

Aiken City Council MinutesWORK SESSIONJune 27, 2005

Present: Mayor Pro Tem Sprawls, Councilmembers Clyburn, Cunning, Price, Smith, and Vaughters.

Absent: Mayor Cavanaugh

Others Present: Roger LeDuc, Gary Smith, Bill Huggins, Larry Morris, Glenn Parker, Sara Ridout, J. C. Lexow of the Aiken Standard, representative for the Augusta Chronicle and about 16 citizens.

Mayor Pro Tem Sprawls called the meeting to order at 6:35 P.M. He stated Council had two items to discuss in the worksession, underground wiring downtown and the Labyrinth project at Hopelands Gardens.

UNDERGROUND WIRINGDowntownPark AvenueParkwayElectrical WiringTransformersSCE&GSouth Carolina Electric & Gas Company

Mr. LeDuc stated the underground wiring was provided as information for Council. He stated there was \$1 million in the One Cent Sales Tax Budget to do underground wiring. He said one of the first projects is three poles at the end of Park Avenue and Hayne Avenue near the new condominiums being constructed. He said the project consists of removing those poles, getting rid of the wiring and upgrading the wiring in the area because more wiring is needed for the buildings in the area. He stated the Park Commission at their last meeting listened to a proposal from SCE&G to place a transformer in the parkway at Park and Hayne Avenue. He stated the Park Commission voted to allow a 6 ft. by 8 ft. transformer to be placed in the parkway on Park Avenue opposite the new brownstone being built. As we move forward with undergrounding of electrical lines throughout the old Aiken area, we need to find locations where transformers can be placed. In this situation there are several overhead lines and poles that will be eliminated to feed not only this building, but the Design House behind it and the current ACTS building. As with all future undergrounding, SCE&G will need locations where transformers can be placed.

The Park Commission discussed this issue at length, and they regrettably agreed to place the transformer at this location. They understand that the higher goal is to eliminate the overhead wiring that interferes with the trees and to improve the aesthetics of the area. Therefore, they recommended that the transformer in this situation be located in this parkway and screened with large shrubbery that will camouflage its location. Mr. LeDuc stated this item does not need Council's action, but he wanted Council to be aware of what was happening in this area.

HOPELANDSLabyrinth ProjectEnd of Life CoalitionRobert Wood Johnson Foundation

Mr. LeDuc stated the committee working on the Labyrinth Project in Hopelands Gardens would like to address Council concerning this project to keep Council up to date. The group is receiving a \$10,000 grant from the End of Life Coalition through the initiative of the Robert Wood Johnson Foundation. This money is being used to help enhance the landscaping and the building of this project. Judy Papler-Welliver, Co-chairman of the

project and currently the Chairman of the End of Life Coalition, along with Pat Pennington, who is their liaison with our staff, are present to answer any questions. A pamphlet showing the labyrinth being constructed this summer near the western edge of the Hopelands property has been given to Council for information. The group has been working very closely with Larry Morris on the project.

Ms. Judy Papler-Welliver stated a few years ago the Aiken County Coalition had an initiative that they would like to build a labyrinth. She stated a lot of people had been involved in the project. She stated an application had been submitted to the Robert Wood Johnson Foundation and a grant of \$10,000 was received. She stated the group had been named the Aiken Community Labyrinth Project. She stated the group had met for about 2 1/2 years, and in working with the city and others it was decided that Hopelands Gardens would be a wonderful place to build the labyrinth. She reviewed some information of what a labyrinth is. She pointed out there are thousands of labyrinths across the world, with many associated with cathedrals, parks, hospitals, hospices, etc. She pointed out that the symbol of the labyrinth represents a passage through time and experience. She stated a labyrinth gives an individual time to think and be quiet while walking and a chance to get in touch with ones inner self. She stated the labyrinth would be designed to be used by the entire community on many occasions. She felt it would be a wonderful tool for the community.

In response to a question from Council, Ms. Papler-Welliver stated the labyrinth would be located behind the Doll House in the Color Garden. She stated it would be framed by trees, bushes and flowers. She stated they hoped that the Master Gardeners would help maintain the labyrinth. She stated possibly there would be a pillow at the beginning of the labyrinth that would have instructions on how to walk the labyrinth. She stated it would be about 43 feet in diameter. She described some of the materials that are proposed to be used in the labyrinth with the octagonal design. She stated that the group hoped that the \$10,000 grant would cover most of the materials needed to build the labyrinth, with the City personnel helping with the construction of the project. She stated the group would be asking the community for contributions for benches, pillows, trees, flowers, etc. needed in the labyrinth. She stated a brochure would be developed for members of the community describing the labyrinth. She pointed out that five hospices belong to the End of Life Coalition, and she would like to bring together all members who have lost loved ones during National Hospice Month in November and have a memorial service at the labyrinth in Hopelands.

Mr. Morris stated that it would take about 60 to 90 days for the brick work for the labyrinth. The labyrinth will be located in the area adjacent to the Color Garden in the area where bamboo was located. Mr. Morris stated the project had been coordinated with the Friends of Hopelands in the selection of materials. He said a concern was to select material that will hold up.

Council wished the group much success on the project and felt it would be a great project for the community.

Aiken City Council Minutes

REGULAR MEETING

June 27, 2005

Present: Mayor Pro Tem Sprawls, Councilmembers Cunning, Price, Clyburn, Smith, and Vaughters.

Absent: Mayor Cavanaugh

Others Present: Roger LeDuc, Gary Smith, Bill Huggins, Larry Morris, Glenn Parker, Ed Evans, Anita Lilly, Pete Frommer, Sara Ridout, J. C. Lexow of the Aiken Standard, a representative of the Augusta Chronicle, and about 16 citizens.

Mayor Pro Tem Sprawls called the meeting to order at 7:01 P.M. Mr. LeDuc led in prayer, which was followed by the pledge of allegiance to the flag.

APPROVAL OF AGENDA

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

MINUTES

The minutes of the work session and regular meeting of June 13, 2005, were considered for approval.

Councilwoman Vaughters pointed out that, regarding the tourism ordinance giving the City Manager the flexibility to add a couple of tours, she understood that the Landmark Conference was not in the fall but next spring, and also that they were not using tour buses. She asked that this correction be made to the minutes.

Mr. Gary Smith, City Attorney, stated he also had a change to the minutes. He pointed out that Council had approved an ordinance dealing with the regulations regarding vested rights. He pointed out that in the ordinance under "A. General" the second paragraph needed to be corrected. He said the ordinance stated "At least sixty (60) days prior to the end of the vesting period, the landowner of real property with a vested right may apply to the Planning Director City Council for an annual extension of the vested right. The Planning Director City Council must approve applications for at least five annual extensions of the vested right unless an amendment to the land development ordinances or regulations has been adopted that prohibits approval." He pointed out that in the two sentences the words "City Council" after Planning Director needed to be deleted. He said the Planning Commission had made the recommendation that the Planning Director be given the authority to approve extensions. He said the ordinance should have been clear that it gives the Planning Director the authority to approve applications for extensions of time for the vested right. He asked that Council approve this change in the ordinance, making it clear that the Planning Director is the person who should be applied to for annual extensions and that the Planning Director is the person who would be responsible for approving the applications for extensions.

Councilwoman Price moved that the minutes be approved with the change proposed by Councilwoman Vaughters and the ordinance changed as noted by Gary Smith, City Attorney. The motion was seconded by Councilwoman Clyburn and unanimously approved.

CITY PROPERTY – ORDINANCE 06272005

Shine, Joseph
Barnwell Avenue NE 208
McGhee, Bill
Northside Heritage Preservation Foundation

Mayor Pro Tem Sprawls stated this was the time advertise for second reading and public hearing on an ordinance to sell property at 208 Barnwell Avenue NE.

Councilman Cunning left the Council Room because he may have a potential conflict of interest, since Regions Bank where he is employed is making the loan to the potential buyer to purchase the property.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE APPROVING THE SALE AND CONVEYANCE OF THE PROPERTY OWNED BY THE CITY OF AIKEN LOCATED ON BARNWELL AVENUE IN AIKEN, SOUTH CAROLINA, FORMERLY KNOWN AS THE SHINE PROPERTY, TAX PARCEL NUMBER 30-069.0-04-021.

Mr. LeDuc stated three years ago, the City purchased property consisting of two houses on Barnwell Avenue and a vacant lot on Fairfield Street. One of the homes at the corner of York and Barnwell was renovated, and the house at 208 Barnwell Avenue was deemed structurally unstable and was torn down. The City recently advertised the property for sale on Fairfield Street and received a bid of \$12,000. The other lot had previously been sold to Mr. Joseph Shine, who had planned to build his single-family home on that property. Upon Mr. Shine's unexpected passing, the City recently repurchased this property for \$10,133.69.

As discussed at a recent work session, Mr. Bill McGhee has approached Council on several occasions about the work of the Northside Heritage Preservation Foundation and his desire to relocate a house on this lot. He intends to move the parsonage house from the Wesley United Methodist Church at Fairfield and Barnwell to this site. He will renovate the home and sell it as a single-family house. For these reasons, Council decided at the last meeting to sell him the lot at the same price that they repurchased it from Mr. Shine's estate.

The public hearing was held and no one spoke.

Councilwoman Clyburn moved, seconded by Councilwoman Price and unanimously approved, that Council pass on second and final reading an ordinance to sell property at 208 Barnwell Avenue, NE to the Northside Heritage Preservation Foundation for \$10,133.69.

Councilman Cunning returned to the Council Room.

DEVELOPMENT AGREEMENT – ORDINANCE 06272005A

Clyburn, Bill
Clyburn, Beverly
Sundy Avenue
Edrie Street
Bunche Terrace

Mayor Pro Tem Sprawls stated this was the time advertised for second reading and public hearing on an ordinance to approve a developer's agreement for Bill Clyburn.

Councilwoman Clyburn left the Council Room because of a conflict of interest, since she is an owner of the proposed development.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO ENTER INTO A DEVELOPMENT AGREEMENT WITH WILLIAM "BILL" CLYBURN.

Mr. LeDuc stated that Bill and Beverly Clyburn own approximately 15 acres of land northeast of Asheton Oaks. Their engineer, Ed Dudley, has been working with Larry Morris on developing this property, which will consist of approximately 36 single family residential lots. He said the city had been encouraging, development on the northside.

He said the City had been talking with the Clyburns about the proposed development for a couple of years. He said Mr. Larry Morris, Public Works Director, has compiled a Developer's Agreement for the property.

Mr. LeDuc stated the City has a major drainage problem in this area. About 15 years ago, the City installed a major drainage system in the northeast portion of the city in the Edgewood Subdivision, north of Hampton Avenue and east of Kershaw Street. The 48 inch storm drain pipe outlets at the beginning of this property that will be developed. The City has an easement through the property, but currently the water open flows to the Pace's Run Apartments into a very large open ditch system. This large amount of water in this area has caused a lot of complaints and several safety concerns by the residents, due to flooding and children playing in that area. As part of the Developers Agreement, the Clyburns have agreed to give the City approximately 1 1/2 acres of land where this pipe currently outlets for a regional detention/wetlands area. In exchange for giving us this property, the City would build the detention pond and make it into an amenity similar to what is currently at the wetlands pond at the Hopelands/Rye Patch property. This detention area would outlet through an enclosed pipe system to the eastern side of the property, where another pond would be built to handle the flow from the development itself. Above this piped area, the developer plans to set aside over an acre of property for open space within this neighborhood. The neighborhood association could later decide whether to make this into a neighborhood park with a gazebo and other amenities.

The developers agreement is very straight forward, other than the fact that the property owner intends to give the City land to alleviate a longstanding storm water problem in this area. In turn, the City would build and maintain a wetlands pond within the area.

The public hearing was held and no one spoke.

Councilwoman Price moved, seconded by Councilwoman Vaughters and unanimously approved, that Council pass on second and final reading an ordinance to approve a Developers Agreement for property being developed by Bill and Beverly Clyburn off of Sundry and Edrie Street and that the ordinance become effective immediately.

Councilwoman Clyburn returned to the Council Room at 7:11 p.m.

REZONE – ORDINANCE

Hitchcock Parkway

Foxchase Subdivision

Zoning

Aiken Preparatory School

TPN 089-07-01-001

TPN 00-106.0-02-001

Mayor Pro Tem Sprawls stated an ordinance had been prepared for Council's consideration to rezone property off Hitchcock Parkway west of Foxchase Subdivision.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING THE ZONING OF REAL ESTATE OWNED BY AIKEN PREPARATORY SCHOOL FROM OFFICE/INSTITUTIONAL (O) TO RESIDENTIAL SINGLE-FAMILY STABLE (RSS).

Mr. LeDuc stated Aiken Preparatory School is requesting the rezoning of an undeveloped 40-acre tract located on Hitchcock Parkway from Office/Institutional to Residential

Single-Family Stable. The property was annexed in July, 2001 to be developed as a campus for the Prep School, but has remained vacant.

The Prep School has changed their plans for this property and would like it zoned Residential Single Family Stable (RSS) which has a minimum lot size of 3 acres. The purchaser of the property would develop it into smaller lots, and we feel based on the need for roads, stormwater detention and other site improvements that no more than about 10 houses could be built on this property. The RSS zoning allows pleasure stables and must meet certain maintenance standards.

The Planning Commission unanimously approved this annexation with the proviso that the three conditions approved in July, 2001, remain with this property.

1. that there only be one driveway into the property and it be aligned with Rinehart Way.
2. that the applicants construct turn lanes into the property from Hitchcock Parkway.
3. that there be a buffer at least 50 feet in depth along the boundary with Foxchase Subdivision.

Mr. LeDuc pointed out that these three conditions were placed on the property when it was annexed into the city intending to have a school on the property. He stated obviously not having a school on the property, Council may want to change some of the conditions. He pointed out that if Rinehart Way is lined up with the roadway directly there is not room for a 50 foot buffer, but possibly a 25 foot buffer. He pointed out typically when there are two single family developments of this size backing up to each other, there is no buffer. He stated Council may want to amend condition 1 or if Council wants to leave the condition, then condition 3 probably needs to be changed to a 25 foot depth buffer. He said condition 2 was placed with the understanding there would be a school on the property and there would be a lot of cars going back and forth to the school. He said now, however, there would only be a few, possibly 10 small farms. He said there may be no more than 100 cars a day, so a turn lane may not be needed from Hitchcock Parkway into the development.

For City Council consideration, this is first reading of an ordinance to rezone property currently owned by Aiken Preparatory School along Hitchcock Parkway from Office/Institutional to RSS.

Councilwoman Vaughters pointed out there were several people at the Planning Commission meeting to talk about the proposed rezoning. She wondered if anyone was present to speak on the rezoning at this meeting.

Mayor Pro Tem Sprawls asked if anyone was present who wanted to speak on the proposed rezoning. No one asked to speak.

Council discussed the recommended conditions from the Planning Commission. It was pointed out that if the buffer was 50 feet the road would not line up with Rinehart Way. It was suggested that at Hitchcock Parkway the buffer could be 25 feet, and then the roadway curve further in on the property so there could be a 50 foot buffer.

Councilman Cunning stated that from a safety standpoint, he felt the road should be lined up and the buffer could be 25 feet at the entrance off Hitchcock Parkway, and then further into the property the buffer could be 50 feet. He stated he also felt that the turn lanes off Hitchcock Parkway should be considered by the traffic engineer. He pointed out even though there would not be very many cars in and out of the development, Hitchcock Parkway is a very busy road and the deceleration lane into the development would be a safety factor also.

Councilwoman Price asked if drainage problems on the property had been corrected. Mr. LeDuc pointed out that any drainage problems would have to be taken care of with the proposed development. He said some kind of detention pond would be required. It was pointed out the proposed development with only 5 to 10 lots would have much less drainage problems than there would have been with the proposed school on the property.

It was pointed out that the request is for rezoning of the property. It was pointed out that subdivision of the property would be handled by the city departments involving subdivision approval and utilities and drainage. Council also discussed whether they should have a condition that only 10 lots would be allowed on the property.

Ms. Judy Rearden stated she was present representing her sister Tara Bostwick, and she could not answer whether a condition of 10 lots on the property would be acceptable. She stated Ms. Bostwick feels that the request for rezoning would be a very compatible use in the area and would protect that area of the woods from becoming a high density subdivision. She stated it was the intention of the Prep School to allow this portion of the woods to be another type of Foxchase Subdivision with as much green space as possible.

Mr. LeDuc stated that in looking at the property staff felt that with the infrastructure needed and the roadway, that about 25% of the development would be taken up by infrastructure. He stated 25% of 40 acres would be about 30 acres, and with a minimum of 3 acre lots, there could be about 10 lots. He said, however, if Council wants to place a condition of only 10 lots on the property, this could be discussed with the Prep School officials.

Councilman Cunning moved, seconded by Councilwoman Price and unanimously approved, that Council pass on first reading an ordinance to rezone property of Aiken Prep School from Office/Institutional to Residential Single-Family Stable located off Hitchcock Parkway with the conditions: (1) that there only be one driveway into the property and it be aligned with Rinehart Way, (2) that the applicants construct turn lanes into the property from Hitchcock Parkway and (3) that there be an untouched buffer at least 25 feet at the entrance to the property off Hitchcock Parkway, and once the roadway has entered the development, that the roadway be curved so the buffer could be a 50 foot untouched buffer between it and Foxchase Subdivision. Second reading and public hearing of the ordinance will be held at the next regular meeting of Council.

ANNEXATION – ORDINANCE

O'Neal, Albert Sr.
Virginia Avenue 2803
TPN 104-19-08-002
TPN 30-016.0-02-004 (old)
Church Street
Pine Drive
Vaocluse Road

Mayor Pro Tem Sprawls stated an ordinance had been prepared for Council's consideration to annex property at 2803 Virginia Avenue.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF .24 ACRES OF LAND, OWNED BY ALBERT E. O'NEAL, SR., AND LOCATED AT 2803 VIRGINIA AVENUE AND TO ZONE THE SAME RESIDENTIAL SINGLE-FAMILY (RS-10).

Mr. LeDuc stated that Albert O'Neal, Sr. would like to annex 0.24 acres of property at 2803 Virginia Avenue under the RS-10 zoning. The applicant is interested in receiving city services and a single family house currently occupies the site. The proposed RS-10 zoning is compatible with the adjoining area and meets the minimum lot size requirements.

The Planning Commission unanimously approved this annexation at their June 14, 2005, meeting.

Councilwoman Clyburn moved, seconded by Councilman Cunning and unanimously approved, that the ordinance be passed on first reading to annex property at 2803 Virginia

Avenue under the RS-10 zoning and that second reading and public hearing be held at the next regularly scheduled meeting.

ZONING ORDINANCE – ORDINANCE

Amendment

Large Retail Projects

Big Boxes

Mayor Pro Tem Sprawls stated an ordinance had been prepared for Council's consideration to amend the Zoning Ordinance regarding large retail projects.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING SECTION 3.3.15 OF THE ZONING ORDINANCE REGARDING LARGE RETAIL PROJECTS.

Mr. LeDuc stated last year City Council adopted an ordinance to ensure that the development, renovation, and expansion of large retail projects are compatible with the future plans for the City of Aiken. Section 3.3.15 states that this ordinance applies to any new large retail projects or for those which due to alterations, renovations, or expansions exceed 50% of the appraised value of the development as set by the Aiken County Tax Assessor's Office.

Mr. LeDuc stated the request pertains to the old Lowe's building on Whiskey Road. He stated Todd Blair is present and he is asking City Council to consider amending the ordinance to allow the appraised value of projects to be determined by a certified general appraiser licensed by the State of South Carolina or the Aiken County Tax Assessor. He's requesting this because the current Hobby Lobby was purchased when Lowe's was a vacant building, and the assessed valuation was very low. Since that time several improvements have been made to the building, and the bank's appraisal is well in excess of that set by the Aiken County Tax Assessor. Mr. Blair has a project to add to the north side of the current Hobby Lobby building. The addition would be about 15,000 square feet, and the current large retail ordinance says that any time there is an expansion which exceeds 50% of the appraised value of the development as set by the Aiken County Tax Assessor's Office the developer would have to follow the regulations under the Large Retail Projects Ordinance. When Mr. Blair checked on the assessed value of the property at Aiken County, the value was far lower than his appraisal. Mr. Blair feels that the value by the Tax Assessor does not fully reflect the true value of the property. He feels that if the assessed value did reflect the true value of the property currently the new proposed building would be far less than the 50% value as required in the current Zoning Ordinance. He is asking City Council to consider changing the ordinance to more truly reflect what was the intention of this ordinance. Currently there are seven Aiken certified appraisers as per the state licensing authority that could do this type of appraisal.

Mr. LeDuc stated that when the appraiser for the bank loan completed his work the loan was for \$3.5 million. The new building of 15,000 square feet will cost a little over \$1 million. Based on that scenario, the project would not exceed 50% and therefore the large retail project regulations would not apply.

Mr. Blair is asking that City Council consider amending the ordinance to state that the 50% value would be determined by the County Assessor's valuation or the appraised value from a certified appraiser in the State of South Carolina, whichever is higher.

Mr. LeDuc stated he had talked with the Planning Department staff and their viewpoint is that the 50% value was always considered to be the true value of the building, not some lower value. He pointed out another example of a low assessed value. He stated when the Washington Center was originally built, the City loaned \$3.5 million to the Aiken Corporation for the construction of the building, yet the appraised value on the building by the Treasurer's Office is at \$1.9 million, so the assessor tends to use a lesser value than the actual true value of the property. Mr. LeDuc stated if Council decides to approve the ordinance on first reading it needs to be sent to the Planning Commission for review and a recommendation to Council on the proposed change to the Zoning

Ordinance. After Planning Commission's review the ordinance would come back to City Council for second reading.

Council discussed the request at length. Councilman Smith asked if Council did not approve the request what would happen.

Mr. LeDuc stated if Council did not approve the request, the City would have to use the appraised value by the Aiken County Assessor's Office, which was about \$1.5 million, and therefore the regulations for large retail projects would apply for the property in total. It was pointed out that the proposal is to add a 15,000 square foot building for a tenant adjacent to the Hobby Lobby building, which is the old Lowe's building.

Councilman Cunning stated he felt the request should be looked at in context with the big box ordinance which Council approved. He stated the big box ordinance involved a lot of work by a lot of people, and Council should be careful in making any changes. He stated Council needed to be sure any changes did not change the intent of the big box ordinance. He stated he would like to send it to the Planning Commission for study and a recommendation.

Mr. Todd Blair, of Atlanta, Georgia, stated in reading the Large Retail Ordinance, if the assessed value of the Hobby Lobby building were accurate the ordinance would not apply to the addition, because the cost would not be 50% of the assessed value of the current building. He stated the Hobby Lobby has a lease that precludes his constructing the new building without approval of the existing tenant, Hobby Lobby. He stated to construct the new building would require that the current parking lot be dug up, landscaping be done with islands and new plants, trees, and an irrigation system installed. He said Hobby Lobby is not interested in participating in the costs to improve the present parking lot which would be required by the Large Retail Ordinance. He said Hobby Lobby is pleased with what they have now. He said the alternative is to wait until the assessor changes the valuation and, if the tenant is interested at that time, pursue the matter then. He said since the property is not assessed at the true value, he had been to the Assessor's Office to get the value raised, but the State restricts his ability to raise the value unless it is done at the first of the calendar year or when property is reassessed in 2007. Mr. Blair stated he was not asking that his property be assessed at a higher tax value, as this was turned down by the Assessor. He stated in reading the Large Retail Ordinance, he thought the intent of the ordinance was that if an expansion or renovation does not exceed 50% of the appraised value it could proceed. He said he was at the point to proceed with engineering drawings and a lease, but could not because of the Large Retail Ordinance. He stated he did not feel that traffic would be an issue at this location, as the tenant is a low traffic generator. He stated he was not trying to circumvent any ordinance. He said he has a long term lease with Hobby Lobby, and they are not willing to participate in the expenses involved and the inconvenience of tearing up the parking lot when they don't need the change for their business. He said it is the overall economics of the requirements. He said his question is the assessed value. He said the problem is that the assessed value for the building is incorrect and with the addition triggers the requirements of the Large Retail Ordinance. He said he has tried to get the assessed value changed, but cannot in the immediate future.

Mr. LeDuc stated the major requirements with the addition for the property are a landscaping plan and lighting for the area.

Council continued to discuss the request at length and felt that they really needed to look at this matter thoroughly because if they change something it will affect other parts of town also. Council felt that the Planning Commission needed to study the matter to see how this might affect the overall ordinance.

Councilman Cunning stated unless the matter is studied Council will not know if there should be a change or not.

After much discussion Councilwoman Price moved, seconded by Councilman Cunning and unanimously approved, that Council ask the Planning Commission to study the matter of large retail projects and make a recommendation to City Council.

SIGNRight of Way
Railroad Depot

Mayor Pro Tem Sprawls stated the city had received a request to erect a sign in street right of way on Union Street.

Mr. LeDuc stated the City has received a request from the Railroad Depot Committee asking the City to install a 4' by 6' sign back to back on Union Street on the property which would be the site of the railroad museum in the replica 1899 depot station. The sign would state:

SOUTH CAROLINA RAILROAD AND CANAL COMPANY
SITE OF THE LAST PASSENGER STATION IN AIKEN
BUILT IN 1899

FIRST SUCCESSFUL STEAM RAILROAD IN AMERICA
AND
THE LONGEST RAILROAD IN THE WORLD – 1833

A RECONSTRUCTED REPLICA OF THE 1899 STATION WILL
BE BUILT ON THIS ORIGINAL SITE AS A RAILROAD MUSEUM

CONTACT AIKEN DOWNTOWN DEVELOPMENT ASSOCIATION

The Railroad Depot Committee would like the sign installed and to remain at this location until the Depot construction begins. They anticipate this construction to take place sometime within the next year.

Mr. LeDuc stated in looking at the deeds for the property, it appears that the City of Aiken gave the railroad the property to install the railroad station. He said after the railroad station was removed it is unclear as to who owns the property. The railroad states they do not own the property and that the City of Aiken gave permission for the railroad station. He stated, however, the tax records show a tax parcel number, which indicates that someone owns the property. He said the city's research would basically indicate that the City does own the property. He said the ordinance states that if a sign is placed on city right of way, it needs Council's approval. Also, the ordinance states that the sign should be no larger than 5 square feet. He said Council could approve the request and ask the Railroad Committee to go to the Board of Zoning Appeals for a variance in the size, or Council could amend the ordinance and not have the 5 square foot provision in the ordinance. He said the complication regarding the sign came to his attention today. He said if the sign is allowed Council would have to approve it. He said Council could approve it and the Committee could ask for a variance from BZA, or Council could amend the ordinance regarding the size of the sign. He pointed out that Council has approved signs in the past, but they have been small signs.

Councilman Cuning moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the erection of the sign requested by the Railroad Depot Committee and that the Committee appeal to the Board of Zoning Appeals for the sign size. The general consensus of Council was that they did not want to amend the ordinance regarding sign size allowed.

BIDSGarbage Trucks
Public Works Department

Mayor Pro Tem Sprawls stated Council needed to consider approval of purchase of two garbage trucks.

Mr. LeDuc stated about one month ago the City was involved in a head on collision between two city garbage trucks. Due to their age and the condition after the accident

June 27, 2005

they were both declared "totaled." He pointed out the City does not have a spare truck and needs two trucks as soon as possible.

On Tuesday, June 21, 2005, the City received bids for two new trucks and service bodies. The low bid was \$246,386. These trucks are needed as soon as possible since we are now using our spare trucks for our regular routes, and if any of those trucks break down our recycling operation has to be mixed with the household garbage. Funding for these trucks is available through the accumulated depreciation for these trucks, our insurance on the trucks, and our Holding Funds.

Councilman Cunning moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the purchase of two garbage trucks at \$246,386 from Greenville Sterling Truck Center, the low bidder.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:00 P.M.



Sara B. Ridout
City Clerk