responsible for any outstanding taxes due on the property.

Mr. Thompson stated a question at the last meeting was whether or not the city could waive city taxes. Mr. Smith, City Attorney, stated he had checked on the matter regarding waiving of city taxes and under State law Council does not have the authority to waive property taxes. Mr. Thompson stated the city could contribute the cost for the taxes from the Contingent Fund if Council wished to do so. He said Council may also consider designation of the use of the funds from the sale of the property for a specific project such as the downtown housing project.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that the ordinance for transfer of 105 Richland Avenue E to the Aiken Corporation be amended to include that the City of Aiken pay the city back taxes on the property from the Contingent Fund and that a stipulation be added to the transfer of the property to the Aiken Corporation that proceeds from the sale of the property be used to develop downtown housing, and that the transfer of title be allowed at the direction of the Aiken Corporation.

The public hearing was held and no one spoke.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that the ordinance, as amended, transferring property located at the intersection of 105 Richland Avenue East and Chesterfield Street to the Aiken Corporation at a sales price equal to the environmental assessment on the property, estimated at approximately \$8,000, be passed on second and final reading to become effective immediately, with the new property owner being responsible for any outstanding taxes due on the property to Aiken County and that the City Manager be authorized to pay outstanding city taxes from the Contingent Fund and that proceeds from the sale of the property by the Aiken Corporation be used to develop downtown housing.

#### CITY LIMITS

##### Natural Limits City Services

Mayor Cavanaugh stated Council needs to discuss the natural limits of Aiken city services.

Mr. Thompson stated there had been several issues that have developed over the past few years and some concern on City Council that at least the intent of Council be registered on where the city should grow. He said several members of City Council have suggested that the city emphasize the natural growth limits of the city and to continue to consolidate the utility policy to reflect these limits. He said Council may wish to consider adopting a policy at least stating the intent of Council to grow within the natural limits of the city. In the past Council has talked about the natural limits as essentially being the city's water service area. The policy would outline the

limits of the future growth of city services and help the city to avoid the inadvertent expansion of services beyond Council's expectations for long-term growth.

Council discussed a proposed policy. Mayor Cavanaugh stated a proposed policy would clarify the unwritten policy that the city has that the city does not serve other towns with water service.

Mr. Thompson pointed out that as the city grows towards other towns and to the special purpose districts the city will be having border issues over who is going to serve what area. He said a policy would establish the intent of Council that the City of Aiken will not serve other towns and not be expanding into special purpose districts. He pointed out there are always exceptions and issues that Council will have to address in the future so the policy does need to be flexible. The proposed policy would not be new, but would be a guidance document for the staff.

Councilman Anaclerio stated in discussions in the past he got the feeling that many people feel the City of Aiken wants to annex the world, and he felt it was good for the city to have some guidelines and some reasonable area for extension of city services.

Councilman Perry asked if an area were to incorporate which presently receives city water service would the city terminate water service to the area. He asked if the City of Aiken would contract with that city to furnish water service or what would happen.

Mr. Thompson stated under the proposed policy if an area incorporates then the City of Aiken would notify the area that that city would need to form their own city services.

Councilman Anaclerio stated his feelings are that the City of Aiken's intentions have been that where ever water and sewer are extended it is the city's intention to eventually annex the property to the city.

Council continued to discuss the policy and felt the policy should be flexible as many situations could occur that could change the policy.

Councilwoman Papouchado moved, seconded by Councilman Anaclerio, that Council adopt the statement of policy involving the natural limits of the city for city services. The motion was approved by a majority vote with Mayor Cavanaugh and Councilmembers Anaclerio, Papouchado, Price and Radford voting in favor of the motion and Councilmembers Clyburn and Perry opposing the motion.

The policy is as follows:

"The City of Aiken is growing towards natural boundaries, based on the city's water and sewer service areas. City Council recognizes these natural limits, and although the city needs to be flexible in future planning efforts, the City of Aiken does have reasonable limits.

As the city grows towards these limits the city needs to make sure that the city's services are extended in a logical and cost-effective manner, and to limit conflicts with other cities and special purpose districts. This policy of Council is to define and clarify services outside of the City's water and sewer areas, or into towns and districts. City services should not be expanded beyond the present water and sewer service areas, or expanded into or continued in towns or districts beyond the present services and areas served under agreement in the service territories of the VPSA and the Couchton-Montmorenci districts."

#### FIRE FEE - ORDINANCE

##### Fire Fees

##### Aiken County

##### Contract

##### Collection Fee Contract

Mayor Cavanaugh stated Council needs to consider first reading of an ordinance to renew the fire collection fee contract with Aiken County.

Mr. Thompson stated that in 1993 the city entered into a contract with Aiken County, asking the county to collect fire service fees on properties not

connected to the city's water service. Under the initial agreement, this is an optional method of collecting these charges, and the city retains the ability to collect the fees directly from the customers. Aiken County has prepared a new contract for renewal of this collection system for the next five years. The proposed contract has been provided to all the fire departments in Aiken County asking if they are willing to renegotiate or adopt a new contract. The contract does change the conditions of service. The City Attorney has reviewed the proposed contract. The proposed contract opens issues about who can be served, who the city may choose not to serve, and what the services of the city may be.

Mr. Thompson stated the biggest issue facing the city is whether or not the city will continue to require annexation agreements on new customers. Aiken County would like the city to serve all the properties within a defined service area. Under the contract presented to City Council the city would not have the ability to require an annexation agreement as a condition of service. The annexation issue is changing for the city, and the staff is recommending that Council ask for an extension on the present contract for the next fiscal year pending review of the annexation process. Mr. Thompson stated if the County will not extend the present contract, he would recommend that the city not renew the contract until the city has had an opportunity to move through the annexation issue. If the contract is not approved, the city will resume billing for the service.

Mayor Cavanaugh stated Council did discuss the proposed contract and since the city has a new annexation study committee looking at the issue of annexation of the donut holes he felt the city should ask for an extension of the present contract.

Mayor Cavanaugh moved, seconded by Councilwoman Papouchado and unanimously approved, that Council ask Aiken County to extend the existing contract for the collection of fire service fees by the County for a year while the committee studies the issue of annexation and city services.

#### ANNEXATION - ORDINANCE

Parish, Mary  
126 Fore Street  
Silver Bluff Estates  
Whiskey Road  
Heritage Square Shopping Center  
Tax Parcel No. 30-058-05-007

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to annex 126 Fore Street.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF .23 ACRES, MORE OR LESS, OWNED BY MARY W. PARRISH LOCATED AT 126 FORE STREET, WITH TAX MAP PARCEL NUMBER 30-058.0-05-007, AND TO ZONE THE SAME R-1A, SINGLE FAMILY RESIDENTIAL.

Mr. Thompson stated the city has received a petition from Ms. Mary W. Parrish asking for annexation of her property on Fore Street. The request has been reviewed by the Planning Commission and recommended for approval.

The lot is on Fore Street, a residential street which runs behind Heritage Square Shopping Center. Ms. Parrish would like access to city services and has requested annexation under the R-1A Single Family Residential Zoning classification. The proposed zoning is consistent with the present use of the property.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that Council pass the ordinance on first reading to annex the property at 126 Fore Street and zone it R-1A Single Family Residential and that second reading and public hearing be set for the next regular meeting of Council.

#### BUDGET 1995-96 - ORDINANCE

##### Amendment

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to amend the budget for fiscal year 1995-96.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING THE BUDGET OF THE CITY OF AIKEN FOR THE FISCAL YEAR BEGINNING JULY 1, 1995 AND ENDING JUNE 30, 1996.

Mr. Thompson stated that throughout the year the city purchases goods and equipment for purchases that may be greater than the amount approved in the budget, that may not be specifically budgeted, or for expenses that are funded through special holding or depreciation accounts. At the end of each fiscal year Council amends the budget to accept these transactions that have transpired during the year.

Mr. Thompson stated a listing had been prepared of all expenses that need to be included in the budget amendment for fiscal year 1995-96. The proposed ordinance would increase the General Fund budget by \$286,315. This adjustment would include \$45,995 from Depreciation funds including \$1,600 for a tax printer, \$37,230 for A/S 400 upgrade, and \$7,165 for HTE Computer Software. Also \$240,320 was expended from Special Holding for the H. O. Weeks Center roof. The Utilities Fund would be increased by \$215,045 with expenditures from the Depreciation Fund including \$185,045 for the Badger Meter Project, \$19,925 for a lime feed system, and \$10,075 for HTE Computer Software.

Mr. Thompson stated most of the items are major items that have been carried forward from earlier fiscal years.

Councilman Radford moved, seconded by Councilwoman Clyburn and unanimously approved, that the ordinance to amend the budget for fiscal year 1995-96 be passed on first reading and second reading and public hearing be set for the next regular meeting of Council.

BIDS

Water Treatment Chemicals  
Chemicals  
Public Works Department

Mayor Cavanaugh stated Council needed to consider bids for the purchase of water treatment chemicals.

Mr. Thompson stated each year the city asks for bids for chemicals used in the water treatment operation. The staff is recommending acceptance of the lowest responsive bids meeting specifications and service commitment. The bids recommended are as follows:

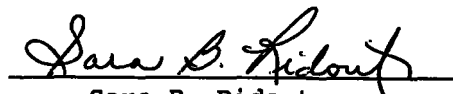
<u>VENDOR</u>	<u>CHEMICAL</u>	<u>TOTAL PRICE</u>
IndChem Company	Sodium Fluoride	\$24,320
IndChem Company	Lime	42,250
Peridot	Liquid Alum	33,100
Van, Waters & Rogers	Chlorine	17,600

Mr. Thompson stated Burris Chemicals had provided a tie bid for sodium fluoride and the lowest bid for lime, but the staff had not been satisfied with delivery and service from Burris over the past year and was not recommending acceptance of the bids of Burris.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that the bids of IndChem Company for the purchase of sodium fluoride and lime; the bid of Peridot for liquid alum; and the bid of Van, Waters & Rogers for chlorine be accepted as the lowest responsive bids on the chemicals.

ADJOURNMENT

There being no further business, Council adjourned at 9:15 P.M.

  
Sara B. Ridout  
City Clerk