

Aiken City Council Minutes

January 12, 1998

EXECUTIVE SESSION

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

Absent: Councilwoman Clyburn.

Others Present: Steve Thompson, Bill Huggins, Gary Smith, and Sara Ridout.

Mayor Cavanaugh called the meeting to order at 5:35 P.M. Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved that Council go into executive session to discuss a contractual matter. After discussion, Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that the executive session end. The executive session ended at 6:05 P.M. Then Council held a work session discussion on the annexation of Town Creek Baptist Church on Town Creek Road. A pre-Council session was held for discussion of items on the Council agenda.

Regular Meeting

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

Others Present: Steve Thompson, Bill Huggins, Gary Smith, Roger LeDuc, Anita Lilly, Carrol Busbee, Terry Rhinehart, Ed Evans, Stanley Quarles, Sara Ridout, Tom Smith of the Aiken Standard, Sean Lengell of the Augusta Chronicle, Channel 6 and 20 citizens.

Mayor Cavanaugh called the meeting to order at 7:40 P.M. Mayor Cavanaugh led in prayer which was followed by the pledge of allegiance to the flag. The minutes of the regular meeting of December 8 and the special meeting of December 15, 1997, were considered for approval. Councilwoman Papouchado moved that the minutes be approved as written. The motion was seconded by Councilwoman Price and unanimously approved.

REZONING - ORDINANCE

138 Greenwood Street SW

Lee Lane

Seeby, Lorraine

Karapatakis, John K.

Rezoning

Tax Parcel No. 30-017-0-07-001

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to rezone a .3 acre lot located at 138 Greenwood Street SW from R-1 Single Family Residential to R-2 Multi-Family Residential.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING THE ZONING OF REAL ESTATE LOCATED AT 138 GREENWOOD STREET SW, TAX MAP PARCEL NUMBER 30-017.0-07-001 FROM R-1 SINGLE FAMILY RESIDENTIAL TO R-2 MULTI-FAMILY RESIDENTIAL.

Mr. Thompson stated Council has received a request asking the city to rezone a .3 acre lot at the southeast corner of the intersection of Lee Lane and Greenwood Street, 138 Greenwood Street SW. The owners would like to change this from a single family unit, with a detached apartment, to a total of three residential units.

Mr. Thompson stated the Planning Commission has reviewed the request. He said the Planning Commission had noted that this property was rezoned from R-2 Multi-Family Residential to R-1 Single Family Residential in 1992 at the request of several of the property owners in the area. This is the same issue that Council has discussed over the years concerning whether or not this corridor should move more to single family residential, or instead stay a mix of multi-family, professional, and single family properties. The intent of the rezoning in 1992 was to reinforce the single family residential character. The Planning Commission voted to recommend against rezoning.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn, that Council approve the ordinance rezoning 138 Greenwood Street SW from R-1 Single Family Residential to R-2 Multi-Family Residential on first reading and that second reading and public hearing be set for the next regular meeting of Council. The motion was approved by a vote of 6 in favor and 1 opposed. Opposing was Councilwoman Papouchado.

CONDITIONAL USE

Communications Tower
SCANA Communications, Inc.
Varden Drive
South Carolina Electric & Gas Co.
Wireless Communications Tower
Tax Parcel No. 00-133.0-01-269

Mayor Cavanaugh stated Council had received a conditional use request from SCANA Communications, Inc. for approval to erect a wireless communications tower taller than the one that it would replace on Varden Drive.

Mr. Thompson stated City Council has received a request from SCANA Communications asking that the city allow the company to replace an existing tower with a taller communications tower. Although telecommunications towers are allowed in Aiken in residential areas, to replace an existing tower with a taller tower will require individual approval as a conditional use for each site by City Council.

Under the Zoning Ordinance an existing tower in any zone may be removed and replaced by another tower as long as the new tower does not exceed the height of the old tower. A conditional use may be granted by City Council to allow a new tower to be higher than the previously existing tower. The site of the proposed tower is an existing SCE&G electric substation, bordering a large power transmission line, within which the SCANA Corporation would lease a .16 acre parcel on which to erect the new tower. The existing tower is 90 feet tall, and was built in 1993 and used to transmit information about the electric substation to Columbia. SCANA Communications would like to remove this tower and replace this with a 160 foot tower that would serve as a new wireless communications or PCS (Personal Communications Service) tower.

SCANA Communications will be the owner of the tower, and two service providers, Powertel and Sprint, have indicated interest in leasing space on the tower. According to SCANA Communications, any other site would not be as attractive for the companies for technical reasons. This also would be an easy site for the company to develop because the SCANA parent organization presently owns the site, and would simply have to replace a 90 foot tower with a 160 foot tower, and of course the company would like to avoid the controversy that is normally faced when placing a new tower within or adjacent to a residential neighborhood.

The application submitted by the company does not outline alternative sites considered by the companies involved. At the Planning Commission hearing on this issue, SCANA, Powertel, and Sprint stated that this site allowed co-location of two or more service providers, and avoided construction of independent towers for each company. Based on the information provided with the application and at the hearing and without technical assistance, the staff is unable to confirm whether or not this is the only such site available for the tower location.

The homeowners in the area are also very concerned about the visual problems with the tower. The new tower will not meet setback requirements that would normally be expected from a new tower. The Zoning Ordinance requires a new tower to be set back at least 100 feet from the adjacent property occupied by a residential use or zoned to allow such use. The SCANA Corporation is asking City Council to treat this as a replacement issue, and that the setback provisions not apply. The proposed tower is located less than 50 feet from the eastern property line, which abuts unincorporated land zoned to allowed residential use.

The City Attorney has raised the issue of whether or not disallowing this site will stifle competition among these providers. Mr. Thompson said there are at least two providers who have signed up for service at this site. There aren't any companies available in this area capable of making the technical evaluation of whether or not this is the best or even a reasonable site. The Municipal Association of South Carolina works with the R. W. Beck Company, out

of Orlando, to review such requests, and our understanding is that the Beck Corporation would take approximately three to four weeks to review the application and to make a determination of whether or not technical requirements dictate that this is the only and best site. This request had been advertised for public hearing, as recommended by the Planning Commission, and so it has been placed on the agenda. If City Council would prefer the technical assistance of a company on this issue, however, Council can delay action on this request.

The Planning Commission has recommended approval of this request with three conditions.

1. That copies of executed contracts from at least three wireless communications service providers committing to locating antennas on the proposed tower be submitted prior to issuance of a building permit for the tower;
2. that the tower not be lighted; and
3. that Section III.R.4.d of the Zoning Ordinance requiring certification from an engineer licensed in South Carolina verifying the structural integrity of the tower, which may be numbered differently when the recent Ordinance revisions are incorporated, be met prior to issuance of a building permit for the tower.

If Council chooses to approve this request, Council may wish to incorporate the recommendations of the Planning Commission, and include a stipulation that all service providers located on this tower fully comply with the city's Business License Ordinance just as we would with any other utility company. Council may also wish to stipulate that any tower approval is to be of the monopole design suggested by SCANA Communications.

The public hearing was held.

Mayor Cavanaugh asked that those proposing the tower speak first to be sure everyone understood what is being proposed. He stated he would also like to ask what options are available and what other sites were considered for the tower.

Mr. Gary Pennington, Attorney for SCANA Communications, appeared before Council to present the request from SCANA. He said SCANA has asked for a conditional use request whereby SCANA Communications proposes to take down a 90 foot monopole structure and replace it with a 160 foot monopole structure. The purpose of the height increase is to allow multiple users to use the one structure rather than having three additional structures constructed within the city limits of Aiken. The site of the proposed structure is located on Varden Drive and is presently occupied by SCE&G. An electrical substation is located on the property, and it is partially shielded by many trees in the area. The existing tower is not that noticeable. There are several power poles already in place along the right of way of Varden Drive, one of which is most visible. Presently the primary incentive for the communications tower will be Powertel, a PCS provider and a new entrant into the Aiken market. Powertel has done extensive RF engineering studies to determine where communications facilities need to be placed. He stated he had some maps which show their existing towers and where they have gaps in their coverage area necessitating that they have a new communications facility in this vicinity where the facility is proposed. Mr. Pennington pointed out one of the restrictions in the placement of the tower is not only what is above ground, but what is below ground. Mr. Pennington presented some maps showing the present coverage area for Powertel and what the coverage would be with the proposed facility. He said because of the topography a tower was needed in this area. He said the study was done by Powertel.

Mayor Cavanaugh asked if the tower had to be at this location or if it could be other places in the area.

Mr. Pennington stated Powertel started looking in 1996 for a suitable site to fill the gap in coverage and identified this property as being the best potential site for their communications facility. He said they did evaluate three other sites in nearby vicinities and a copy of their Radio Frequency evaluation had been given to Council. He said there are no other existing structures within their search area which is a very limited area, about a quarter of a mile radius. He said they looked at the potential sites in the

area and obviously existing structures such as a tower, water tank, or tall building in the area is the quickest and cheapest way. He said Powertel was not able to identify any existing structures within the search area that would accommodate their needs so that is why they were asking for a conditional use to construct a larger tower on the site. He said a communications facility would be a compatible use with an electrical substation. He said he felt the proposed tower would blend with what is already in the area. He said he realizes there are some residential structures nearby but because of the terrain and topography many of the residents will not be able to see the tower. He showed Council a computer simulation of what the proposed tower would look like.

Councilman Anaclerio asked why the present tower could not be extended.

Mr. Pennington stated the present pole was not designed for additional height and could not structurally maintain the additional load of additional height. He said the proposed structure would be a monopole structure and there would be no guy wires for the structure.

Mr. Pennington stated one of the issues that came up at the Planning Commission was the impact of residential property values. He said that was not addressed at the Planning Commission meeting. He said this was an issue that has come up not only in the City of Aiken but all across the United States. He said the wireless industry has conducted studies which show that monopoles have no impact on property values when built in close proximity to residential neighborhoods. He pointed out in the future people will be as reliant on wireless communications as they are with the local exchange carrier. He said the wireless communications providers will be competing with the local exchange carriers for land based telephones. He said as capacity issues increase there will be a necessity for monopole structures and other communications facilities to be located in close proximity to residential neighborhoods. He said it will mean that in order for people to use the wireless phones in their homes they will have to have the coverage provided by towers such as the proposed tower. He said there are no other suitable locations in this area, and he felt the best location would be an electrical substation which is already established as a commercial use in close proximity to the residences. There is already a 105 foot monopole electrical power line on the right of way. There is already a 90 foot monopole in the area. He said they propose to take down the present structure and replace it with a 160 foot structure. The net result is the elimination of as many as three communications towers in the city. He said if the application is denied, in order to fill the coverage gap perhaps two to three other towers will have to be built to serve the same area that one tower would have served if approved. He said the proposed site seems to be the optimum site.

Mr. Pennington stated one of the conditions of the Planning Commission recommendation was that there be three contracts in place for use of the tower. He said presently there are two letters of intent which have been filed with the city for use of the tower as well as SCE&G. He said the tower will accommodate three communications companies as well as the existing use of the present structure by SCE&G. He said there would really be four users of the tower. He said if Council approves the tower, he would request that the condition for three contracts for use of the tower be removed or reduced to two users. He said, however, the tower would be constructed to accommodate three users. Mr. Pennington pointed out the reason for the height of the tower is that to accommodate three carriers the antennas cannot be stacked on top of each other but must be spaced out on the tower.

Councilwoman Clyburn asked if the tower could be designed to blend in with the area.

Mr. Pennington stated the tower could not be made to look like a pine tree since it will be so tall. He said it could be colored to blend in with the area. A requirement for use of the tower is that the antennas to be used on the tower be the type that mount very close to the tower and be the smallest type antenna to meet their coverage area.

Mayor Cavanaugh stated it had been indicated that the area around Aiken was pretty much covered except this hole in the center. He said he had just recently noticed several tall towers which had been erected outside of the city. He wondered if these towers were Powertel towers. Mr. Pennington stated he did not know if they belonged to Powertel, but evidently they would

not meet their needs or they would use an existing structure rather than going through a timely process of approval of a new communications facility.

Mr. Pennington pointed out the growth and use of wireless communications with over 55 million wireless subscribers in the U.S. almost 15% of the population. Over 50,000 emergency calls are placed every day through wireless. The annual growth rate of wireless is 40%. He said wireless is not just phone calls, but data transmission, remote ekgs, and emergency situations.

Council asked several questions regarding the number of towers needed for coverage, height of towers needed, and location of towers needed.

Mr. Ray Glinski appeared before Council and asked several questions regarding the proposed use of the tower. He suggested another location off the by-pass where power lines are located on a high hill in a wooded area with no residential housing in the area for the proposed tower.

Mr. Keimpe Andringa, 205 Northwood Drive, expressed concern about the proposed height of the new tower stating he felt it would be quite visible in the area. He stated he would like to hear why the area suggested by Mr. Glinski could or could not be considered for the proposed tower. He also expressed concern about placing an exceptionally high tower on the highest point in the area.

Ms. Peggy Penland was present representing Houndslake Corporation. She stated Houndslake Corporation sold the land to SCE&G in October, 1985. She stated she was concerned about protecting the property values of the homeowners in Houndslake through covenants. She pointed out a lot of homeowners in the area were present at the Planning Commission meeting when this matter was discussed. Ms. Penland pointed out this request is a special request and if denied Council would not be stopping competition. She said she understood that the tower will not meet the setback requirement in the Zoning Ordinance. She stated the proposed location is not the highest point in Houndslake or in this area. She stated Houndslake owns a considerable amount of property that is zoned Neighborhood Business and SCE&G had not contacted her regarding the matter. She said there is also other property in the area that is wooded. She pointed out Laurel Wood is a subdivision of 45 lots located immediately adjacent to the proposed tower location. She stated the purchase of the property by SCE&G was for a substation, not towers. She pointed out there is quite a difference in a 90 foot tower and a 160 foot tower. She stated she felt the tall tower would devalue the property in the area and hurt the property owners. She stated people bought their lots knowing what was there, but never thought it would change so drastically. She stated she would like to see some other areas investigated for the tower.

Mr. Riley Hammond, 1516 Highland Park Drive SW., stated he couldn't see the tower from where he lives. He said he felt the important question was whether this location was the best place. He said he felt that in the radius of this point there is property where by "right" a tower such as the proposed tower could go without requesting conditional use. He asked why make an exception for this location when the request could be located in other areas without special permission. He suggested that possibly an outside disinterested company could review the technical requirements and consider the best location for such a tower. He felt the request should have more study.

Mayor Cavanaugh pointed out the Zoning Ordinance does not prohibit the use, but does allow conditional use approval for the proposed use.

Councilman Perry pointed out there was no place in Aiken where the proposed tower would not be in somebody's back yard. He said he could see no problem with the proposal.

Council discussed the request asking Mr. Pennington various questions regarding the tower and the location.

Mayor Cavanaugh stated he had looked at the location and ridden through the area. He said if he lived there he felt he would not have a problem with the request. He said if he lived in the area he would be more upset with the 105 foot power pole. He said if the location were to be moved out of the wooded area, then it would really be visible. He said he felt like the area was a good location, however, he did not want to vote for it at this time. He said he felt he needed more information and did not feel qualified to make a decision at this time. He said he was concerned about alternatives and if the

area had really been studied. He said he was looking for a second opinion. He said he felt the location was good, but he was not satisfied that there might not be a better location. He said he could not support the request yet without more information. He said the R. W. Beck Company out of Orlando, Florida, had been suggested as a company that could give technical expertise as to whether this location is the best. He said the study would take three to four weeks and he would like to have the company make a recommendation. He said this is the city's first request for a tower, and he felt it was important to get another opinion on the location.

Councilman Radford pointed out that wherever a 160 foot tower is placed it will be visible. He said he had looked at the property. He felt the substation and the poles are more unattractive than the tower would be. He felt wherever the tower is located it will be a problem. He said he felt it was important to minimize the eyesore. He felt SCANA was a good corporate citizen in trying to minimize the number of people who will be affected by the tower. He said he supported the request at this time.

Councilman Radford moved, seconded by Councilman Perry, that the conditional use request of SCANA Corporation for use of the substation site on Varden Drive to allow the replacement of a 90 foot monopole tower with a 160 foot monopole communications tower be approved with two of the conditions recommended by the Planning Commission but deleting the condition that SCANA have executed contracts from at least three wireless communications service providers committing to locating antennas on the proposed tower prior to issuance of a building permit. Also, included is the stipulation that the tower company and all service providers located on the tower fully comply with the city's Business License Ordinance.

Councilwoman Clyburn stated she did not know if there was any place that the tower could be placed where citizens would not complain about the location. She stated if this site is available she did not think we should ask them to go to another site especially if they are willing to remove one structure and replace it with a taller structure. She stated she would support the location.

Councilwoman Price stated she could not support the request at this time because she was not satisfied that a proper search has been done to determine if the site is the proper location for the tower. She stated she believed in advance technology and recognizes that wireless communications is the way to go, but she was not satisfied with the search for the best location.

Mayor Cavanaugh called for a vote on the motion to approve the conditional use with the stipulations in Councilman Radford's motion. The motion was approved by a vote of 4 in favor and 3 opposed. In favor were Councilmembers Anaclerio, Clyburn, Perry and Radford. Opposed were Mayor Cavanaugh and Councilmembers Papouchado and Price.

GRANT

Aiken Electric Cooperative
Aviation Business Park
Industrial Park
Airport

Mayor Cavanaugh stated Council needed to consider acceptance of an \$8,000 grant from the Aiken Electric Cooperative.

Mr. Thompson stated the Aiken Electric Cooperative has offered the city \$8,000 to help underwrite the expenses of development of Aviation Business Park.

At this time, Aviation Business Park, located adjacent to the airport, is not served by either Aiken Electric Cooperative or by SCE&G, and the Cooperative was willing to provide this grant without any restrictions, other than that the money be used for qualifying economic development purposes. We feel sure that the utilities and infrastructure of Aviation Business Park will qualify under the state's restrictions.

Mr. Thompson stated City Council received this information in December, and due to the very short timetable necessary for acceptance of the grant, the funding was accepted, and has been deposited into the city's account. Council needs to confirm this acceptance.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved that Council accept a grant in the amount of \$8,000 from the Aiken

Electric Cooperative for economic development purposes for Aviation Business Park.

Mayor Cavanaugh thanked the Aiken Electric Cooperative on behalf of Council for the grant to help with development of Aviation Business Park.

GRANT

SCANA Corporation
Ferguson Industries
Verenes Industrial Park
Industrial Park
South Carolina Electric and Gas Co.

Mayor Cavanaugh stated Council needed to consider acceptance of a grant from the SCANA Corporation.

Mr. Thompson stated City Council is aware that the city has been working with SCE&G and the State of South Carolina to extend utilities to the new Ferguson Industries site within Verenes Industrial Park. As part of this process, SCANA has extended a grant in the amount of \$6,000 to the city to help extend utilities to the new Ferguson Industries site within Verenes Industrial Park. SCE&G serves the Verenes Industrial Park with electrical power.

Councilwoman Price moved, seconded by Councilwoman Papouchado and unanimously approved, that Council accept the grant in the amount of \$6,000 from the SCANA Corporation for utilities for Ferguson Industries in Verenes Industrial Park.

Mayor Cavanaugh thanked SCANA for their contribution for development in the Verenes Industrial Park.

JURY BOX 1998

Municipal Court

Mayor Cavanaugh stated Council needed to adopt a Jury Box for 1998.

Mr. Thompson stated Sara Ridout, City Clerk for the City of Aiken, prepares a jury box, and submits this Jury Box for City Council approval.

Under our form of government, the members of City Council are the jury commissioners for the Municipal Court for the city. Each year City Council must approve the preparation of a Jury Box during the first 30 days. The Jury Box contains two compartments designated as compartment "A" and compartment "B." The names of all registered voters in the city are placed in compartment "A" and during the year jurors are randomly selected from compartment "A." After selection for a particular term of court, the names are then placed in compartment "B" so that the names are not selected again during that calendar year. We have a total of 13,996 registered voters in the city, and the names have been placed in the Jury Box for 1998.

Councilwoman Papouchado moved, seconded by Councilman Radford and unanimously approved, that Council approve the preparation of the Jury Box for 1998.

MUNICIPAL JUDGE

Judge
Appointment
Simons, Charles III
Municipal Judge
Recorder's Court

Mayor Cavanaugh stated Council needed to appoint a Judge for the Municipal Court.

Mr. Thompson stated the term of Municipal Court Judge Charles Simons expired on December 1, 1997. Terms of court are approaching, and Council needs to appoint a Municipal Judge for a four year term.

Judge Simons has served as the city's judge since 1987, and during this time the court process has improved and has continued to meet the needs of the city. Judge Simons is interested in continuing to serve as the Judge for the city for an additional term if City Council chooses to make this reappointment.

Councilman Anaclerio moved, seconded by Councilman Perry and unanimously approved, that Charles Simons III be reappointed as Municipal Court Judge for a four year term to expire December 1, 2001.

BIDS

Uniforms
Softball
Baseball
Recreation Department
Johannsen's Sporting Goods
Hanna, Jim Sports

Mayor Cavanaugh stated Council needed to accept the bids for purchase of baseball and softball uniforms.

Mr. Thompson stated each year the city bids the purchase of baseball and softball uniforms and caps, as part of the league play in the Department of Parks and Recreation. We have accepted bids for the purchase of uniforms and caps this year, and are recommending acceptance of the low bids submitted by Johannsen's Sporting Goods for the caps, and Jim Hanna's Sports of Aiken for the jerseys.

The bid of Johannsen's, for the purchase of caps, is low with a total bid of \$1.65 per cap. The value of this purchase totals \$1,952. Jim Hanna's Sports is low on both youth and adult jerseys, and the value of this purchase will total \$14,551.

The bids received are as follows:

| <u>Company</u> | <u>Caps</u> | <u>Youth Jersey</u> | <u>Adult Jersey</u> |
|-----------------|-------------|-------------------------|-------------------------|
| Johannsen's | \$1.65 | \$4.67 | \$5.93 (XXL - \$6.77) |
| Jim Hanna | 1.75 | 4.45 | 5.35 |
| SMS Sportsworld | N/B | 5.50 | 7.15 |
| South Atlantic | 2.23 | N/B | N/B |

Mr. Thompson stated this is a budgeted item, and these uniforms and caps are paid for by the participants in the softball and baseball leagues.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved that Council accept the low bids for the purchase of uniforms and caps, with the bid award to Johannsen's Sporting Goods, of Augusta, for caps, and Jim Hanna's Sports, of Aiken, for jerseys.

GRANT

Summit Business Center
Rutland Drive
Aiken 20/20 Corporation
Economic Development
SCANA Corporation
South Carolina Electric and Gas Co.

Mayor Cavanaugh stated Council needed to consider acceptance of a grant from SCANA on behalf of the Aiken 20/20 Corporation for Summit Business Center.

Mr. Thompson stated the businesses in Aiken have raised a total of \$3.7 million towards the Aiken 20/20 projects, and these businesses are supporting economic, community, and educational development in the Aiken area. The SCANA Corporation is one of these businesses supporting the community, and the SCANA Corporation is contributing \$25,000 to the Aiken 20/20 Corporation and has asked to target the new Summit Business Center with this contribution. This \$25,000 is part of the SCANA Corporation's overall contribution of \$60,000 to the 20/20 fundraiser. SCANA has asked the city to accept the \$25,000 contribution on behalf of the Aiken 20/20 Corporation. If Council accepts the grant, this grant will be provided to the Summit Business Center in the name of the Aiken 20/20 Corporation.

The SCANA Corporation has committed a grant in the amount of \$25,000 for Summit Business Center located on Rutland Drive. Five thousand dollars of this grant will be used for site planning, and the remaining \$20,000 is to be used for park infrastructure.

The Aiken 20/20 Corporation has discussed this and does recommend the use of this money for Summit Business Center, and has asked the City of Aiken to accept these funds. On acceptance this money would be distributed to the Summit Business Center as part of the SCANA's contribution to the Aiken 20/20 Corporation.

Councilwoman Price moved, seconded by Councilman Radford and unanimously approved, that Council accept the grant from the SCANA Corporation in the amount of \$25,000 on behalf of the Aiken 20/20 Corporation to be distributed to the Summit Business Center.

STREET - ORDINANCE

Deed
Dedication
Tracewood Place
Melrose Place Subdivision
Silver Bluff Road
Woodside Plantation

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to dedicate Tracewood Place to the city.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ACCEPTING THE DEDICATION OF THE STREET KNOWN AS TRACEWOOD PLACE OWNED BY MELROSE TOWNHOMES PHASE I ASSOCIATION, INC.

Mr. Thompson stated the city does accept ownership of streets within subdivisions after the streets have been installed, and after the city has had adequate time to evaluate the condition and quality of the street. The city has been asked to accept two streets in the Melrose Subdivision which is located off Silver Bluff Road adjacent to Woodside Plantation. The owners have asked the city to accept Tracewood Place. The staff is recommending acceptance of this street into the city's street system.

The Public Works staff has evaluated this street, and is satisfied with the quality of this construction.

Councilwoman Papouchado moved, seconded by Councilwoman Clyburn and unanimously approved, that the ordinance accepting dedication of a street known as Tracewood Place in Melrose Subdivision, Section 1, be passed on first reading and that second reading and public hearing be set for the next regular meeting of City Council.

STREET - ORDINANCE

Deed
Dedication
Merlot Place
Melrose Subdivision
Silver Bluff Road

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to accept dedication of Merlot Place.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ACCEPTING THE DEDICATION OF THE STREET KNOWN AS MERLOT PLACE OWNED BY MELROSE TOWNHOMES PHASE II ASSOCIATION, INC.

Mr. Thompson stated the homeowners association in Melrose Place Subdivision, Section II, has asked the city to also accept Merlot Place into the city's street system.

The staff has evaluated the quality of construction on Merlot Place and is satisfied that the streets were adequately prepared and constructed.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that Council pass on first reading an ordinance accepting the dedication of a street known as Merlot Place, owned by Melrose Townhomes Phase II Association, Inc., and that second reading and public hearing be set for the next regular meeting of City Council.

AUDIT 1996-97Burkett, Burkett, & Burkett

Mayor Cavanaugh stated Council needed to consider acceptance of the audit for fiscal year 1996-97.

Mr. Thompson stated each year the city contracts with an independent auditor to review the city's financial records to make sure the records adequately reflect the fiscal condition of the city. The fiscal year ended June 30, 1997, has been reviewed by the firm of Burkett, Burkett, and Burkett which is the third year of the firm's contract. City Council met with Mr. Robert Keisler, of Burkett, Burkett, and Burkett. Mr. Keisler summarized that the city's financial system is adequate and the city does seem to be in a stable and sound position.

Councilman Anaclerio stated Council had had an opportunity to talk with the auditors in the pre-Council session and there did not seem to be any great concerns about the city's financial condition.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council accept the audit report of Burkett, Burkett and Burkett for fiscal year 1996-97.

VETERANS MEMORIAL PARKMemorial ParkAiken County Veterans Memorial Park CoalitionFunding RequestRichland Avenue East

Mayor Cavanaugh stated the city had received a request for funds from the Aiken County Memorial Park Coalition for funding for the park.

Mr. Thompson stated the city has received a request from the Aiken County Veterans Memorial Park Coalition, asking that the city help with the cost of developing the Veterans Memorial Park. The Coalition is asking the city to provide 30 of the 42" light poles, or bollards, and that the city extend water to the site and within the site and provide monthly water service to the site.

Mr. Thompson stated the city presently pays about \$550 per bollard, and if the city provided 30 of the bollards, the total value would be \$16,500. We also estimate the cost of extending water to the site to be about \$800. Combined, this will bring the total expense to approximately \$17,300.

The Coalition has asked the city to provide water at no expense to the Coalition to the site. The city is unable to provide free water to anyone, and the city meters water for city operations as well as for other homes and businesses in Aiken.

Mr. Ed Hammonds, Coordinator/Finance Chairman for the Aiken County Veterans Memorial Park Coalition, appeared before Council and asked that Council consider the request seriously as this memorial was for those who had fought for this country's freedom. He said Frank Alexander, the architect for the project was present as well as the Adjutant of the Coalition to answer any questions.

Mayor Cavanaugh pointed out the Coalition was asking for three things - help with providing bollards, to run the water line to the park, and to provide water to the park at no expense to the coalition. Mayor Cavanaugh pointed out Council has many requests for funds all during the year, and it is impossible for Council to fund all the requests, but it is difficult for Council to have to turn the requests down also. He said some times Council has provided some in kind services to organizations.

Councilman Anaclerio stated he would support providing some in kind services to the Memorial Park. He said he was a retired military person himself. He felt the city should provide some services to the park honoring the men who have given their lives for the citizens of the City of Aiken and the United States. He said he would support providing in kind services to provide the water line but not providing the monthly water bill.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado, that Council provide in kind services in the amount of \$800 to extend the water line to the Veterans Memorial Park.

Councilman Perry stated he would like to amend the motion. He pointed out he is always opposed to providing funds to organizations. He said, however, this request is for a memorial for those people who have paid the supreme sacrifice for their country. He said he felt this request was an exception and the park would honor the people who gave their lives to protect and preserve our way of life. Councilman Perry asked that the motion be amended to provide a line item in the budget for \$15,000 for the Memorial Park.

Councilman Anaclerio stated he would like to discuss the proposal by Councilman Perry in next year's budget, but would like for his motion to remain as is and provide in kind services to extend the water line to the Park. Council discussed the request and other requests presented to Council, pointing out most of them had been turned down. Council also suggested that the Coalition might apply for Accommodations Tax funds.

Mayor Cavanaugh called for a vote on the motion to provide in kind services to the Memorial Park by providing the service of extending the water line to the Park. The motion was unanimously approved.

Mayor Cavanaugh stated Council would discuss the proposal presented by Councilman Perry at Council's Horizons meeting in February.

Mr. J. D. Pickett, Chairman of the Veterans Coalition, thanked Council for their support. He pointed out the project would be a monument to last for generations. He asked that Frank Alexander show the drawings of the proposed park to Council for their information.

SHADOW OAK

Shadow Oak Retirement Center
Assisted Living Facility
Gregg Avenue
Richland Avenue W.

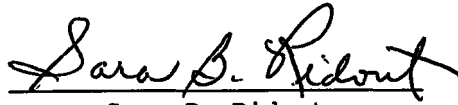
Mayor Cavanaugh stated Mr. Ray Glinski wanted to speak to Council regarding the Shadow Oak Retirement Center. He asked if Council would add the item to the agenda. Mayor Cavanaugh moved, seconded by Councilman Anaclerio and unanimously approved that the request be added to the agenda.

Mr. Ray Glinski, of Governor's Lane, stated he was before Council regarding the Shadow Oaks Retirement Center. He said he had attended the Planning Commission meeting regarding the Shadow Oaks Center. He said residents in the area had been concerned about traffic on Gregg Avenue. He stated at the Planning Commission meeting it was recommended that one entrance be off Gregg Avenue and one off Richland Avenue. He said he had just learned that there would not be an entrance off Richland Avenue but the entrance would be on Gregg Avenue. Mr. Glinski was concerned about traffic on Gregg Avenue and why Council changed the entrance.

Mr. Thompson stated the Planning Commission did recommend approval of the Assisted Living Facility based on a cut on Richland and a cut on Gregg Avenue. He said the matter concerns the buffer area facing Richland Avenue. The recommendation was that the developer maintain a buffer. The matter regarding a buffer was brought back to Council at the request of the developer. The developer needed a detention pond at the low point on the property which is on Richland Avenue on the end of the property towards town. With the detention pond and the buffer it meant that the driveway would have to shift closer to Gregg Avenue and impact the larger trees in the buffer. The developer asked if instead of taking out the trees he could move the entranceway around on Gregg Avenue. City Council talked about the request. Council felt the trees needed to be saved and also the traffic would be better not entering and exiting off Richland Avenue, but instead onto Gregg Avenue. The change was agreed to by Council in a work session.

ADJOURNMENT

There being no further business the meeting adjourned at 9:50 P.M.



Sara B. Ridout
City Clerk