

Aiken City Council Minutes

October 27, 1997

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

Others Present: Steve Thompson, Gary Smith, Roger LeDuc, Anita Lilly, Carrol Busbee, Stanley Quarles, Bill Huggins, Ed Evans, Terry Rhinehart, Andy Anderson, Sara Ridout, Tom Smith of the Aiken Standard, Chasiti Kirkland of the Augusta Chronicle, TV Channel 6, and 20 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 executive session of October 2, 1997, the regular meeting of October 13, 1997, and the special meeting of October 16, 1997, were considered for approval. Councilman Radford moved that the minutes be approved as corrected. The motion was seconded by Councilwoman Price and unanimously approved.

BOARDS AND COMMISSIONSAppointmentsEnvironmental CommitteeBrown, CharliePark CommissionBarnett, MaryGeneral Aviation CommissionHawkins, Richard

Mayor Cavanaugh stated Council needed to consider appointments to the various boards and committees of the city.

Mr. Thompson stated City Council appoints volunteers to the Boards and Committees of the city, and Council needs to consider appointments to the Environmental Committee, the Park Commission, and the General Aviation Commission.

The process adopted by City Council includes nomination by individual members of Council for these volunteers, with confirmation by the full Council. Councilwoman Clyburn has suggested reappointment of Charlie Brown to the Environmental Committee with the term to expire December 31, 1998. Councilwoman Clyburn has also suggested reappointment of Mary Barnett to the Park Commission with the term to expire December 1, 1998.

Councilwoman Clyburn moved, seconded by Councilman Anaclerio and unanimously approved, that Charlie Brown be reappointed to the Environmental Committee with the term to expire December 31, 1998, and that Mary Barnett be reappointed to the Park Commission with the term to expire December 1, 1998.

Mr. Thompson stated Mayor Cavanaugh has recommended reappointment of Richard Hawkins to the General Aviation Commission with the term to expire September 1, 1999.

Mayor Cavanaugh moved, seconded by Councilman Radford and unanimously approved, that Richard Hawkins be reappointed to the General Aviation Commission with the term to expire September 1, 1999.

TAXES - ORDINANCE 102797Penalty Dates1997-98

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to adopt penalty dates for collection of taxes for fiscal year 1997-98.

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 1997-1998.

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. Again this year the city is unable to send out the tax notices at the usual time, and the staff is recommending that City Council adjust penalty dates to apply to the present fiscal year.

Under state law the city is required to accept tax records and information from Aiken County, and Aiken County is continuing to struggle with problems with their tax records. The city's standard penalty dates are based on distribution of the tax bills right after Labor Day of each year, but the tax information has just been received from Aiken County, and the tax bills will be mailed out within the next few weeks. Based on this schedule, the staff is recommending that the penalty dates be shifted to start on December 8, 1997. We do not recommend that we move this to coincide with the penalty dates of Aiken County. We have found that many of our customers have a difficult time paying both taxes at the same time. In the long term we hope to go back to the schedule of sending the tax bills out in September of each year.

The public hearing was held and no one spoke.

Councilman Radford moved, seconded by Councilwoman Price and unanimously approved, that Council pass on second and final reading an ordinance to adopt a temporary new payment and penalty schedule for taxes for the fiscal year beginning July 1, 1997, establishing penalty dates for late payment after December 8, 1997.

HIGHLAND PARK GOLF COURSE- ORDINANCE 102797A

Sale of Lots
Reardon, Kenneth
Highland Park Drive
Golf Course

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to allow construction on property conveyed to Kenneth Reardon.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING THE DEED TO HIGHLAND PARK COUNTRY CLUB TO CONFORM TO SOUTH CAROLINA DEED REQUIREMENTS.

Mr. Thompson stated that Mr. Kenneth Reardon has requested that City Council lift the restriction against construction on his lot that he has purchased from the Highland Park Country Club.

In February, 1996, City Council approved the sale of five lots taken from the Highland Park Country Club at the request of Mr. James McNair, owner of the Golf Course. At the meeting in February, Mr. McNair suggested that if he is allowed to sell off five lots from the Country Club property, that it would allow him to improve the property and to make it more competitive with other public and private golf courses in the area. City Council approved the sale of five lots from the Country Club with the restriction on the sale of the property to be purchased by Mr. Kenneth Reardon, of Hillcrest Avenue. With Mr. Reardon's consent, this was restricted from construction, and is listed as an unbuildable lot. There were some concerns about visibility to the golf course at that time.

Mr. Reardon would like to extend his home at some future point into this lot. Mr. Gary Smith, the City Attorney, has pointed out that City Council would have to look at this as allowing a new home to be built on this lot, as the property owner would have the ability to build a new home or other structure on this lot if given consent to build on the lot.

The public hearing was held and no one spoke.

Councilwoman Price moved, seconded by Councilman Radford and unanimously approved, that the ordinance be passed on second and final reading amending the ordinance allowing the sale of 5 lots from the Highland Park Golf Course to allow construction on the lot sold to Mr. Kenneth Reardon and that the ordinance become effective immediately.

STREET - ORDINANCE 102797B

Aberdeen Drive
Woodwinds Estates
Hickory Ridge Drive
Dedication

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to accept dedication of Aberdeen Drive into the city street system.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ACCEPTING THE DEDICATION OF A PORTION OF A FIFTY (50') FOOT RIGHT OF WAY OWNED BY HOUNDSLAKE CORPORATION CONSISTING OF A PORTION OF ABERDEEN DRIVE.

Mr. Thompson stated during the development of Woodwinds Estates, the developer requested that the city accept the streets and utilities into the city's system. The request did not include a portion of Aberdeen Drive between Woodwinds Estates and Hickory Ridge Drive, and the developer has now asked that the city accept ownership through a quit claim deed on this street.

The staff has evaluated the street and is satisfied that the street is constructed to the same standards of the other streets and utilities in Woodwinds Estates, and the staff is recommending acceptance to City Council.

The public hearing was held and no one spoke.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass the ordinance on second and final reading accepting ownership of Aberdeen Drive into the city street system and that the ordinance become effective immediately.

STATE REVOLVING FUND - ORDINANCE 102797C

Amendment
Insurance
Debt Service Reserve Surety Policy
State Budget & Control Board
Water and Sewer Bonds
Surety Bond
Bonds 1997
Loan Agreement

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance amending the State Revolving Fund Loan Agreement and authorizing a Debt Service Reserve Surety Policy.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AUTHORIZING AN AMENDATORY LOAN AGREEMENT AND A DEBT SERVICE RESERVE SURETY POLICY.

Mr. Thompson stated that in 1977 and 1990 and in a loan executed with the State of South Carolina in 1989, the loans included a restriction that required that the city establish a Debt Service Reserve Fund which is essentially the city putting money into a savings account to insure that the city will make the payments on the accounts. Since the dates of those debts the system has changed. Instead of establishing a reserve fund a reserve policy can be purchased which is basically an insurance policy saying the city will continue to make the loan payments. At the present time the city has about \$1.5 million in a reserve fund which can't be touched, but by buying an \$8,000 insurance policy the city can take that money and apply it with the other savings of the refinancing of the 1997 debt and achieve essentially a savings of \$3.5 million. This is a substantial savings overall to the city through changing the restrictions on the earlier debt.

Mr. Thompson stated the ordinance changes the restrictions on the earlier debt to eliminate the requirement for a holding fund and instead purchase an insurance policy to guarantee that the city will make the loan payments.

The public hearing was held and no one spoke.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that Council pass on second and final reading an ordinance authorizing an amendatory loan agreement and a Debt Service Reserve Surety Policy.

PARTNERS IN FRIENDSHIP

Resolution

Orvieto, Italy

Mayor Cavanaugh stated a resolution recognizing the city's Partnership in Friendship with Orvieto, Italy, had been prepared for Council's consideration.

Mr. Thompson stated City Council and other leaders in the Aiken community supported a partnership with the City of Orvieto, Italy, very similar to the Sister City Program that other cities have entered. The Rotary Clubs and other organizations involved in this process picked the city they preferred for a partnership. Previously City Council agreed to support this partnership and visitors from Orvieto, Italy, will be visiting Aiken November 11 - 14, 1997. Mayor Cavanaugh and the Mayor from Orvieto suggested they would like to see a joint resolution supporting the partnership and also an agreement outlining how the cities are involved and how they will interact.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that Council pass the resolution supporting the Partners in Friendship relationship with Aiken, South Carolina, and Orvieto, Italy.

PARTNERS IN FRIENDSHIP

Agreement

Orvieto, Italy

Mayor Cavanaugh stated an agreement had been prepared for the Partners in Friendship Program with Orvieto, Italy. He asked that Council consider adoption of the agreement.

Mr. Thompson stated under the Partners in Friendship Program, the City of Aiken and the City of Orvieto, Italy, have agreed to cooperate and continue to build on the relationship between the residents of both cities. The Mayor and members of the Orvieto City Council have suggested that the two cities adopt a formal agreement with the following duties:

1) to maintain institutional ties between the municipalities and to promote reciprocal understanding, friendship, and fraternity between the citizens of the two cities and the respective countries.

2) to promote exchanges between the citizens of the two communities for the purpose of developing reciprocal knowledge in the fields of arts and culture, economics, commerce, education, government, health care, science and technology, and tourism; and to contribute with the utmost effort, to reinforcing the ties, promote well-being, development and understanding between the two cities; and

3) to join forces in helping, with the best possible means, the success of this initiative in fostering peace and prosperity in our communities.

Mr. Thompson stated on approval of Council the agreement would be signed by Mayor Cavanaugh and Mayor Cimicchi to demonstrate this commitment and bond. Mayor Cavanaugh has been working very extensively with the Mayor of Orvieto to bring this agreement forward.

Councilwoman Price moved, seconded by Councilwoman Clyburn and unanimously approved, that the Mayor be authorized to execute the Partners in Friendship agreement with the City of Orvieto, Italy.

AIRPORT

Consultant

Dickson, W. K.

Aiken Airport

Municipal Airport

Mayor Cavanaugh stated Council needed to consider selection of a consultant for the airport.

Mr. Thompson stated the city maintains a relationship with a consultant to help advise with airport related issues. The consultants help with design issues on capital projects and technical issues in working with the FAA, with pilots, etc. Periodically the city changes consultants. The General Aviation Commission has reviewed the arrangement with the present consultant. They are not dissatisfied with the consultant but felt the city should make a change.

The consultant helps us in many ways, as we maintain the airport master plan and we develop engineering and design plans for future projects at the airport. The city staff does not and will never have the kind of expertise necessary to meet some of the challenges at the airport, because we do not try to hire that type of speciality. Instead, we rely on the consultant to advise us on upcoming legislation affecting airports, rules and regulations concerning airports, and with the design of taxiways, runways, terminal buildings, and other structures at the airport.

The Aviation Commission has worked with the city staff and has interviewed several firms on this issue, and has recommended that the firm of W. K. Dickson be retained. The city has worked with W.K. Dickson previously and has been satisfied with their work. Also, two of the principals of W. K. Dickson worked with the city during the 1970's and 80's, which were some good years for the airport for development projects. The Commission is satisfied that W. K. Dickson can help us with the projects under consideration at the airport, and will also be able to help develop a master plan and design plans for these projects. The General Aviation Commission recommends that Council retain W. K. Dickson as consultant for the airport under a 5 year contract.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that Council accept the recommendation from the General Aviation Commission to retain the firm of W. K. Dickson under a five year contract for assistance at the Aiken Municipal Airport.

DONATION - ORDINANCE

376 Hill Avenue
Osbon Family
Park
Recreation Facilities
Playground

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to accept donation of property at 376 Hill Avenue from the Osbon family.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ACCEPTING THE DONATION OF TWO TRACTS OF LAND FROM THE FAMILY OF GEDDINGS AND BESSIE OSBON WITH TAX MAP PARCEL NUMBER 30-041.0-07-003 AND 30-041.0-04-003.

Mr. Thompson stated City Council has received an offer from Mr. James B. Osbon, representing the Osbon family, to donate some property located at 376 Hill Avenue to the City of Aiken.

Mayor Cavanaugh has been working with the Osbons to develop a way for the family to donate the former homestead of their parents to the City of Aiken. The Osbons are offering this property for development as a city park. Under the conditions outlined in this donation, the Osbons are proposing that the city combine this donation with the present parkway now owned by the city immediately in front of this property, to make a much larger city park. The Osbon family is offering this on the condition that the property be converted to a park within five years, and if the park is not possible then the property would revert to ownership of the Osbon family. The city would also be restricted from selling the property or converting it to other uses for at least 35 years. Another restriction is that a perimeter of the parkway be established with fencing or hedging and that a sign be placed recognizing the family's contribution.

Mr. Thompson stated the Osbons would like to donate the property to the city and his recommendation is that Council accept this donation, and that over the next five years we convert this to a larger open space or playing field. Some of the kids in the neighborhood could use additional soccer or pick-up game fields, and of course as this is moved forward there may be other plans as well, including playground development, etc. At this time we would plan on

demolishing the home on the property, and instead mark the location with the appropriate signs, as requested by the Osbon family.

If the city assumes ownership of this property, we would move forward over the next year or two with the development of Osbon Park. There is a small piece of property located between the Osbon tract and Highway 19, and at some future point the city may wish to purchase this property to provide access and frontage on Highway 19.

Council discussed the proposal for the donation of property. Council asked about the home located on the property and wondered if the home could be used by some agency or moved to another location for a home for someone. Mayor Cavanaugh stated the family had strong feelings about the home, which is the home place, and he thought the family would prefer that no one live in the home. He pointed out the home is not in good condition and would cost a lot to repair.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that Council pass the ordinance on first reading accepting the donation of property at 376 Hill Avenue and that second reading be set for the next regular meeting of Council.

ANNEXATION - ORDINANCE

Cumberland Village

S.C. 421

S.C. 478

Hitchcock Parkway

By-Pass

Tax Parcel No. 00-104.0-01-173

Mayor Cavanaugh stated an ordinance had been prepared for first reading to annex Cumberland Village.

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 34.65 ACRES OF LAND, MORE OR LESS, OWNED BY MARRINSON GROUP, INC., AND LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 421 AND SOUTH CAROLINA HIGHWAY 478 AND BEING KNOWN AS A PORTION OF TAX MAP PARCEL NUMBER 00-104.0-01-173 AND TO ZONE THE SAME PLANNED UNIT DEVELOPMENT (PUD).

Mr. Thompson stated City Council has received a request for annexation of the property occupied by the Cumberland Village Retirement Complex.

Mr. Thompson stated that City Council approved utilities for the Cumberland Village complex in 1994, on the condition that the company bring forward a request for annexation within three years after the issuance of the building permit. The staff has been working with the developers and engineers on the project to assist with this annexation. This is a request to annex a total of 34.65 acres, now partially occupied by the Cumberland Village complex. The property is contiguous to the City of Aiken, and the developers seem to have met all of the city's conditions. This is a very attractive development, and has been a real asset in the Aiken community. The annexation request has been reviewed by the Planning Commission and recommended for annexation.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that the ordinance be passed on first reading annexing 34.65 acres of property located at the intersection of S.C. 421 and Hitchcock Parkway (SC 478), including Cumberland Village and that second reading and public hearing be set for the next regular meeting of City Council.

ACCOMMODATIONS TAX FUNDS

Requests

Recommendations

Mayor Cavanaugh stated Council needed to consider the recommendations of the Accommodations Tax Committee for expenditure of Accommodations Tax Funds.

Mr. Thompson stated the Accommodations Tax Advisory Committee has reviewed the requests for funding under the Accommodations Tax process, and does have recommendations for City Council for the use of these funds. This recommendation includes the listing of projects approved at the meeting of

October 8, 1997, and a subsequent request for funding submitted after all proposals had been received and accepted.

Mr. Thompson stated Accommodations Tax Funds are generated through the rental of hotel and motel rooms and camping sites, and this 2% tax is available for activities that directly benefit tourism and generate additional tourism dollars. Over the years the Accommodations Tax Committee has emphasized that these activities should generate overnight stays, in keeping with the program guidelines. In the past the committee has also emphasized that projects should be funded for a maximum of 3 years, to encourage development of other funding sources and other projects. The committee has recommended against a limitation on these organizations. Some of the projects recommended for approval have received several years of funding. The Committee is recommending funding at the following level:

<u>Organization/Project</u>	<u>Requested Amount</u>	<u>Recommended Amount</u>
Aiken Soccer Club	\$10,000	\$10,000
Aiken Lobster Race/Oyster Parade	2,400	2,400
Aiken Steeplechase	10,000	10,000
Josef Hoffman Piano Comp.	900	900
Aiken County Museum Brochure	1,200	1,200
S.C. Catholic Youth Basketball	2,000	2,000
Ann. State Urban Forestry Conf.	1,700	1,000
Aiken Corp/Downtown Dev. Corp.	3,700	3,700
Tri-Development Center	2,250	1,000
Links, Inc. Festival of Trees	10,000	1,000
Aiken Center for the Arts	35,000	25,000
Aiken City Parks & Rec. Dept.	1,000	1,000
Totals	\$80,150	\$59,200

On approval of these requests, this would leave approximately \$5,783 available for use on future projects, but the Committee received a request for funding from the Battle of Aiken after the meeting. The chairman of the committee, Sam Erb, suggested that members of the committee be polled for funding out of the balance of these funds, and the committee has recommended providing the balance of funds to the Battle of Aiken.

The Committee also approved \$25,000 for a portion of the city's contribution to the Aiken 20/20 organization, and this is included in the recommendation as well.

Mr. Thompson stated the Accommodations Tax Committee is recommending that the city fund the above projects with Accommodations Tax Funds, including a contribution of \$25,000 towards the Aiken 20/20 organization and \$5,783 for the re-enactment of the Battle of Aiken from the Civil War. The total recommendation of the Accommodations Tax Committee is \$89,983.

Mr. Rhinehart reviewed for Council the amount of monies available for funding, pointing out that some monies are carried over most years if the full allocation is not spent.

Councilman Anaclerio pointed out that the Lobster Race had been funded for several years. He said he thought it was a policy to limit funding to three years. He pointed out the program had been very successful. He also asked about funding for the Tri-Development Center.

Ms. Jan Cwalina, representing the Accommodations Tax Committee, stated the Committee had discussed a time limit for funding projects, but no formal policy had been established for funding for a certain number of years. She pointed out the Lobster Race was a very good tourism related project and generally speaking the Committee felt the projects should continue to be funded and not have a cut off policy if funds were available. She pointed out the Tri-Development project was an "Aiken and the Arts" type of project, a tour of the art facilities and various artists around the community. She said it was a project which would bring people to Aiken. She stated the Tri-Development Center held a similar project in the spring, and it was very successful and brought in a lot of people.

Mayor Cavanaugh stated he understood the Battle of Aiken request came in late but the Committee recommended funding for the request. He asked why the

Committee did not recommend more for the Festival of Trees project when the request was submitted on time.

Ms. Cwalina pointed out the Battle of Aiken is a proven tourist attraction with about 14,000 in attendance. She stated the Committee's thinking on the Link's project was that it was a new, unfamiliar project, and the Committee felt that it would not necessarily generate overnight stays. She said the Committee considers overnight stays as a major factor since funds come from overnight stays. The Committee felt that \$1,000 would help with advertising and would help the project the first year.

Councilwoman Price pointed out she felt there were several other projects on the list which she felt were questionable as to whether they generate tourism. She pointed out the Committee's recommendation for the Festival of Trees was only 1/10th of the amount requested and other requests received at least one-half of their request. She felt the project would bring tourists. Councilwoman Price also pointed out she could not understand the Committee recommending funding for the Battle of Aiken when they got their request in late.

Ms. Cwalina stated it was a consideration by the Committee as they did not want to set a precedent, but they felt the Battle of Aiken definitely generated tourism.

Mr. Pete Peters, representing the Battle of Aiken, stated none of the people involved saw the ad for submittal of projects for the Accommodations Tax funds. He said he just happened to go into the office to ask when submittals were due and was told he was late. He pointed out the Battle of Aiken had about 14,000 in attendance last year. He said the Battle of Aiken is in competition with other history events and history based tourism is one of the fastest growing types of tourism. He said the Battle of Aiken would really be affected if it did not have funds for advertising. He said the advertising was very effective last year. He said the directors have put this on the calendar so it does not happen next year. Mr. Peters stated he would question Council's decision making if the funds were limited to three years of funding. He pointed out the funds are generated from taxes from the hotels and motels and if a project brings tourists in for overnight stays he would question limiting the number of years for funding a project.

Ms. Audrey Ogletree, President of the Aiken Chapter of the Links, Inc., stated Links is a non-profit public service organization engaged in civic, educational and intercultural activities. She stated the organization will present the Aiken Festival of Trees at the Aiken Mall November 29 - December 6, 1997. She stated they felt the Festival of Trees will increase the holiday traffic at Aiken Mall, provide family activities that will bring visitors to the area and offer another option which increases staying time in the area to shop, etc. She stated the request for funds was presented to the Accommodations Tax Committee on time and Links is requesting that Council increase the recommended amount to at least 50% of the request of \$10,000.

Ms. Donna Moore, stated she is in charge of public relations and publicity for the Aiken Festival of Trees. She pointed out that advertising is expensive for the event and \$1,000 would not cover the advertising for billboards, TV commercials, newspaper ads, etc. She also pointed out that Links' application for funds was in on time. She felt that Council should not set a precedent by allowing funds to be granted to an organization that did not get an application in on time.

Councilman Radford stated he would like to move that Council fund \$5,000 to the Battle of Aiken, deduct \$3,000 from the Aiken Center for the Arts making \$22,000, and take the \$3,000 from the Arts Center plus \$783 from the Battle of Aiken and add this to the Links funding making \$4,783 for Links. He said he felt this would be a good compromise. The motion was seconded by Councilwoman Papouchado and unanimously approved.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the remaining recommendations of the Accommodations Tax Committee as recommended. Councilman Perry did not participate in the vote.

The funding approved by Council is as follows:

<u>Organization/Project</u>	<u>Requested Amount</u>	<u>Recommended Amount</u>
Aiken Soccer Club	\$10,000	\$10,000
Aiken Lobster Race/Oyster Parade	2,400	2,400
Aiken Steeplechase	10,000	10,000
Josef Hoffman Piano Comp.	900	900
Aiken County Museum Brochure	1,200	1,200
S.C. Catholic Youth Basketball	2,000	2,000
Ann. State Urban Forestry Conf.	1,700	1,000
Aiken Corp/Downtown Dev. Corp.	3,700	3,700
Tri-Development Center	2,250	1,000
Links, Inc. Festival of Trees	10,000	4,783
Aiken Center for the Arts	35,000	22,000
Aiken City Parks & Rec. Dept.	1,000	1,000
Battle of Aiken	5,783	5,000
Aiken 20/20 Corporation	25,000	25,000
Totals	\$110,933	\$89,983

ANNEXATION - ORDINANCE

Whiskey Road
Shannon Lane
Zody, Lynn B.
Skating Rink
Tax Parcel No. 00-157.0-01-113

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to annex 3.67 acres on Whiskey Road at Shannon Lane.

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 3.67 ACRES OF LAND, MORE OR LESS, OWNED BY LYNN B. ZODY AND LOCATED ACROSS THE STREET FROM THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 19 AND SHANNON LANE AND BEING KNOWN AS TAX MAP PARCEL NUMBER 00-157.0-01-113 AND TO ZONE THE SAME NEIGHBORHOOD BUSINESS (NB).

Mr. Thompson stated City Council has received a request to annex a 3.67 acre parcel on Whiskey Road under the Neighborhood Business zone. This parcel includes the former skating rink, located near the present WalMart facility, and also includes the road that provides access to the WalMart property from Whiskey Road. The Neighborhood Business zoning is consistent with the Land Use and zoning pattern of the area, and with the Comprehensive Plan under consideration by City Council.

The Planning Commission was concerned about the number of curb cuts along Whiskey Road, with the development of the WalMart and the other properties in this area. The Planning Commission is recommending approval of the annexation request on the condition that the number of curb cuts along Whiskey Road be limited to two for this property.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that the ordinance be passed on first reading annexing the property of Mr. Zody along Whiskey Road with the conditions stipulated by the Planning Commission and that second reading and public hearing be set for the next regular meeting of City Council.

ANNEXATION - ORDINANCE

Woodside Plantation
Chukker Creek Road
Woodside Plantation Drive
Tax Parcel No. 00-135.0-01-275 (portion of)

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to annex 10.50 acres in Woodside Plantation.

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 10.50 ACRES OF LAND, MORE OR LESS, OWNED BY WOODSIDE DEVELOPMENT COMPANY OF AIKEN, INC. AND LOCATED OFF WOODSIDE PLANTATION DRIVE NORTH OF CHUKKER CREEK ROAD IN PHASE II OF WOODSIDE PLANTATION SUBDIVISION AND BEING KNOWN AS A PORTION OF TAX MAP PARCEL NUMBER 00-158.0-01-312 AND TO ZONE THE SAME PLANNED UNIT DEVELOPMENT (PUD).

Mr. Thompson stated City Council has received a request from Woodside Development Company, asking for annexation of a tract of 10.5 acres to the city.

Mr. Thompson stated this is a continuation of the Woodside development project. Woodside initially committed to annexing all of the property of Woodside Plantation to the City of Aiken in 1985, on the condition that the city agree to extend utility and fire protection services to the development. The only area of concern on this annexation is that the developers have not carried forward with their commitment to annex the golf courses of this portion of the property. This annexation does exclude the golf courses, and although there seems to be some willingness to annex the golf courses at a later date, you do not have a commitment before you to bring this forward. Woodside Development has sold the golf courses to Country Clubs of America, and although there may be some possibility of bringing these into the city at some future date, you do not have a commitment at this time.

City Council may wish to consider obtaining a further commitment on this issue as part of this approval process. This could be a letter from Country Clubs of America stating that they will bring forward an annexation agreement within the next 12 months on these golf courses. The golf courses would only generate about \$150 in taxes each year, and certainly this expense should not deter the annexation of the golf course. As a development pattern, however, we do not recommend that you exclude golf courses from annexation to the city. The golf courses of Houndslake Country Club are not located within Aiken. These were left out as part of the negotiation process, and this is a mistake as a long term development issue. Houndslake was dealing with different issues at that time, but under the Woodside annexation the developers committed to bring all of the property into the city.

Councilman Anaclerio stated he thought a significant amount of money might be involved in annexation of the golf courses, but the taxes would only amount to about \$150 per year. He felt annexation of the golf courses would help with the city's planning, and he felt the city should pursue annexation of the golf courses as part of the annexation approval.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that Council pass the ordinance on first reading to annex 10.5 acres of Woodside Plantation to the city with the condition that the city receive a letter of commitment from Country Clubs of America for annexation of the golf courses within one year from passage of the ordinance and that second reading and public hearing be set for the next regular meeting of Council.

ANNEXATION - ORDINANCE

Woodside Plantation

Burden Lake Road

Spalding Lake

Tax Parcel No. 00-135.0-01-275 (portion of)

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to annex 41.52 acres of Woodside Plantation.

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 41.52 ACRES OF LAND, MORE OR LESS, OWNED BY WOODSIDE DEVELOPMENT COMPANY OF AIKEN, INC. AND LOCATED BETWEEN BURDEN LAKE ROAD AND SPALDING LAKE IN PHASE II OF WOODSIDE PLANTATION SUBDIVISION AND BEING KNOWN AS A PORTION OF TAX MAP PARCEL NUMBER 00-135.0-01-275 (portion of) AND TO ZONE THE SAME PLANNED UNIT DEVELOPMENT (PUD).

Mr. Thompson stated the annexation request is for 41.52 acres and the same issue is involved in this proposed annexation as the request for annexation of 10.5 acres. The property totaling 41.52 acres is located west of Burden Lake Road, in Phase II of Woodside Plantation.

Mr. Thompson stated this property also includes golf courses but the annexation request does not include the golf courses. The developers made a commitment that all property of this development would be annexed into the City of Aiken with no exceptions. The golf courses have been sold to Country Clubs of America, and Council again may wish to include a stipulation that as a condition of this annexation and utility extension that the owners of the golf course provide a letter of commitment that they will pursue annexation to the city within 12 months.

Councilman Radford moved, seconded by Councilwoman Clyburn and unanimously approved, that the ordinance for annexation of 41.52 acres of Woodside Plantation be passed on first reading with the condition that Country Clubs of American submit a letter of commitment to annex the golf courses within 12 months from passage of the ordinance and that second reading and public hearing be set for the next regular meeting of Council.

ANNEXATION - ORDINANCE

Whiskey Road

Lowe's

Tax Parcel No. 00-158-01-072 and 00-158-01-029

Burckhalter, Llewellyn and LeClair A.

Holley, Steve Morgan

Mayor Cavanaugh stated an ordinance had been prepared to annex two parcels on Whiskey Road located adjacent to the present Lowe's.

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 18.47 ACRES OF LAND, MORE OR LESS, OWNED BY LLEWELLYN J. BURCKHALTER, III, LECLAIR ANDERSON BURCKHALTER AND STEVE MORGAN HOLLEY AND LOCATED ON THE EAST SIDE OF SOUTH CAROLINA HIGHWAY 19 NORTH OF THE REAL ESTATE CURRENTLY OWNED BY LOWE'S INVESTMENT CORP. AND BEING KNOWN AS TAX MAP PARCEL NUMBERS 00-158.0-01-072 AND 00-158.0-01-029 AND TO ZONE THE SAME NEIGHBORHOOD BUSINESS (NB).

Mr. Thompson stated City Council has received a request for annexation of two parcels, totaling 18.47 acres, located along the east side of Whiskey Road north of the present Lowe's facility for development of a large retail store.

The Planning Commission noted the concept is for the development of another large retail store on this location. The property is contiguous to the city, and this would require extension of sewer services across Whiskey Road to serve this facility. The request is consistent with the other development in the area and with the frontage of the property along Whiskey Road. The Planning Commission expressed concerns about the billboards and other uses on the existing site and the need for curb cuts and buffers. After extensive discussion on this, the Planning Commission recommended approval of the annexation on the following conditions:

- 1) that a billboard located on the parcel identified as Tax Parcel #00-158-01-072 be removed from the property within one year following approval of the annexation by City Council or following the expiration date for any lease agreements for use of the billboard which might have been in place at the time the annexation request was filed, whichever is the longer period;
- 2) that a manufactured building which is located on the property identified as Tax Parcel #00-158-01-072 be removed from the property within one year following approval of the annexation by City Council unless the Zoning Ordinance is amended to permit such units;
- 3) that there be only two curb cuts on the Whiskey Road frontage and that the cuts should be aligned with the traffic signal at the Aiken Mall entrance or be offset by at least 150 feet from that entrance;
- 4) that there be a buffer left undisturbed at least 25 feet in depth along the northern and eastern property lines except to allow one driveway to Athol Avenue or the encroachment of a detention pond no more than 10 feet into the buffer as long as trees are planted in the pond;
- 5) that the adjoining property which contains the existing Lowe's building (Tax Parcel #00-158-01-212) also be annexed into the City prior to the issuance of a building permit by the City of Aiken for construction on the subject property; and

- 6) that if the two subject parcels are developed for one use they be combined to form one lot prior to approval of a site plan for a project on either.

Mr. Thompson stated this facility will probably result in the creation of another empty building as an existing store moves into this new facility. The present building has generated a lot of development interest, so hopefully this will turn over very quickly, but there are several reasons for the business that make it more profitable to build a new building rather than expand the present building. This ties into the many reasons why we have empty strip shopping centers in Aiken.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that Council pass the ordinance on first reading to annex 18.47 acres located on Whiskey Road adjacent to Lowe's and that second reading and public hearing be scheduled at a later date pending resolution of utility issues.

Councilwoman Clyburn discussed the problem of empty buildings and businesses moving from one building into a new building and leaving an empty building. It was suggested that there be some incentive to use existing buildings rather than constructing new buildings leaving empty buildings.

Mr. Thompson stated this issue had been discussed in this particular case and there are specific reasons for constructing new buildings in each case.

Mayor Cavanaugh stated it was a problem and asked that Councilwoman Clyburn and Councilman Anaclerio serve on a committee with him to look at the problem to see what can be done about empty buildings.

COMPREHENSIVE PLAN - ORDINANCE

Planning Department

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to adopt a Comprehensive Land use and Transportation Plan.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ADOPTING A COMPREHENSIVE LAND USE AND TRANSPORTATION PLAN.

Mr. Thompson stated the Planning Commission has worked with a task force to develop a new Comprehensive Plan for the city, and both the Planning Commission and the Task Force have completed their review and are recommending adoption of the Comprehensive Plan to City Council.

City Council reviewed this during a work session of October 13, 1997, and in this discussion City Council suggested that the city emphasize that the Comprehensive Plan is not a fixed document, but instead that the goals and plans of the Comprehensive Plan are expected to change over time. Ed Evans has reviewed the Plan, and has suggested changing several sections to reflect this flexibility and the changes suggested by City Council.

Under state law, the city is required to adopt and maintain a Comprehensive Plan as a condition of the other regulatory requirements of the city. The city must have a Comprehensive Plan if they are going to enforce the Zoning Ordinance or the other development controls of the city. The Plan is intended to bring all of the long range policies and development guidelines of the city into a single document, and in many ways this is the single most important responsibility of the Planning Commission. The Comprehensive Plan is not an ordinance, but is required by State law as the foundation for land use development regulations. Aiken presently has a Comprehensive Plan, but the Plan must be reviewed at least every five years, and revised at least every ten years. Our present Comprehensive Plan was developed in 1989, but under the requirements of the State of South Carolina we are required to move forward with the update of our Zoning Ordinance as quickly as possible. To take on the challenges of the Zoning Ordinance, we must have an adopted and current Comprehensive Plan, and the Planning Commission and the different volunteers involved in this process have been meeting on this for at least two years to present a recommendation to City Council.

This has been a long and involved process, and both the Planning Commission and the Comprehensive Plan Task Force have worked hard to make sure that there has been adequate public involvement and comment on the Comprehensive Plan.

This is a document that has received extensive public comment and review. The initial Comprehensive Plan Task Force was appointed in early 1992, but the Task Force held off on a great deal of effort with the Comprehensive Plan until the city completed the Strategic Plan. The members of the Task Force have tried to incorporate some of the guidelines from the Strategic Plan so we would have a unified plan of action for the community. The Task Force included an extensive cross-section of citizens representing the NAACP, the Chamber of Commerce, and many of the business and civic organizations in Aiken.

The Task Force resumed its work on the Comprehensive Plan in March, 1995, and forwarded a draft to the Planning Commission in June, 1996. The Planning Commission has held additional public meetings and work sessions on the Plan since that time.

The Comprehensive Plan is presented to City Council for consideration. If Council approves the plan on first reading the second reading will be scheduled for December 8, 1997.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that the Comprehensive Plan be passed on first reading with the changes as suggested by the staff and second reading and public hearing be set for the December 8, 1997, meeting of Council.

WOODWINDS APARTMENTS - ORDINANCE

Sewer Lines
Dedication
Hickory Ridge

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to accept dedication of the sewer line in the Woodwinds Apartment Complex.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ACCEPTING THE DEED OF DEDICATION OF THE SEWER SYSTEM LOCATED IN THE WOODWINDS APARTMENT COMPLEX.

Mr. Thompson stated the main sewer line in Woodwinds Apartments has not been dedicated to the city, and this sewer line serves both the apartment complex and single family homes in the area. This is an important part of the city's public sewer system, and in keeping with the city's policy of accepting utility lines on inspection of construction, the staff recommends that City Council accept ownership of the sewer line in Woodwinds Apartments.

Public Works has reviewed the sewer line, the plat, and the deed, and the construction and detail on this project are acceptable by the city. The staff is recommending acceptance of the sewer line to City Council.

Councilwoman Clyburn moved, seconded by Councilman Radford and unanimously approved, that Council pass on first reading an ordinance accepting ownership of the sanitary sewer lines and easements located in Woodwinds Apartments and that second reading and public hearing be set for the next regular meeting of City Council.

WHISKEY ROAD PLAZA - ORDINANCE

Dedication
Street
Tamil Drive
Sewer Lines
Hampton Inn
Super 8 Motel
Waffle House
Whiskey Road

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to accept the sewer lines and street serving Whiskey Road Plaza.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ACCEPTING THE DEED OF DEDICATION OF THE SEWER LINES SERVING THE HAMPTON INN, SUPER 8 MOTEL AND WAFFLE HOUSE.

Mr. Thompson stated the city does accept ownership of utilities serving residential and business properties in Aiken, on evaluation of the quality of the initial construction. The staff has reviewed the construction of Tamil Drive and the sewer lines serving Whiskey Road Plaza and the properties fronting on Whiskey Road, and is recommending acceptance of ownership of these sewer lines and this drive.

The city maintains these sewer lines to allow us to also provide the smaller lines into each of these businesses. We accept ownership and the easements on these properties to help with this maintenance, and in return customers pay the customary service charges of the city. These sewer lines also serve a strategic need by allowing us to extend sewer across Whiskey Road to serve the businesses near the existing Lowe's. In the past we have had a difficult time crossing Whiskey Road due to the different properties between our present sewer system and the road, and the city did not own the sewer line serving these properties. Therefore, this meets both the maintenance need for the city and also meets a strategic expansion need for the sewer system.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that Council pass on first reading an ordinance accepting ownership of Tamil Drive and the sewers serving Whiskey Road Plaza with second reading and public hearing scheduled for the next regular meeting of Council.

BIDS

Storage Building Public Safety Department Station 4

Mayor Cavanaugh stated Council needed to consider the bids submitted for construction of a storage building for the Public Safety Department.

Mr. Thompson stated the budget includes funding for a storage building for storage of confiscated equipment and vehicles, and we have accepted bids for the purchase and construction of this building. We are recommending acceptance of the low bid of Quattlebaum Contractors, with a total bid of \$22,960.

This is a 30 foot by 30 foot by 12 foot storage building to secure the confiscated equipment. This building would be placed behind Station 4 on Silver Bluff Road, and we would plan on painting the building in a complimentary color to make this attractive to the area.

We received two bids on the project, including a bid of \$37,446 from Mars Construction Company, and the low bid of Quattlebaum Contractor, with a total bid of \$22,960. We mailed out a total of eight bid invitations on this construction, and we are satisfied with the amount of the bid. Quattlebaum is an Aiken area contractor.

Councilwoman Price moved, seconded by Councilwoman Papouchado and unanimously approved, that Council accept the low bid of Quattlebaum Contractors in the amount of \$22,960 for construction of a storage building at Public Safety Station 4.

ADDITION TO AGENDA

Mayor Cavanaugh stated Council needed to consider adding consideration of bids for the purchase of a floor covering for the new gym at the Weeks Center to the agenda.

Councilwoman Clyburn moved, seconded by Councilman Anaclerio and unanimously approved, that bids for a floor covering for the gym floor be added to the agenda.

BIDS

Floor Covering Gym Floor Weeks Center Recreation Department

Mayor Cavanaugh stated Council needed to consider bids for the purchase of a floor covering for the Weeks Center gym.

Mr. Thompson stated bids have been received for the purchase of floor coverings for the new gym, and the staff is recommending acceptance of the low bid of Covermaster in the amount of \$10,505.

This is a budgeted item, and with the opening of the new gym we need to move forward with a floor covering that will help to protect the gym floor. The city hosts a great many meetings in the gyms, including the Christmas Craft Show, the Chamber's Business Expo, and many different meetings and reunions. Without a floor covering the floor does become damaged by high heel shoes and other foot wear.

We distributed four bid invitations, and received three responses for the purchase of this floor covering. The bids received are as follows:

Covermaster	\$10,505
Cambridge Canvas Center	10,995
Turbo Link International	11,030

The low bid submitted by Covermaster is suitable, but the bid is approximately \$500 over the amount allowed in the budget. We will be recommending this as a budget amendment at the end of the fiscal year.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that Council accept the low bid of Covermaster, with a total bid price of \$10,505.

FESTIVAL OF TREES

Links, Inc. Aiken Mall

Mayor Cavanaugh stated a request had been received from Links, Inc. asking the city to participate in the 1997 Aiken Festival of Trees.

Mr. Thompson stated the Links organization has asked that the city participate in the 1997 Aiken Festival of Trees by sponsoring a tree and assisting with some in-kind services at the Festival of Trees. This includes assistance with cleaning and security of the facility. The organization has also asked the city to sponsor a tree which is a \$500 contribution and to decorate the tree. The group has also asked if the Mayor and his wife would decorate a tree as part of this festival. Under this request, the city is asked to both contribute to the program and to sponsor a tree.

Council discussed the request with Councilmembers expressing concern about donations to an organization. Councilman Perry stated he always expresses concern about the city donating funds to an organization as it is difficult to fund some and not others.

Councilman Anaclerio moved, seconded by Councilman Radford, that the city provide in-kind services by assisting with security and cleanup of the building for the Aiken Festival. The motion was approved by a vote of 6 in favor and 1 opposed. Councilman Perry opposed the motion.

SIGNS

Banners Mt. Zion Outreach Ministry

Mayor Cavanaugh stated a request had been received from the Mt. Zion Outreach Ministry to place banners in the city advertising church services November 24-27, 1997.

Mr. Thompson stated City Council has received a request from Mt. Zion Outreach Ministry, asking that the church be allowed to place one or two banners in Aiken, to highlight church services November 24-27, 1997. This is presented as a banner request to City Council.

Ms. Jackie Patton, representing Mt. Zion Outreach Ministry, appeared before Council asking for permission to erect banners in Aiken advertising the Mt. Zion Outreach crusade to be held at Hurricane Central on U.S. 1. She stated they wanted some banners advertising the crusade in the Aiken area.

Council discussed the request, pointing out that Council does not usually allow banners. Councilmembers suggested other ways of advertising the crusade

such as Channel 3 of cablevision as a public service and ads in the newspaper and possibly a small sign on private property.

Councilman Radford moved, seconded by Councilman Anaclerio and unanimously approved, that the request be denied to place banners in the city advertising the crusade, but that other means of advertising be used.

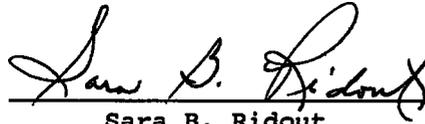
EXECUTIVE SESSION

Mayor Cavanaugh stated Council needed to have an executive session to discuss a contractual matter.

Councilman Anaclero moved, seconded by Councilwoman Price and unanimously approved that Council go into executive session to discuss a contractual matter. Council went into executive session at 9:20 P.M. After discussion Councilman Radford moved, seconded by Councilwoman Papouchado and unanimously approved, that the executive session end. The executive session ended at 9:45 P.M.

ADJOURNMENT

There being no further business the meeting adjourned at 9:45 P.M.


Sara B. Ridout
City Clerk