

Aiken City Council Minutes

October 12, 1998

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

Others Present: Steve Thompson, Gary Smith, Bill Huggins, Ed Evans, Richard Abney, Roger LeDuc, Sara Ridout, Tom Smith of the Aiken Standard, Margaret O'Shea of the Augusta Chronicle, TV Channel 6 and 50 citizens.

Mayor Cavanaugh called the meeting to order at 7:40 P.M. Councilwoman Price led in prayer which was followed by the pledge of allegiance to the flag. The minutes of the regular meeting of September 28, 1998, were considered for approval. Councilwoman Papouchado moved that the minutes be approved as written. The motion was seconded by Councilwoman Clyburn and unanimously approved.

BOARDS AND COMMISSIONSAppointmentsCommunity Development Committee on HousingFaulkner, RobertStrack, BarbaraEwing, Anna

Mayor Cavanaugh stated Council needed to make two appointments to the Community Development Committee on Housing.

Mr. Thompson stated Council appoints volunteers to the boards and committees of the city and Council needs to make two appointments to the Community Development Committee on Housing.

Councilman Anaclerio has suggested the appointment of Mr. Robert Faulkner to the Community Development Committee on Housing. Mr. Faulkner's term expired September 2, 1998, and with this appointment Mr. Faulkner's new term will expire on September 2, 2000.

Councilwoman Papouchado has suggested appointment of Ms. Barbara Strack to this committee to replace Anna Ewing. On appointment by City Council, Ms. Strack's term will expire on September 2, 2000.

Under the process adopted by City Council, a member of City Council nominates a volunteer for the Committee, and the full Council votes to confirm this appointment.

Councilman Analcerio moved, seconded by Councilman Radford and unanimously approved, that Robert Faulkner be appointed to the Community Development Committee on Housing for a two year term expiring September 2, 2000.

Councilwoman Papouchado moved, seconded by Councilman Anaclerio and unanimously approved, that Council appoint Barbara Strack to the Community Development Committee on Housing for a two year term expiring September 2, 2000.

ANNEXATION - ORDINANCE 101298Excel Inc.Whiskey RoadStratford DriveWatson, JamesTraughber, Dianne W.Office BuildingTax Parcel No. 00-158.0-01-699

Mayor Cavanaugh and Councilwoman Clyburn stated since they were independent representatives for Excel, they would not participate in the discussion or vote on the item regarding amending the annexation ordinance for the Excel property. Mayor Cavanaugh and Councilwoman Clyburn left the room at 7:43 P.M.

Mayor Pro Tem Perry stated this was the time advertised for the second reading and public hearing on the ordinance to amend the ordinance annexing property

located at the southwest corner of Whiskey Road and Stratford Drive, the site of the Excel office building.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO AMEND AN ORDINANCE ANNEXING TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF 27.5994 ACRES OF LAND, MORE OR LESS, OWNED BY JAMES S. WATSON, JR. AND DIANNE W. TRAUGHBER AND LOCATED AT THE SOUTHWEST CORNER OF WHISKEY ROAD AND STRATFORD DRIVE AND BEING ALSO KNOWN AS TAX MAP PARCEL NUMBER 00-158.0-01-699 AND TO ZONE THE SAME PROFESSIONAL (P).

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

Mr. Thompson stated the proposed ordinance would change the earlier annexation ordinance approved by City Council on August 24, 1998, and allow two changes. The original ordinance allowed a 100 foot untouched buffer along the western edge of the property. The developers have asked that this be changed to allow an untouched buffer except where the stormwater management system as proposed by the owners is constructed. The western slope of the berm proposed by the owners shall be planted in evergreen shrubbery along its entire length and this berm planting shall be subject to the approval of the City Horticulturist. The owners will still be required to maintain an untouched buffer of at least 50 feet in depth along the northern property line and along the southern property line a buffer of 25 feet. The second change is that there shall be no more than one driveway on Sizemore Circle. No more than two driveways on Stratford Drive and no driveways or curbs onto Whiskey Road from the subject property. This ordinance was approved on first reading at the last meeting of City Council. He stated information had been received from the developer and from residents in the neighborhood asking for other changes in the ordinance. The developer has asked that the effective date of annexation be delayed until December 1, 1998. Also, two letters have been received from the homeowner's association asking to address issues of access.

The public hearing was held.

Mr. Chris Hack, of Centennial American Properties, 131 Fall Street, Greenville, SC, spoke representing the developers of the property. He said he felt the homeowners were in agreement with the request on the amendment for the buffer to be changed to an area that would be 25 feet that would not be disturbed. He said they had talked to the homeowners about beefing up the language that the buffer be disturbed only for the stormwater management system and that there would not be any construction of any permanent or temporary buildings within the buffer. He said the developers support that addition to the ordinance. He said the other issue is to delay the effective date of the ordinance to December 1, 1998. He said his company was asking for the delay, not Excel. He said they did not want to annex the property until after closing on the property and after they have received bids on the project and are ready to break ground which should be around the first of December.

Councilman Anaclerio stated several homeowners had expressed concern about traffic coming into Stratford Drive. He said he understood the employees would be on shifts and there should be shift changes about every two hours which would cut down on any large amount of traffic at one time.

Mr. Hack stated Excel had stated to him that they would probably open with only about 40 employees, but as they add people some will be full time and others part time. He said one of the attractions for working with Excel is their flexible hours so there is not really a true shift change time. He stated he understood the new facility will be about a 12 hour a day operation.

Council discussed possible traffic into and out of the proposed Excel building. Representatives from the homeowner's association asked why a study had not been done on the impact traffic would have on the area before this time. They felt it was the developer's responsibility to do a traffic study to see what the impact would be on the area before developing the property. Mr. Tilden Hilderbrand stated plans had been sent to the Highway Department early in the process to the Traffic Engineering Department but they did not get any response. He said typically their policy is wait for a problem to develop and then they react. Mr. Hack stated he would hope that if there is a

traffic problem it could be worked out with the Department of Transportation, the city and Excel so no one would have to wait very long to exit from their subdivision.

There was discussion on whether the proposed ordinance needed to be amended to include that no buildings would be allowed in the 100 foot buffer area on the western boundary. It was pointed out that the way the present ordinance is written it would not allow buildings to be constructed in the buffer on the western boundary of the property as the owner is required to maintain a 100 foot untouched buffer but the detention pond would be allowed within the 100 foot buffer.

Mayor Pro Tem Perry pointed out that the city would accept any suggestions, but Council would not be able to solve any possible traffic problem at this time.

Mr. Harold Breuninger, 135 Antietam Drive, stated he had recently retired here and was not opposed to Excel building in the area, but he was concerned about traffic in the area as this is a residential area. He pointed out that in other places he has lived major developments are required to do a feasibility study, traffic study, and a full impact study reengineered for the traffic that would be coming from the development.

Mr. Steve Whitley, President of the Homeowner's Association, stated about 40 homeowners were present at the meeting. He said the group was concerned about traffic in the area and about a study being done on the traffic impact for the area. They felt the study should at least meet the county requirement for a traffic study. Mr. Whitley stated the homeowner's association had agreed with the developer in a meeting on the property about a week ago that the homeowner's association does not have a problem with the buffer being changed as long as the ordinance is written that nothing permanent would ever be constructed in the buffer area and just be used for stormwater management. He pointed out, however, on the traffic issue that most of the neighbors in the area feel there are other solutions to the traffic problem. He said in addition to the traffic study that needs to be done some suggestions have been made to the developer. One suggestion is that Excel enter and exit onto Whiskey Road like other businesses on Whiskey Road. He said the homeowners feel that would be the best compromise. Another option suggested is that the Excel parking lot exit onto Sizemore Circle. He pointed out that there are only 10 homes on Sizemore Circle whereas there are 90 homes in Stratford Hall with only one entrance and exit. He pointed out there are two ways to get from Sizemore Circle to Whiskey Road. The third option is for the developer, state, or city to construct another entrance to Stratford Hall. He said the association feels that the Whiskey Road option would eliminate the problem. He said they were not opposed to Excel building on the property, but they want to be able to get in and out of their subdivision. He pointed out presently the plans show the building facing Stratford Drive. He stated the Association had suggested to leave the circular drive and the building in the proposed orientation but to limit that driveway to visitor parking, handicapped parking and executive parking with a maximum of about 50 parking spaces so it would not impact Stratford Hall Subdivision. He emphasized there is only one entrance and exit from Stratford Hall. He also pointed out there is another 100 acres on the other side of Stratford Drive and if this development is allowed to dump traffic onto Stratford Drive also there would be a real traffic problem.

Mr. Steve Graff, Antietam Drive, stated he was also concerned about traffic in the area.

Mr. Mike Serrato, 2321 Sizemore Circle, stated he was concerned about traffic in the area and was concerned about the suggestion that traffic enter and exit from Sizemore Circle. He felt the developer should do a traffic study in the area.

Mr. David Petersen, 140 Sperrin Circle, stated his concern was about the seepage basin and impact of the basin with regards to the environmental impact and how this will affect the ground water and the lower properties in Stratford Hall. He wanted to be sure the drain system will handle an overflow. He also expressed concern about the traffic flow.

Mr. David Jones, 2340 Sizemore Circle, stated he was concerned about additional traffic onto Sizemore Circle and accidents in the area.

Mayor Pro Tem Perry asked why the Whiskey Road exit and entrance was rejected.

Mr. Hack stated a problem with the Whiskey Road entrance was the building elevation. He said another reason the developer did not want a Whiskey Road entrance/exit was because of safety issues. He said Mr. Hilderbrand stated from an engineering standpoint the entrance could be worked out. However, he was concerned about exiting into Whiskey Road. He said he would be willing to work out a compromise, but an entrance would be eating into the buffer area on Whiskey Road. He said if an entrance off Whiskey Road would help he would be willing to do that.

Council discussed the present work being done by the Department of Transportation in the area. It was pointed out that the entrance to Stratford Drive was much wider than the entrance to Sizemore Circle. Mr. Whitley pointed out even though improvements are being made to Stratford Drive as far as signals, etc. he was concerned about the amount of traffic on Stratford Drive. He felt the solution is to have the entrance/exit on Whiskey Road.

Mr. John Melvin, 136 Antietum, stated residents of Stratford Hall were sympathetic with Sizemore Circle residents and their first desire is to have the entrance/exit on Whiskey Road. He pointed out Sizemore is a state road and Stratford Drive is shown as a private drive. He also pointed out along Whiskey Road there are traffic lights closer than 800 feet to each other. He pointed out a second light might slow traffic down and help the situation. He stated there was no way to help the situation for Stratford Drive with an expressway or by-pass. He pointed out wherever the entrance/exit may be will impact Whiskey Road traffic. He stated they were not opposed to Excel but felt strongly that the traffic matter needed to be resolved or it would never be resolved.

Mr. LeDuc, Public Works Director, stated Stratford Drive was a city road.

Councilwoman Price asked Mr. Hack about a compromise entrance/exit on Whiskey Road.

Mr. Hack stated he would consider an entrance off Whiskey Road but this would be an additional entrance not in lieu of the entrances off Sizemore and Stratford Drive.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that the ordinance annexing about 28 acres at Whiskey and Stratford Drive be amended to state that "there shall be no more than one driveway onto Sizemore Circle, no more than two driveways onto Stratford Drive, and no more than one driveway or curb cut onto Whiskey Road from the subject property" and that the annexation become effective December 1, 1998.

Councilman Anaclerio moved, seconded by Mayor Pro Tem Perry and unanimously approved, that Council approve on second and final reading the ordinance as amended to annex about 28 acres at Whiskey and Stratford Drive.

Councilman Anaclerio advised the developer to consult with the Department of Transportation to see the possibility of an entrance from Whiskey Road.

Mr. Thompson pointed out that the Department of Transportation will not approve or disapprove a new traffic signal until the project is in place. They will only do a traffic study and put in a light after the project is completed.

Councilmembers pointed out that because there was concern about the traffic did not mean they did not want Excel.

Mr. Whitley pointed out that there will be a major development in their neighborhood. The neighborhood has offered solutions and suggestions for compromise and spent a lot of time. He said they had not opposed Excel or threatened legal action. He said they were asking that their property values be protected so they could get in and out of their neighborhood. He pointed out they only have one way out of their subdivision.

Mayor Cavanaugh and Councilwoman Clyburn returned to the room at 8:45 P.M.

REZONING - ORDINANCE 101298AEast Gate DriveAiken MallBrookhaven DrivePalmetto Federal Service CorporationRegions BankTax Parcel No. 00-158.0-01-009

Councilwoman Papouchado asked if Council would consider moving the item on the agenda pertaining to rezoning property on East Gate Drive behind the Aiken Mall as the next item for consideration.

Councilwoman Clyburn moved, seconded by Councilwoman Papouchado and unanimously approved, that Council consider the item regarding rezoning on East Gate Drive as the next item.

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to rezone 71.54 acres behind the Aiken Mall between East Gate Drive and Brookhaven Drive.

Mr. Thompson read the title of the ordinance.

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

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

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

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

The public hearing was held.

Mr. John Hauptert, 133 Balsam Lane, stated he felt the proposed location for Neighborhood Business would not be appropriate. He said he felt a restaurant in that location would be the worst thing for the area. He felt this would increase traffic in the area and he wondered what would be put in the location after the restaurant closes. He pointed out there are a number of vacancies in the mall which would be much better suited for a restaurant than the location on the traffic circle and one of the two entrances into Woodside. He pointed out the number of restaurants already in the area. He also felt another restaurant in this area would be taking business from the downtown area.

Mr. Richard George, 130 Tall Pine Drive, pointed out the bulk of traffic from Woodside entered and exited from East Gate Drive. He felt the area would not be a good location for a restaurant primarily because of the traffic. He pointed out there were other areas in Aiken such as the downtown, along Whiskey Road and Pine Log Road which could use some businesses.

Mr. John Kilbane, 115 Baldcypress Court, pointed out the property to be zoned NB is a bad location for a restaurant because of the traffic circle and

traffic in the area. He also pointed out a restaurant in the area would not have good visibility. He stated he felt development should be encouraged in the mall.

Mr. Jerry Waters stated he represented Regions Bank on the proposed rezoning. He stated he developed Sandstone. He stated his original concept was to move the interior zoning lines of the 72 acres to more utilize the natural terrain for the roadway. He said the property was originally zoned for Chestnut Hill Subdivision. He pointed out engineers have told him that the proposed road will not work where originally shown on the plans. He said basically what he was asking for was a change of the interior lines except for the 1 acre which was to be zoned for a restaurant. He said he was willing to withdraw the request for Neighborhood Business zone on the 1 acre and zone it Professional.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that Council amend the ordinance changing the zoning for the 1 acre from Neighborhood Business to Professional as requested by Mr. Waters and pass the ordinance as amended on second and final reading rezoning property owned by Regions Bank located behind the Aiken Mall between East Gate Drive and Brookhaven Drive as recommended by the Planning Commission and that the ordinance become effective immediately.

OUTDOOR CAFES - ORDINANCE 101298B

Restaurants

Cafes, Outdoor

Sidewalks

Downtown

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to adopt guidelines for outdoor cafes in the downtown area.

Mr. Thompson read the title of the ordinance.

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

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

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

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

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

This ordinance deals only with businesses that are interested in using the public sidewalks or right of way within the downtown. This ordinance also allows public display of alcoholic beverages if the restaurant meets the

guidelines of the ordinance, the guidelines of any alcohol and health permits and licenses necessary.

The public hearing was held and no one spoke.

Councilwoman Price moved, seconded by Councilman Radford and unanimously approved that the ordinance allowing outdoor cafes on the sidewalks in the downtown area be passed on second and final reading to become effective immediately.

ANNEXATION - ORDINANCE 101298C

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

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to annex 112 Smallridge Street in Silver Bluff Estates.

Mr. Thompson read the title of the ordinance.

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

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

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

The public hearing was held and no one spoke.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that the ordinance annexing property at 112 Smallridge Street into the City of Aiken and zoning the property R-1B, Single Family Residential be passed on second and final reading to become effective immediately.

ANNEXATION - ORDINANCE 101298D

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

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to annex 109 Gregg Avenue.

Mr. Thompson read the title of the ordinance.

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

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

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

The public hearing was held and no one spoke.

Councilman Radford moved, seconded by Councilwoman Price and unanimously approved, that the ordinance be passed on second and final reading annexing the property at 109 Gregg Avenue into the City with R-1 Single Family Residence zoning and that the ordinance become effective immediately.

ANNEXATION - ORDINANCE 101298E

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

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to annex 617 Boardman Road.

Mr. Thompson read the title of the ordinance.

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

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

Mr. and Mrs. Kent Cubbage have requested annexation of their home at 617 Boardman Road. The Planning Commission has recommended the R-1A zoning based on the size of the lot, and the size of adjacent lots in this area.

The public hearing was held and no one spoke.

Councilwoman Clyburn moved, seconded by Councilwoman Price and unanimously approved that the ordinance approving annexation of property at 617 Boardman Road be passed on second and final reading and that the ordinance become effective immediately.

ANNEXATION - ORDINANCE 101298F

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

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to annex 3506 Augustus Road.

Mr. Thompson read the title of the ordinance.

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

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

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

The public hearing was held and no one spoke.

Councilwoman Papouchado moved, seconded by Councilwoman Price and unanimously approved, that the ordinance to annex 3506 Augustus Road with R-1 zoning be passed on second and final reading and that the ordinance become effective immediately.

ANNEXATION - ORDINANCE 101298G

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

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to annex 110 Thomas Street.

Mr. Thompson read the title of the ordinance.

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

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

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

The public hearing was held and no one spoke.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that Council pass on second and final reading an ordinance approving the annexation of property at 110 Thomas Street with R-1B Single Family Residential zoning and that the ordinance become effective immediately.

ANNEXATION - ORDINANCE 101298H

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

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to annex 129 Silver Bluff Road.

Mr. Thompson read the title of the ordinance.

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

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

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

The public hearing was held and no one spoke.

Councilwoman Clyburn moved, seconded by Councilman Anaclerio and unanimously approved, that Council pass on second and final reading an ordinance annexing property at 129 Silver Bluff Road with R-1B Single Family Residential zoning and that the ordinance become effective immediately.

ANNEXATION - ORDINANCE 101298I

Lowe's Store

H/S AIKLO, LLC

Whiskey Road

S.C. 19 S.

Tax Parcel No. 00-158.0-01-029, 00-158.0-01-072

00-158.0-01-211

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to amend the ordinance adopted in August annexing the Lowe's property on Whiskey Road.

Mr. Thompson read the title of the ordinance.

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

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

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

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

The public hearing was held and no one spoke.

Mr. Gary Smith, City Attorney, stated the staff was concerned about the proper identification of the tax parcel numbers being annexed. He asked that Council consider an amendment to the ordinance asking that the Planning Commission ensure that the proper tax map parcels for Tracts A, B, D and E as shown on exhibit B of the ordinance are correct.

Councilman Radford moved, seconded by Councilman Anaclerio and unanimously approved, that the ordinance be reviewed and amended to show proper tax numbers for the parcels being annexed.

The public hearing was held and no one spoke.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved that Council pass the ordinance as amended on second and final reading amending the previous ordinance to annex the new Lowe's property to allow deletion of Tract C, and inclusion of a second curb cut and that the ordinance become effective immediately.

SUBDIVISION REGULATIONS - ORDINANCE

Staff Approval

Major Subdivision

Preliminary Plats

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration 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 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 is almost always been "rubber stamped." The Planning Commission has recommended the process be changed to allow staff approval of these major subdivision preliminary plats.

One issue that needs to be decided is whether or not the Planning Commission Chairman would continue to be involved in this review process. Our staff recommendation to the Planning Commission was that the Planning Commission Chairman continue to sign off on these plats, but this does keep that extra step and the potential for delay in the approval of these plats. Mr. Thompson stated if we are shortening the process to benefit the developers, and if there is no legitimate reason for delay of approval of these plats, his suggestion is that we delete this portion of the ordinance and allow staff approval of major subdivision plats.

Councilwoman Papouchado moved, seconded by Councilman Anaclerio and unanimously approved, that the ordinance be passed on first reading approving amendments to the Subdivision Regulations to allow staff approval of major subdivision preliminary plats and related provisions and also that the requirement be deleted requiring the Planning Commission Chairman also sign-off on these plats with the ordinance being amended to shorten the process to require only staff approval of preliminary and final major subdivision plats with second reading and public hearing being set for the next regular meeting of Council.

BIDS

Water Tank
Painting
York Street
South Boundary
Chesterfield Street S.
Tank

Mayor Cavanaugh stated Council needed to consider acceptance of bids for painting of the York Street water tank.

Mr. Thompson stated the budget includes funds for painting and cleaning of the water tank, located at the intersection of York Street and South Boundary Avenue. The staff has recommended acceptance of the low bid of Eagle Tank Company, at a combined cost of \$74,500 for this project.

Mr. Thompson stated every few years the city has to paint the water tanks, because the exterior paint oxidizes, and the interior paint peels off the surface due to the presence of and temperature changes in the water in the tank. We have bid the painting of the water tank at York Street and South Boundary, and the company will be responsible for both inspecting the tank to

determine whether or not painting is necessary and for painting the tank. We received a total of 5 bids on this project, as listed below:

CLEANING & COATING YORK/SOUTH BOUNDARY TANK

<u>Bidder</u>	<u>Base</u>	<u>Alt. 1</u>	<u>Total</u>
J & W Sandblasting	\$73,000	\$25,000	\$ 98,000
Utility Services Co.	99,300	35,400	134,700
Municipal Tank Coating & Sandblasting	53,700	29,000	82,700
Southern Corrosion, Inc.	67,980	39,980	107,960
Eagle Tank	52,000	22,500	74,500

Mr. Thompson stated it is hoped that we will only have to have the exterior of the tank painted to keep the cost of the project down to about \$52,000, but we have to be prepared to paint the interior if necessary. With this painting, we will also plan on changing the design of the Aiken logo, and adding the All America City emblem on this tank.

This is funded in the current budget, and the staff is recommending acceptance of the low bid of Eagle Tank Company, with a total bid of \$74,500.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council accept the low bid of Eagle Tank for a total bid of \$74,500 for painting the water tank at York Street and South Boundary for inside and outside if necessary.

BIDS

Forestry Unit

Fire Tank

Fire Pump

Public Safety Department

Mayor Cavanaugh stated Council needed to consider acceptance of the bids for a tank and pump for mounting on the new forestry unit.

Mr. Thompson stated the city was in the process of replacing the forestry unit, and in doing so needs to purchase a new tank and pump for mounting on the back of the fire service vehicle. We have accepted bids for this purchase, and are recommending acceptance of the low bid of Slagle Fire Equipment, with a bid of \$10,500.

The forestry unit is a truck that we use off the main roads to fight grass and woods fires. This unit is scheduled for replacement this fiscal year, and we are purchasing the chassis through state contract. We have advertised for bids for the tank and pump to be mounted on the back of this truck, and distributed this bid to a total of five vendors. Slagle Fire Equipment out of Columbia, South Carolina, was the only vendor responding on this purchase, but we are satisfied that the bid was competitive and that Slagle can meet our requirements. We have worked with Slagle in the past, and have been satisfied with the quality of the work and the product.

This purchase is within budget, and does meet specifications.

Councilwoman Papouchado moved, seconded by Councilman Anaclerio and unanimously approved, that Council accept the bid of Slagle Fire Equipment, for the purchase of a tank and pump unit at a total bid of \$10,500.

BIDS

Walking Track

Weeks Center

Virginia Acres

Walking/Jogging Track

Mayor Cavanaugh stated Council needed to consider the bids for lighting of the walking track at the Weeks Center.

Mr. Thompson stated the current budget includes the final phase of extending the walking track lighting system, and we have accepted bids for this project. The staff is recommending acceptance of the low bid of H.G. Reynolds Construction Co., at a total bid price of \$32,060.

We had a total of four construction companies pick up copies of the bid specifications, and only H. G. Reynolds Construction Co., of Aiken, responded on this bid. We have been looking into this, and believe that the only problem with receiving bids on these construction projects is that there is so much construction going on in the Aiken area that it is difficult to obtain contactors for this work. The price submitted by H.G. Reynolds seems to be a competitive bid, and we are recommending acceptance of this bid.

Councilwoman Clyburn moved, seconded by Councilwoman Papouchado and unanimously approved that Council approve the bid of H. G. Reynolds Construction Co., with a total bid price of \$32,060, for the installation of lighting on the final phase of the H. O. Weeks Activity Center walking track.

ADDITION TO AGENDA

Taxes

Penalty Dates

Mayor Cavanaugh stated Council needed to consider an ordinance regarding penalty dates for taxes for fiscal year 1998-99. He said this item needed to be added to the agenda.

Councilwoman Price moved, seconded by Councilwoman Papouchado and unanimously approved, that the item regarding penalty dates for taxes be added to the agenda.

TAXES - ORDINANCE

Penalty Dates

1998-99

Mayor Cavanaugh stated an ordinance had been prepared to adopt penalty dates for collection of taxes for fiscal year 1998-99.

Mr. Thompson read the title of the ordinance.

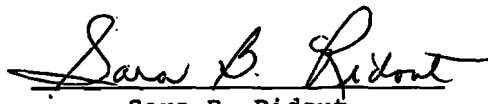
AN ORDINANCE TO TEMPORARILY AMEND CHAPTER 21, CODE OF ORDINANCES OF THE CITY OF AIKEN, SOUTH CAROLINA, ENTITLED "TAXATION," BY AMENDING SEC. 21-9 THEREOF FOR FISCAL YEAR 1998-99.

Mr. Thompson stated for the past several years the city has had a difficult time obtaining the information for the tax rolls necessary to send out bills for taxes for the fiscal year which is normally done in September. He said the tax information has been received now and is being reviewed by the city. He said the city hopes to have the tax bills in the mail before November 1, 1998. The staff is recommending that Council change the due date on taxes for fiscal year 1998-99 to December 8, 1998, without penalty and that taxes being paid after December 8 be subject to penalties as listed in the ordinance.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that Council pass on first reading an ordinance to adopt a temporary payment and penalty schedule for taxes for fiscal year beginning July 1, 1998, establishing penalty dates for late payment after December 8, 1998, with the second reading and public hearing set for a special meeting to be held on October 19, 1998, at 5:30 P.M.

ADJOURNMENT

There being no further business the meeting adjourned at 9:15 P.M.


Sara B. Ridout
City Clerk