

Aiken City Council Minutes

June 9, 1997

Executive Session

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

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

Mayor Cavanaugh called the meeting to order at 5:30 P.M. Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that Council go into executive session to discuss a personnel matter and for a legal briefing by the City Attorney. After discussion Council asked that the matter regarding the City Manager's salary be included in the proposed budget and placed on the agenda for action. They also asked that the matter regarding a lawsuit over various zoning laws pertaining to video poker be placed on the agenda for Council action. Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that the executive session end. The executive session ended at 6:30 P.M. Then Council held a work session for discussion of the proposed budget for 1997-98 and a presentation by Aiken Technical College for funds. A pre-Council session was held for discussion of items on the Council agenda.

Regular Session

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

Others Present: Steve Thompson, Gary Smith, Frances Thomas, Carrol Busbee, Ed Evans, Roger LeDuc, Andy Anderson, Anita Lilly, Terry Rhinehart, Sara Ridout, Tom Smith of the Aiken Standard, Chandra McLean of the Augusta Chronicle, TV Channels 6 and 26, and 14 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 regular meeting of May 26, 1997, were considered for approval. Councilman Radford moved that the minutes be approved as written. The motion was seconded by Councilwoman Papouchado and unanimously approved.

AWARDAll-America City

Mayor Cavanaugh stated that on Saturday, June 7, 1997, Aiken was well represented by some 40 people in Kansas City, Missouri, and they brought home the All-America City Award! He said Council was so very proud of this award and of the citizens in the community working together to make this award possible. He said Council appreciates all the efforts of Councilmember Karen Papouchado, Leasa Segura, the Special Projects Coordinator, and all the people who went to Kansas City to represent the city.

Councilwoman Papouchado presented a book to Mayor Cavanaugh from the Mayor of Kansas City. She stated being in Kansas City representing the City of Aiken was an experience of a lifetime, and she wished all of Council could have been present. She said the All-America Award was a remarkable process. Ms. Cheryl Black from Screenprint presented each of the Councilmembers a T-shirt like the ones worn by the Aiken representatives to the All-America presentation. Mr. Wade Brodie presented each of the Councilmembers an All-America City 1997 badge compliments of Bill Howell. She pointed out Mr. Brodie's contribution for the trip to Kansas City was two pigs which he barbecued. Also, peaches were taken to Kansas City for Aiken's booth. A portion of the group that went to Kansas City demonstrated Aiken's slogan in Kansas City. Councilwoman Papouchado pointed out that a big street celebration is planned for June 20, 1997, in downtown Aiken for everyone to celebrate.

BUDGET - ORDINANCE 0609971997-98

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing of an ordinance to adopt a budget for fiscal year 1997-98.

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, 1997, AND ENDING JUNE 30, 1998, 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; CONTINUING CERTAIN FIRE SERVICE RATES FOR PROPERTIES LOCATED OUTSIDE THE CITY; INCREASING THE USER RATES FOR GARBAGE COLLECTION FOR RESIDENCES AND SMALL BUSINESSES; AND INCREASING THE USER RATE FOR REGULAR COMMERCIAL AND INDUSTRIAL CONTAINER REFUSE AND GARBAGE COLLECTION.

Mr. Thompson stated City Council has discussed the proposed budget for the 1997-98 fiscal year, at several work sessions.

He said the proposed budget is a very lean budget, and does not include a great deal of growth or expansion. The Aiken community is changing, however, and services and projects will change to meet these needs.

Mr. Thompson stated the budget did include an increase for garbage fees to help pay for the expenses for the new landfill. In the work sessions Council discussed several cuts in the proposed budget as follows:

Electronic Agenda	\$ 20,000
Kiosks	20,000
Legal Ads and Publications	20,000
Best Friend Express (Contingency)	15,000
Rye Patch	<u>45,000</u>
Total	\$ 120,000

City Council's goal has been to develop a \$150,000 budget to help pay interest and to start the process for development of other capital development projects, instead of raising taxes by 2 mills to accomplish the same goal. With these deletions from the budget, City Council could add an additional \$30,000 from the Council contingency fund to raise this to \$150,000, and Council would review these projects over the summer. Some of the projects included for Council's consideration to date include the following:

<u>Project</u>	<u>Projected Cost</u>
Public Safety Station 5	\$ 450,000
Citizens Park Phase 2	3,600,000
Crosland Park Neighborhood Playground and Entranceway	400,000
Tennis Complex	800,000
Rye Patch Expansion	150,000
AYCC Clean Up	250,000
Terminal Building	<u>350,000</u>
Total	\$6,000,000

Mr. Thompson stated the process the staff has identified for Council is to pare the projects to a maximum of \$5,000,000, phase the projects in over a number of years starting with the project identified by Council as the first priority, and decide on the amount for each project.

At the first reading of the budget, City Council opted not to include the two mill tax increase, and the budget before Council does not include any increase in taxes. The budget does include a small rate increase for garbage services, to off set the expenses that the city will incur with the new regional landfill. The Utility Fund Budget also includes adoption of a hydrant fee, to recover the city's cost in installing hydrants to support fire services outside of the city limits, and outside of the city's fire protection area. These fire hydrants serve customers located on the service of other fire departments, and the recommendation is that the fire hydrant fee apply to all residents in these areas, including residents not within 1,000 feet of the fire hydrants. The budget ordinance does not specifically include the fire hydrant fee. Instead, we will propose this to Council as an ordinance over the coming summer months, and allow Council full opportunity for public hearing and review for this fee.

The budget does reflect a team effort, with City Council developing the goals and providing guidance for the budget. Council has given a great deal of time to this guidance, both throughout the year and in special goal setting and

budget sessions that have been held. The employees and department heads also spend a great deal of time on the budget, projecting their needs and expenses to meet the goals identified by City Council. The budget before Council continues the outstanding services of the city, and continues to meet the needs of the community.

City Council approved this budget on first reading at the meeting of May 12, 1997. This is second reading and public hearing of an ordinance adopting the budget for the fiscal year beginning July 1, 1997.

Mayor Cavanaugh stated the personnel issue discussed in the executive session concerned the salary increase for the City Manager. He said the proposed budget will include a 2% cost of living and a 2% merit salary increase for the City Manager.

The public hearing was held.

Ms. Joan Tower appeared before Council concerning the addition to Rye Patch and asked how this was to be handled in the budget process.

Mayor Cavanaugh pointed out it is proposed that the Rye Patch expansion be included in the capital projects. Council is to discuss each of the proposed projects in a few weeks setting priorities and the amount for each of the capital projects. Council asked that a work session be set up soon to discuss the Rye Patch expansion project.

Councilwoman Clyburn asked if Council itemizes the expenditures from the Contingency Fund in the budget or if the Contingent Fund is a pot of money available for special needs. She stated she was concerned about the deletion of \$15,000 from the Contingency Fund being listed as designated for the Best Friend Express. She felt the Contingent Fund is a pot of money, undesignated for specific items. Her concern was that if a request comes for funds for the Best Friend Express that any monies from the Contingent Fund could be used if approved by a majority of Council.

Mr. Thompson stated the Contingency Fund has been used by Council for special requests and projects that come up during the year. He said when Council initially funded the Best Friend Express Council specifically instructed the staff not to include the Best Friend Express as a line item in the budget and that any requests for funds be brought to Council each year. He said under those directions funds for the Best Friend Express are included in the Contingency Fund. He said a suggestion from Council had been that \$15,000 from the Contingency Fund be deleted with the funds going towards a pool for the capital projects. He said in reality Council would just be taking \$15,000 from the Contingency Fund. It was also pointed out that Council has proposed taking an additional \$30,000 from the Contingency Fund, taking \$45,000 from the Contingency Fund, leaving \$55,000 in the Contingency Fund.

Councilman Anaclerio moved, seconded by Councilman Radford that Council approve on second and final reading the budget for the City of Aiken for fiscal year 1997-98 as presented, adding a 2% cost of living and a 2% merit increase in salary for the City Manager, and that the money for the proposed capital improvements projects of \$150,000 be included in the budget with the source of funds being deletion of electronic agenda \$20,000, Kiosks \$20,000, Legal Ads and Publications \$20,000, Best Friend Express (Contingency Fund) \$15,000, Rye Patch \$45,000 and an additional \$30,000 from the Contingency Fund proposed in the budget by the City Manager.

Mayor Cavanaugh stated he was very pleased with the proposed budget as amended by Council and everyone working together to be sure there was no increase in taxes.

Councilman Anaclerio stated in the initial budget no monies were set aside for capital improvements. He said he was very pleased with Council's decision to give some monies for capital improvements, thinking of the future of Aiken instead of waiting for something to happen.

Councilwoman Clyburn pointed out the proposed motion includes \$15,000 as stipulated for the Best Friend Express coming from an account that is not an itemized account which means there is still an opportunity for Council to fund a request for the Best Friend Express from the Contingency Fund. Concern was expressed about the proposed motion stating that \$15,000 from the Contingency

Fund designated for the Best Friend Express be deleted from the Contingency Fund and placed in the capital improvements fund.

Councilman Anaclerio amended his motion to state that \$45,000 be deleted from the Contingency Fund with no reference to designated funds for the Best Friend Express. Councilman Radford accepted the amended motion. The motion as amended was unanimously approved.

TAX MILLAGE - ORDINANCE 060997A

Millage Rate

79 Mills

Capital Development Fund

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing of an ordinance to set the tax millage rate for fiscal year 1997-98.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY CITY PURPOSES AND FOR CAPITAL DEVELOPMENT PURPOSES IN THE CITY OF AIKEN FOR THE FISCAL YEAR BEGINNING JULY 1, 1997, SET THE MILLAGE THEREFOR AT SEVENTY-NINE (79) MILLS AND TO PROVIDE FOR THE EXPENDITURES THEREOF.

Mr. Thompson stated City Council has discussed taxes and the budget for the City of Aiken, and with the adoption of the budget City Council will also set the millage rate for the fiscal year.

The proposed ordinance would adopt the millage rate at 79 mills, to fund the general operations of the city. This continues the city's emphasis on holding property taxes in the City of Aiken, and does allow continued services for the residents of this community.

The City of Aiken has not increased property taxes for nine years, and during this time period, City Council has reduced the millage rate three separate times, by a total of 41 mills. Two of these decreases were as a result of reassessment and reappraisal by the County, but one of the reductions was a direct action of City Council to refund taxes to the residents of the community.

This is second reading and public hearing of an ordinance establishing the millage rate for fiscal year 1997-98 at a total of 79 mills.

The public hearing was held and no one spoke.

Councilwoman Price moved, seconded by Councilwoman Papouchado and unanimously approved, that Council adopt on second reading and public hearing an ordinance setting the tax millage rate at 79 mills for fiscal year 1997-98.

SUBDIVISION REGULATIONS - ORDINANCE 060997B

Reimbursement Program

Curb and Gutter Reimbursement

Doughnut Holes

Annexation Incentive

Utilities Reimbursement Program

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to amend the Subdivision Regulations to extend the utilities reimbursement program to properties surrounded by the city.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING SECTION 5.1.12 OF THE SUBDIVISION REGULATIONS TO AMEND THE REIMBURSEMENT ALLOWANCE FOR THE INSTALLATION OF CONCRETE CURB AND GUTTER AND TO ADD REIMBURSEMENT FOR PROPERTIES SURROUNDED BY THE CITY OF AIKEN.

Mr. Thompson stated the city offers an incentive for development in Aiken through reimbursement for investment in utilities. The city presently reimburses developers at a rate of \$8 per linear foot of frontage up to a maximum of 100 feet on a public road in new residential subdivisions. The city also reimburses developers at a rate of \$8 per linear foot of frontage up to a maximum of 300 feet for commercial properties. The program reimburses developers for the installation of utilities within subdivisions with the

reimbursement measured by the amount of curb and gutter along the street frontage. The Annexation Task Force has recommended that City Council extend this reimbursement for utilities to properties surrounded by the city and identified in the city's annexation efforts two years ago, without the requirement for installing curb and gutter along these properties. This would help these property owners to use this reimbursement program to reduce their expenses in connection to the city's sewer system. The incentive would be limited to those properties originally identified as properties surrounded by the city in 1995. This program may offer different advantages to property owners from the incentives under the Aiken 2000 Development Program. The Aiken 2000 ordinance allows these property owners access to either the Aiken 2000 Program or to the Utilities Reimbursement Program but not to both incentives. This incentive ties in with the philosophy of the Utilities Reimbursement Program as the city would be reimbursing the property owners for their investment in utilities.

Mr. Thompson stated the proposed ordinance was adopted on first reading with the condition that the program expire on December 31, 1999. It was pointed out that the properties eligible for the program are the properties listed in the attachment to the ordinance and includes the properties surrounded by the city in 1995.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved that the ordinance be passed on second and final reading to extend the utilities reimbursement program to properties surrounded by the city in 1995 and listed in an attachment to the ordinance with a termination date of December 31, 1999.

#### GRANT

State of S.C.

School Resource Officer Program

Governor's Office

Public Safety Department

Drug Control and System Improvement Program

Mayor Cavanaugh stated the city had received notice that the City of Aiken had received a grant award from the State for the School Resource Officer Program.

Mr. Thompson stated the city has placed two School Resource Officers in the high schools to help with counseling and other needs in the schools. Overall this has been a very positive program, and in the long term we expect this to help reduce the number of incidents at the schools and to help develop better citizens with greater respect for law enforcement. The city's responses and incidents at the schools have been reduced. Mr. Thompson stated he did feel that this program is assisting the schools and helping the community.

Mr. Thompson stated this grant is paid for by state and local grants. Under the grant for acceptance, the state grant totals \$74,796, or 75% of the cost of the School Resource Program. The school system will pay 75% of the local match or a total of \$17,204, to bring the total revenues available for this program to \$92,000. This is a three year grant award, with renewal each year. At the end of the grant award, City Council will evaluate whether or not this program provides substantial benefit to the people of Aiken, and whether or not the program will be continued. The officers understand that these are grant programs, and that there is no guarantee that the positions will be carried in the future after the grant funds have expired.

Councilwoman Clyburn moved, seconded by Councilman Anaclerio and unanimously approved, that the grant from the State in the amount of \$74,796 for the School Resource Officer Program be accepted.

Councilman Perry pointed out he felt it was a crime that the city and the schools had to have a Public Safety Officer in the schools and felt that someone should be working on the reason for having an officer in the schools.

Councilwoman Clyburn pointed out the School Resource Officers have a very positive role in the school and are there for the students to talk to and not just for protection or prevention of crime.

GRANT

State of S.C.  
Public Safety Department  
Department of Social Services  
Child/Elder Abuse Investigator  
Drug Control and System Improvement Program  
Governor's Office

Mayor Cavanaugh stated the city had received a grant from the State for a Public Safety Officer to assist with security and investigations at the Aiken office of the Department of Social Services.

Mr. Thompson stated the city has received notice of a grant award in the amount of \$57,113 from the State of South Carolina. This grant is intended to fund a Public Safety Officer to assist with security and investigations at the Aiken office of the Department of Social Services.

City Council has discussed this grant at length, and is very familiar with the issues behind this grant. The staff has worked with the local office of the Department of Social Services to help develop a way to increase security at the facility following problems at other area DSS offices. The Department of Social Services can be a very intense environment, and the Department of Public Safety often responds to calls at the local DSS offices. Under the concept developed with DSS, the officer funded under this grant would help to investigate child abuse and abuse of senior citizens, but would primarily do this within the facility. The officer would not investigate outside of the City of Aiken, unless there is a specific and separate contract developed for this service. The primary use of this officer would be to help with security at the DSS offices, and to assist with counseling and investigations of abuse at the office.

Mr. Thompson stated the grant is a 100% grant for three years. The state office would pay a total of \$57,113, and the local DSS Office would pay the balance of the cost for this officer, or a total of \$18,887. This would pay the full cost of salaries and fringe benefits for this officer, the cost of a vehicle, and all operational expenses. As with any grant program, we notify any prospective candidates for the position that the position is funded by a grant, and at the end of the grant the position may be terminated. In this case, we would advise the officer that we would expect to terminate this position, and there should be no misunderstanding up front about the continuation of this position when grant funds end. The grant is funded each year for a three year period.

Councilwoman Papouchado moved, seconded by Councilwoman Price and unanimously approved, that the city accept the grant from the State of South Carolina in the amount of \$57,113, for the purpose of placing a Public Safety Officer to assist with security and investigations at the Department of Social Services, in Aiken.

BIDS

Aiken Youth Correction Center  
Clean-up  
Airport

Mayor Cavanaugh stated Council needed to consider the bids which had been received for cleanup of the former AYCC site.

Mr. Thompson stated the city has discussed the clean up of the site of the former Aiken Youth Correction Center for the past year, and has been moving forward with removal of both the underground storage tanks and the buildings and asbestos at this site. The Army Corps of Engineers will remove the underground storage tanks during the fall, and the city has bid the removal of buildings and asbestos on the site.

There has been a tremendous amount of interest on this project. We originally bid this as two options, to give the city flexibility in this project. We have discussed this separate bid with both the contractors interested in the purchase and with an engineering consultant that we use on our projects, and feel that it would be in the city's best interest not to split the contract between two contractors, but to award the entire contract to a single company. We have been involved in the past in bid situations where the companies did not perform as required, and then you end up in a blaming situation, with each of the contractors blaming the other over who is

responsible for a failure. This project needs to move forward on schedule, and there is potential for one contractor to delay the other contractor. On analysis of the total bids, Carolina Wrecking Company, Inc. was low for the total project, and the staff is recommending acceptance of the low bid of Carolina Wrecking. The bids received were as follows:

<u>Bidder</u>	<u>Division I</u>	<u>Division II</u>	<u>Division I and II</u>
SCS, Group	\$234,320		\$332,320
Carolina Wrecking, Inc.	192,000	\$ 59,230	251,230
L-J, Inc.	388,632	112,800	501,432
Montgomery Environmental	712,476	129,384	841,860
National Salvage & Serv.	267,600		
Webster Environmental	175,161	254,826	429,987
Avisco, Inc.	374,480	101,000	475,480
MMT Savannah River, Inc.	467,240	138,267	
Plowden Construction	717,000	180,000	897,000

The bid amount of \$251,230 for this project is much lower than our original estimates on the project. Our understanding is that this is lower because of the work and the timing of the tank removal process with the Army Corps of Engineers. These companies all work very closely together, and we are comfortable that we can coordinate the work between Carolina Wrecking and the Corps.

Funding is available from the sale of timber for this project, and this has been a high priority issue for City Council in the past. With removal of this facility, we will be able to provide a much more attractive entrance to Aiken, and market this property for sale.

Mayor Cavanaugh asked how long the bids would be good. He pointed out some Congressmen are working on trying to get some funds from the Department of Defense to help the city with clean up of the AYCC site at the airport. Council discussed whether the city should delay awarding the bid until it is determined whether some federal funding may be available to help with the project. Councilman Perry stated he felt the project should not be delayed and that the contract should be awarded.

Mr. LeDuc, Public Works Director, pointed out the bids are good for 30 days. He pointed out all the contractors know what the bids are and that if the project has to be rebid he felt the bids would be higher. It was pointed out possibly Council could approve the bid and the staff delay starting the project work as long as possible under the present bids to see if additional funding may be available.

Councilman Perry moved, seconded by Mayor Cavanaugh and unanimously approved, that Council accept the low bid of Carolina Wrecking Company, Inc. with a total bid of \$251,230 for demolition and asbestos removal at the former AYCC site near the airport and that work be delayed as long as possible under the contract to see if some federal funding may be available.

#### BOARDS AND COMMISSIONS

##### Appointment

##### Aiken County Transit Commission

##### Patterson, Essie

Mayor Cavanaugh stated Council needed to consider an appointment to the Aiken County Transit Commission.

Mr. Thompson stated that Phil England, Director of Planning and Development for Aiken County, has stated that the term of Ms. Essie Patterson expires on the Aiken County Transit Commission on June 30. Ms. Patterson is the city's representative on this Commission. Terms on the Transit Commission are for four years. Ms. Patterson is interested in reappointment to the Commission.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that Ms. Essie Patterson be reappointed to the Aiken County Transit Commission, with the term expiring June 30, 2001.

VIDEO POKER MACHINESLawsuit  
Coin-Operated Machines

Mayor Cavanaugh stated Council had discussed in executive session the need to add an item regarding a resolution concerning a lawsuit relative to the video poker machines and video poker machine payouts. He asked City Attorney Gary Smith to explain the matter.

Mr. Gary Smith, City Attorney, stated Council was aware that a lawsuit has been filed against the City of Aiken, as well as North Augusta and Aiken County, alleging that they have improperly imposed zoning restrictions on the operation of video poker gaming machines. He said Council is also aware that the City of North Augusta has entered into a settlement agreement with the video poker operators and the Order has been signed by Judge Pleicones, by the counsel for the plaintiffs, and the counsel for the City of North Augusta. Basically North Augusta has agreed to allow the video operators to continue operating at their present locations until January 1, 1999, so long as they were operating in their present locations prior to June, 1995. The video poker operators have agreed that after two years (1999), they will move their video poker machines to locations where Council has authorized them to operate under the Zoning Ordinance. In the City of Aiken, Council has authorized video poker operators to operate in the Neighborhood Business, Planned Shopping Center and Suburban Industrial districts. The video poker operators would agree to comply by January 1, 1999, to the zoning locations. If they were not operating in a proper location they would shut down the machines at their location and either not operate them at all or move them to one of the accepted locations. The plaintiff's counsel has also agreed to go through the process of certifying this lawsuit as a class action so that not just the plaintiffs in this particular case, but also all video poker operators in the City of Aiken, would be affected by this Order. There was also some discussion regarding how the new legislation signed by the Governor essentially allowing the referendum which was passed a couple of years ago to be reenacted, would be affected. There would be a provision within the order that would address that issue specifically. If City Council is agreeable to entering into the settlement agreement with the video poker operators allowing them to continue at their present locations for two years, a resolution would be needed from Council authorizing the City Attorney to enter into the agreement with the plaintiffs and seek the permission and approval of Judge Pleicones.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that Council authorize the City Attorney to enter into a consent agreement similar to North Augusta allowing the video poker operators to continue operating at their present locations regardless of the zoning for two years after which they will close or move to allowed locations under the Zoning Ordinance. Councilman Anaclerio stated he felt it would be in the best interest of the city to enter an agreement in order to resolve this issue.

CONDITIONAL USE

Assisted Living Facility  
Centre South Executive Park  
Silver Bluff Road  
Tax Parcel Nos. 00-134-01-762, 763, 764

Mayor Cavanaugh stated Council had received a request for a conditional use for an assisted living facility in Centre South Executive Park.

Mr. Thompson stated City Council has received a request to allow a residential assisted living facility in a Professional Zone, located in Centre South Executive Park. This request has been reviewed by the Planning Commission, and is recommended for approval to City Council.

Ronald Bolton, Chairman of the Planning Commission, noted in the information to Council that a residential assisted living facility is allowed in a Professional Zone as a Conditional Use, and therefore does require approval by City Council. Although this type of facility is residential in nature, this may have an impact on services, appearance, and development in this zone.

The Planning Commission reviews several different issues with this type of development, including the impact on the existing neighborhoods, and on review has recommended approval, with conditions to help minimize the impact of this

facility on these neighbors. The Planning Commission has voted unanimously to recommend approval of the request on the following conditions:

1. the building scale, design and materials should be similar to that shown on the conceptual drawings submitted for this request;
2. the three lots which make up the project site should be combined into a single parcel, and proof of recording of an approved plat should be provided prior to the issuance of a building permit for the facility; and
3. exterior lighting should be directed downward and inward so that no glare is produced on adjoining properties or rights-of-way; and
4. the location of a fire access lane needed to service the rear of the facility should be approved by the Public Safety Department in consultation with the Planning Department.

Each of these conditions is intended to minimize the impact of this facility on existing neighborhoods. The Planning Commission does feel that the overall drawings do include a facility that is residential in appearance, and generally would blend visually with homes in the nearby subdivision and support adjacent development.

An assisted living facility also generally produces very little traffic, and usually generates fewer vehicular trips per day than an office building or a typical apartment complex with a comparable number of units. The staff concluded that the traffic impact would be minimal.

The public hearing was held and no one spoke.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that the request for Conditional Use approval for a residential assisted living facility, to be located on Crepe Myrtle Court and Centre South Executive Park, within a Professional Zone be approved with the conditions recommended by the Planning Commission.

#### CITIZEN COMMENTS

##### Funding Request

##### Economic Development Partnership

##### Lobbying Firm

##### Glinski, Ray

##### Intermedia Cablevision

##### Cablevision

Mayor Cavanaugh stated Mr. Ray Glinski wanted to appear before Council to express concerns about some matters.

Mr. Ray Glinski, of 164 Governors Lane, appeared before Council to discuss and object to the city's contribution to the Economic Development Partnership for hiring of the lobbying firm of Johnston and Associates, LLC of Washington, DC, to represent the interests of this area in matters pertaining to the Savannah River Site. Mr. Glinski stated he did not feel that a lobbying firm would help get projects and monies for SRS and that the Congressmen should be able to help the city in these matters. Mr. Glinski stated he objected to his tax money being spent for this purpose. Mr. Glinski asked that Council not make the \$25,000 contribution to the EDP for a lobbying firm.

Mr. Glinski also expressed concern about the rates of Intermedia Cablevision and asked that the city regulate the rates for cable television services in Aiken. He pointed out he felt the rates are high and higher than other cities he has lived in. He stated he would like to see various channels of cablevision offered separately so a person could pick and choose what channels they would like to have rather than including certain channels in a basic package with a high rate.

Mr. Glinski stated he had two requests. First was that Council not pay the \$25,000 to the Economic Development Partnership for a lobbyist in Washington, DC. Secondly, he asked that Council regulate the cablevision rates.

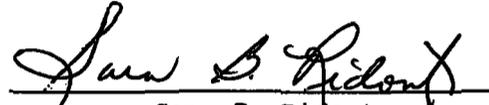
Mayor Cavanaugh stated a delegation from the Aiken-Augusta area had visited Washington recently and had met with the Department of Energy, the Senators and Congressmen and others to try to get some commitments for the Savannah River Site and prevent further layoffs. He said there are four sites vying

for the plutonium mission. Three of the sites have a lobbyist. He said Aiken had to do everything possible to try to get equal time with the other sites to be competitive for missions for SRS.

Council pointed out to Mr. Glinski that Intermedia does not have an exclusive franchise so anyone can set up a cablevision service as long as they meet the requirements of the franchise ordinance.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:10 P.M.

  
Sara B. Ridout  
City Clerk