

Aiken City Council Minutes

January 9, 1995

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

Others Present: Steve Thompson, Frances Thomas, Jim Holly, Carrol Busbee, Roger LeDuc, Stanley Quarles, Terry Rhinehart, Anita Lilly, Ed Evans, Andy Anderson, Sara Ridout, Philip Lord of the Aiken Standard, Rolanda Hatcher of the Augusta Chronicle and 11 citizens.

Mayor Cavanaugh called the meeting to order at 7:30 P.M. Mayor Cavanaugh led in prayer which was followed by the pledge of allegiance to the flag.

The minutes of the meeting of December 12, 1994, were considered for approval. Councilwoman Price moved that the minutes be approved as written. The motion was seconded by Councilwoman Papouchado and unanimously approved.

1994Reflections

Mayor Cavanaugh thanked Council, the City Manager, city staff, and the volunteers serving on boards and commissions for their efforts for the accomplishments in 1994. He thanked the citizens for their input into the city government. He felt that 1994 was an extremely successful year. He pointed out the city had met the budget for 1994, received national attention as a retirement center, earned the Municipal Achievement Award for five years, and the Recreation Department won the Outstanding Agency Award. He said the number one and two pre-Olympic Skeet teams had committed to come to the Aiken area for pre-Olympic training. He stated the city continues to improve the downtown and work on the Strategic Plan. He said the various groups had worked together as a team to help make the accomplishments possible. He said 1995 will be a challenge for the city as the winds of change are swirling around and many changes will take place.

WALMART - ORDINANCE

Annexation  
Conditions  
Whiskey Road

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing of an ordinance to amend the annexation conditions for the Wal-Mart property off Whiskey Road.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO AMEND ORDINANCE NO. 020893C WHICH ANNEXED PROPERTY KNOWN AS THE WAL-MART SITE SO AS TO CHANGE CERTAIN CONDITIONS.

Mr. Thompson stated Council had received a request from Wal-Mart to amend the conditions for annexation of their property contained in Ordinance No. 020893C which was adopted by Council on February 8, 1993. Mr. Thompson stated the original conditions were that the property owners would maintain a 50 foot buffer between the adjoining properties. Wal-Mart would like to expand their present facilities which will require additional parking and in doing so would eliminate the buffer between the proposed new parking lot area and Dr. Baker's office on the adjacent property. Wal-Mart is proposing to purchase additional property adjoining the development and also is proposing to remove a portion of a natural buffer area required as a condition in the annexation ordinance. Council asked that the Planning Director give Council a recommendation on the size of an adequate buffer between the two properties. Mr. Evans, Planning Director, has recommended that the buffer could be reduced to 10 feet with a thickly planted screen or fence.

Mr. Thompson stated the staff had also been working with the property owners in the area and feel that an exit could be opened from Wal-Mart between Arby's and Bojangles to intersect with Centennial Avenue at the traffic signal. He said when the project was first proposed, Council suggested that the entrance/exit should be at a signalized intersection. After extensive discussions with the three property owners, Wal-Mart was not able to work out a road between Arby's and Bojangles at Centennial Avenue so the project was

built with two exits from the site with neither at a signalized intersection. He said Council had discussed the matter and felt that an entrance should be constructed at Centennial Avenue from the Wal-Mart. He stated Ed Evans had been working with the three businesses involved, and it is felt that Wal-Mart is willing to make a serious effort to have the road constructed. The city has asked that Wal-Mart provide a letter of agreement on the project. Wal-Mart would like to have a signalized intersection onto Whiskey Road at one of the other exits onto Whiskey Road, and the city has suggested that the signalized intersection needs to be the present intersection with Centennial Avenue and that the city would not accept maintenance of another signalized intersection along this route. The proposed ordinance specifies that part of a satisfactory commitment is that the road be completed by September 1, 1995.

Mr. Holly stated the proposed ordinance requires that any adjoining property purchased for the Wal-Mart development be annexed to the city, that a buffer with a minimum width of 25 feet along the western boundary of the adjoining properties owned by F. L. Baker and R. W. Hines be maintained, and that the owners construct and complete or procure the construction of a new road providing direct connection between the Wal-Mart site and the intersection of Centennial Avenue and Whiskey Road with the construction to be completed by September 1, 1995.

The public hearing was held and no one spoke.

Mr. Thompson explained to Council the length of the buffer to remain would be approximately 206 feet. About 180 feet of the buffer at the rear would be removed or reduced in width.

Councilman Anacerlio stated there are tremendous traffic problems at Wal-Mart onto Whiskey Road. He felt an access road should be made from Wal-Mart to intersection with Centennial Avenue at the signal. He felt part of the approval should include the construction of a road at the intersection of Centennial Avenue.

Councilman Perry pointed out the adjacent property owners might make the cost of the property too high for Wal-Mart to make the road feasible with the Centennial intersection. A lengthy discussion followed on requiring Wal-Mart to construct a road at Centennial and Wal-Mart being able to work out the cost of the property at a reasonable price from the two adjacent property owners. It was felt it might be unfair to Wal-Mart to make the road construction a condition for annexation of the additional property to be purchased if a reasonable price could not be worked out with the adjacent property owners for the right of way for the road.

Mr. Thompson stated the city had been working with the property owners and it is his understanding that the three property owners do want to try to work to get an exit from Wal-Mart at the Centennial intersection with Whiskey Road.

Mr. David Hargrove, of Groves Nursery, landscape architect for Wal-Mart, stated he could not speak on the traffic problems at Wal-Mart. He said he had been working with the Planning Department on the buffer and thought the buffer had been worked out. He said Wal-Mart is very anxious to get the project underway, but he did not know if constructing a road between Arby's and Bojangles could be worked out or not. He said Wal-Mart tried to work with the businesses to get a road at Centennial Avenue in the first phase of the project but did not succeed at that time. He felt that Wal-Mart could not do anything about the road until the adjacent businesses are willing to release some of the property.

Mayor Cavanaugh stated Wal-Mart had done a tremendous job with the landscaping, but there is a problem with traffic in the area and Council is concerned about the problem.

Mr. Thompson pointed out Ed Evans had met with all the property owners involved and had now received the revised plans for the proposed road and would be working further with the property owners.

Councilman Anaclerio moved, seconded by Mayor Cavanaugh, that Council continue the request by Wal-Mart to amend the original conditions for annexation of the property on which Wal-Mart is located until the situation involving the road is resolved by the three parties involved.

Discussion followed on whether delaying action on the request would hold up the project. It was pointed out that there are traffic problems in the area and these matters should be resolved before proceeding with an addition to Wal-Mart. Mr. Holly also pointed out that action for annexation of the additional property purchased is in process through the Planning Commission. Then the annexation matter has to come before Council which will be the end of February. He stated the proposed ordinance considered by Council at this time is to amend the annexation conditions for the entire existing Wal-Mart site and the additional conditions to allow them to take 180 feet of buffer, require annexation of the new property that will be used for parking, the buffer along the back of the Hines and Baker property and construction of the road by September 1, 1995. He pointed out Wal-Mart has started the annexation process on the Hines and Baker property. That annexation will require two readings of Council. It was pointed out if Council continues the request for amending the annexation conditions for the present property, then all requests could be acted on probably by the end of February. Continuing the request at this time would not necessarily delay the project.

Council continued to discuss the matter. It was pointed out that there had been several accidents with cars coming out of Wal-Mart. It was pointed out any additional traffic signals in the area would slow traffic down, but synchronization of any signals would help with traffic matters. Councilmembers pointed out that with all the matters which have to be done before the project can start, continuing the amendment of the annexation conditions would not really delay the project at this time. It was felt continuing the matter would give the three parties time to work the matter out. If they are not able to work the matter out in a reasonable length of time, Council can take action on the matter.

After discussion Councilwoman Price stated she would like some study done on moving the light further down Whiskey Road rather than having it at Centennial Avenue. She felt if the light were further down in front of Wal-Mart it might give those going in and out of Centennial Avenue more opportunity to get out into Whiskey Road. Council agreed to ask the Highway Department to study the intersection to see if moving the traffic signal would help the traffic situation in the area.

Mayor Cavanaugh asked for a vote on the motion to continue action on amending the ordinance annexing the Wal-Mart property. The motion was approved by a majority vote with Councilman Perry opposing the motion.

COLONY PARKWAY - ORDINANCE 010995

Dedication

Street

Utilities

Woodward Tract

Whiskey Road

Sewerage Lift Station

Lift Station

Aiken Associates

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing of an ordinance to accept dedication of Colony Parkway streets and utilities.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ACCEPTING DEDICATION OF COLONY PARKWAY AND THE STORM WATER, SANITARY SEWER AND WATER FACILITIES LOCATED THEREUNDER AND A SANITARY SEWERAGE LIFT STATION LOCATED ADJACENT THERETO.

Mr. Thompson stated the city had received a request that the city accept dedication of the street known as Colony Parkway and the storm water, sanitary sewer and water facilities and easements, and the sewerage lift station in Colony Parkway located in the area known as the Woodward tract located off Whiskey Road.

Mr. Thompson stated the policy of the city has been to accept streets and utilities after they have been evaluated by the Engineering Division of Public Works. Public Works has inspected the property and does feel that the construction is adequate and meets the city's specifications.

Mr. Thompson stated the property owners had asked that the acceptance be effective December 30, 1994. The proposed ordinance would need to be amended to make the ordinance retroactively effective December 30, 1994.

The public hearing was held and no one spoke.

Councilwoman Papouchado moved, seconded by Councilwoman Clyburn and unanimously approved, that the ordinance be passed on second and final reading accepting dedication of Colony Parkway streets and utilities to become retroactively effective December 30, 1994.

INDUSTRIAL PARK - ORDINANCE

Verenes Industrial Park

Airport

U.S. 1 North

Smith-Kline Beecham

Mayor Cavanaugh stated an ordinance had been prepared for first reading to sell some property in the Verenes Industrial Park to Smith-Kline Beecham.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE APPROVING THE SALE AND CONVEYANCE TO SMITH-KLINE BEECHAM OF APPROXIMATELY SEVENTEEN (17) ACRES OWNED BY THE CITY OF AIKEN LOCATED AT VERENES INDUSTRIAL PARK.

Mr. Thompson stated the city had received a proposal from Smith-Kline Beecham to buy about seventeen acres of property in the Verenes Industrial Park. Beecham is planning to move a new operation into the Aiken area and would like to expand their present site in the Industrial Park. The company would construct parking lots on the two sites to be purchased in the park.

Beecham has purchased other companies in the past few years and would like to move some of these operations to Aiken, resulting in a growth of between 300 and 350 jobs. The company would like to purchase lots 20 and 21 in the Industrial Park and to purchase the roadway between Beecham and these properties.

The city's asking price is \$7,000 per acre. The proposed contract includes a stipulation that the expanded facility must be constructed within five years or Beecham shall convey the property back to the City of Aiken for the same purchase price. The staff is recommending that the city release the road to Beecham and has asked that the Economic Development Partnership provide funding for the construction of an expanded cul de sac on the short road in front of Beloit Manhattan. The cul de sac would help keep the other two sites in this area open and marketable. The contract also includes a stipulation that the two lots to be sold will include annexation agreements on the property.

Mr. Thompson pointed out the city has sold the property at \$7,000 per acre which is a good buy for the industries and is a part of City Council's commitment to industrial development. In addition the city sells water and sewer to the industries in the Verenes Industrial Park at in-city rates.

Council discussed the proposed purchase asking about landscaping and whether the landscaping must meet the city regulations. Mr. Thompson pointed out the landscaping does not have to meet the Landscaping Ordinance but must meet a high level of approval by the city. Council also asked about the closing of the road and was concerned about access to other property in the area. Mr. Thompson pointed out the Economic Development Partnership had been asked to help with construction of another road by Beloit Manhattan to give access to the other property in the area.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that the ordinance authorizing the sale of Lots 20 and 21 in the Verenes Industrial Park and the adjacent roadway to Smith-Kline Beecham Health Care, Inc. at a purchase price of \$7,000 per acre and approval of the contract and conveyance agreement for the sale of the property be passed on first reading and the second reading and public hearing be set for the next regular meeting of Council.

REZONING - ORDINANCE

316 Barnwell Avenue NE  
Goodwin, Harrison

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to rezone the property at 316 Barnwell Avenue NE.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE REZONING THE LOT LOCATED AT 316 BARNWELL AVENUE, WHICH IS ALSO DESIGNATED AS AIKEN COUNTY TAX MAP PARCEL NO. 30-069-05-024, FROM R-3, MULTI-FAMILY RESIDENTIAL, TO CENTRAL BUSINESS DISTRICT (CBD).

Mr. Thompson stated Council had received a petition from Mr. Harrison Goodwin, of 316 Barnwell Avenue NE, asking for rezoning to Neighborhood Business and permission to open a neighborhood store in a building to be constructed on the front of his lot. The request was reviewed by the Planning Commission, and the Commission recommended approval of rezoning to Central Business District.

Mr. Goodwin asked for Neighborhood Business zoning, but the CBD zone is contiguous to the property. The Planning Commission has recommended CBD zoning with the condition that alcohol and cigarette sales are not to be allowed on the property.

Mr. Holly, City Attorney, has some concerns about the rezoning request and the uses allowed in the CBD zone.

Councilman Anaclerio stated he attended the Planning Commission when this matter was discussed. He stated he had looked at the property. He pointed out the property is within a block and a half of an existing convenience store on the corner of Richland and Union Street and is handy for the neighborhood for milk and bread. He said he had problems with infringing more in residential areas with the CBD zone.

Councilwoman Price moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass the ordinance on first reading and the second reading and public hearing be set for the next regular meeting of Council.

Council discussed the request, asking about spot zoning. Councilwomen Clyburn and Price stated they did not feel that the request would do harm to the neighborhood. Councilwoman Price pointed out that when she grew up in the neighborhood there were several small neighborhood businesses in the area and this request is a return to neighborhood business.

TREE PROTECTION AND LANDSCAPING - ORDINANCE

Amendment  
Tree Survey  
Specimen Trees  
Parking Areas

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to amend the Tree Protection and Landscaping Ordinance.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING THE CITY OF AIKEN TREE PROTECTION AND LANDSCAPING ORDINANCE SO AS TO MODIFY THE REQUIREMENTS FOR A TREE SURVEY, MODIFY THE REQUIREMENTS FOR REPLACEMENT OF SPECIMEN AND SIGNIFICANT TREES, AND MODIFY THE REQUIREMENTS FOR LANDSCAPING AND VEHICULAR USE AREAS.

Mr. Thompson stated the Planning Commission has completed a review of the Tree Protection and Landscaping Ordinance and is recommending changes to the ordinance to simplify the ordinance and to eliminate some of the confusion and conflicts within the ordinance. The changes include:

1. The revisions delete the requirement for a tree survey on properties greater than two acres. However, estimates of the number of inches and varieties of trees to be removed and replaced would be provided by a qualified person.
2. Trees which are considered by the City Horticulturist to be diseased, dying or dead are not subject to the replacement provision. Specimen and

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Significant hardwood trees saved could be subtracted from the replacement total as an incentive to protect such trees.

3. The section requiring 20% of the vehicular use area to be landscaped is to be deleted. A provision is to be added to provide that no parking space may be located more than 70 feet from a landscaped area consisting of at least 600 square feet and containing trees.

Councilwoman Papouchado moved, seconded by Councilman Radford and unanimously approved, that the ordinance amending the Tree Protection and Landscaping Ordinance be passed on first reading and the second reading and public hearing be set for the next regular meeting of Council.

Mayor Cavanaugh stated he had heard comments about the number of parking spaces allowed in areas. The feeling is that there are too many parking spaces in the shopping areas. He said this matter had been studied a few years ago, but he felt possibly the ordinance should be studied again as far as the number of parking spaces allowed for businesses. The allowance of a great number of parking spaces creates big areas of paving and drainage problems. Council agreed that the matter should be studied again.

TAX INCREMENT FINANCE DISTRICT - ORDINANCE

Downtown

Central Business District

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to establish a Tax Increment Finance District.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ESTABLISHING, ADOPTING, AND APPROVING A PLAN FOR THE REDEVELOPMENT OF THE DOWNTOWN REDEVELOPMENT PROJECT AREA THROUGH THE CREATION OF A TAX INCREMENT FINANCING DISTRICT; INDICATING THE NEED FOR AND PROPOSED USE OF THE PROCEEDS OF THE OBLIGATION IN RELATIONSHIP TO THE REDEVELOPMENT PLAN; CONTAINING THE COST ESTIMATES OF THE REDEVELOPMENT PLAN AND THE REDEVELOPMENT PROJECT AND THE PROJECTED SOURCES OF REVENUE TO BE USED TO MEET THE COSTS, INCLUDING ESTIMATES OF TAX INCREMENTS AND THE TOTAL AMOUNT OF INDEBTEDNESS TO BE INCURRED; LISTING ALL REAL PROPERTY IN THE REDEVELOPMENT PROJECT AREA; STATING THE DURATION OF THE REDEVELOPMENT PLAN; STATING THE ESTIMATED IMPACT OF THE REDEVELOPMENT UPON THE REVENUES OF ALL TAXING DISTRICTS IN WHICH A REDEVELOPMENT PROJECT AREA IS LOCATED; MAKING FINDINGS THAT (1) THE REDEVELOPMENT PROJECT AREA IS A BLIGHTED AND/OR A CONSERVATION AREA AND THAT PRIVATE INITIATIVES ARE UNLIKELY TO ALLEVIATE THESE CONDITIONS WITHOUT SUBSTANTIAL PUBLIC ASSISTANCE, (2) PROPERTY VALUES IN THE AREA WOULD REMAIN STATIC OR DECLINE WITHOUT PUBLIC INTERVENTION, AND (3) REDEVELOPMENT IS IN THE INTEREST OF THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE CITIZENS OF AIKEN; AND DEALING WITH OTHER MATTERS RELATED THERETO.

Mr. Thompson stated that for several months the staff has been working with the Downtown Development Corporation to establish a Tax Increment Finance (TIF) District in Aiken's downtown. The TIF concept is somewhat new to this area, but it is an economic development tool in wide use in South Carolina and across the country, and it helps to encourage development in areas that may not be experiencing rapid growth or development.

Mr. Thompson stated the original philosophy in allowing cities to establish TIF districts is based on the understanding that there are pockets of property that are not appreciating in value, and Aiken's downtown is one such area. Under the TIF concept the assumption is that the value of the property in these areas will not continue to increase unless the city takes a pro-active stance and spends the money necessary to make improvements that will in turn spur economic development. Without some substantial improvements in the downtown area, the property values will remain the same or possibly even decrease. It is felt some improvements need to be made in the area before the property values start to decline.

Mr. Thompson stated the city had received requests from commercial property owners within the downtown asking that the city expand the streetscape plan into their area. The Downtown Development Corporation suggested that the city use a TIF district to help finance these improvements. In reviewing the TIF it is felt that it does have a great deal of promise for the city and would make these improvements possible. The downtown of Aiken seems to be an ideal candidate for the TIF concept.

As part of the process the city has outlined the projects to be funded in the TIF district and specifically defined how much money will be spent in the TIF district, how long the TIF district will remain in existence, and estimated of the revenues to be generated within the district. It is proposed that over the next fifteen years to install at least \$3.4 million in improvements, with the emphasis on the streetscape improvements that will help support property tax values. The time schedule for the TIF district would be fifteen years and all revenues generated under the TIF concept would be used to directly pay for the improvements.

The TIF district treats all taxing agencies equally. The City, County, and the School district are the taxing agencies within this district. All would continue to receive the present revenues from the properties within the district. If improvements take place within the district, or if property values within the district go up substantially, the revenues generated by these improvements are assumed to be a result of the physical improvements installed by the city. The extra taxes to be generated would be the increment that is used to pay off the improvements. From discussions with other communities that have gone through the TIF process, any new revenues to be generated would be from new development rather than any nominal increase in value from the existing properties. In the proposed TIF district the city has tried to focus on commercial and institutional properties and undeveloped land.

The mechanics of the TIF district require that a loan document to pay for these improvements be executed, and a separate loan ordinance will be submitted to Council borrowing the funds from the Utility System to pay for the improvements. The city has met the requirements of the State Legislature with notice to Aiken County and to the Aiken County School District. The staff has tried to make sure that both groups understand the philosophy and the concept behind the TIF district.

There has been a great deal of discussion about other incentives to encourage development. Impact fees and higher taxes would generate funds to pay for improvements, but they do not encourage development. The TIF district encourages development because it does not place a higher tax burden on the property owners, but instead captures the extra taxes that are generated as a result of the improvements to help pay for the improvements. Impact fees and taxes create a disincentive for development, and these fees do not seem to be in keeping with City Council's emphasis on development incentives in this area.

Mr. Thompson stated Andy Anderson and Ed Evans have been working on this and have put a great deal of time and effort into the process. He said the TIF ties in very well with Council's plans to emphasize economic development and to have the properties that are directly benefiting from street improvements to help pay for the cost of the improvements through higher property values.

Mr. Thompson stated a key feature is that the TIF would be for fifteen years. The total value of the improvements would be about \$3.4 million. It is expected that the TIF district would generate about \$1 million. The balance would have to be made up by the General Fund over the fifteen year period. The state legislature requires a loan or a bond for the district and this will be brought back to Council later. He said the matter had been discussed with the School District and Aiken County. He said Council has asked to meet with Aiken County Council to discuss the matter further with them.

Council discussed the matter. Councilman Anaclerio pointed out people are excited about the streetscape and improvements in the downtown. He felt if action is not taken the downtown area might deteriorate and this will hurt the whole area.

Councilwoman Papouchado pointed out one point not mentioned in the publicity about the TIF is that taxes are only frozen on the TIF district and not throughout Aiken.

Mr. Thompson pointed out that the TIF district is less than 1% of the total property values in Aiken County so the district will not dramatically affect taxes, but the district would be a very positive step and would get some of the growth to pay for itself.

Councilman Perry stated he felt the TIF was an exciting project. It would require that those benefiting from the improvements pay for it. He felt the TIF was a tool that small towns can use without hurting anything.

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Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that Council pass on first reading an ordinance to establish a Tax Increment Finance District and that second reading and public hearing be set for the next regular meeting of Council.

#### BIDS

##### Shaws Creek Dam Republic Contracting Corp.

Mayor Cavanaugh stated Council needed to consider bids for repairs to the Shaws Creek dam.

Mr. Thompson stated the current budget includes funds for repairs to the dam at Shaws Creek. The dam helps with the city's primary water source for the utility system. The bids received were as follows:

<u>Bidder</u>	<u>Price</u>
Republic Contracting Corp.	\$197,410
Plowden Construction Co.	199,735
Sheriff Construction Co.	248,892

The staff is recommending acceptance of the low bid of \$197,410 submitted by Republic Contracting Corporation.

Originally \$90,000 was budgeted for this repair, but according to the Public Works staff the higher bid is due to the contractor's concern over having to perform a majority of the work from a barge in Shaws Creek. Based on the closeness of the bids, the staff feels that this is a good bid on the project and that the city should move forward with the repairs. The dam is failing, and it needs to be repaired. The extra funds will be taken from the surplus generated from last year's budget.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that Council approve the low bid of Republic Contracting Corp. in the amount of \$197,410 for repairs to the dam at Shaws Creek.

#### BIDS

##### Computer Software HTE, Inc.

Mayor Cavanaugh stated Council needed to consider bids for the purchase of computer software.

Mr. Thompson stated that after the close of last fiscal year, the city was notified by the financial software vendor that the company was moving out of the municipal software market and would no longer support the software system. Interviews have been conducted with software vendors, and the staff is recommending purchase of the financial and utility software from HTE, Inc.

Mr. Thompson stated replacement of the financial and utility software system is an extensive and expensive process. We had expected to upgrade the software next year, however, with the notice from the software vendor, the city was forced to move the plans up for replacement due to uncertainty of support. When the city changed to the IBM AS/400 we lost some of the effectiveness in speed of the software that was on the old System 36, and we knew we would have to upgrade the software soon.

Anita Lilly, Finance Director, formed a Computer Software Review Committee, to interview vendors that provide integrated software systems. A software purchase is not a low bid situation. The purchasing regulations recognize this through a different set of procedures. After reviewing proposals and interviews with the top three vendors, the staff is recommending that HTE, Inc. provide the software for the city. The contract with HTE, Inc. has been reviewed and the staff is satisfied that it protects the city.

The city is also in the process of upgrading the present AS/400 computer, and this hardware will be purchased directly from IBM under state contract.

Included in the new software will be the fixed asset system, billing system, general ledger system, business licenses, payroll, tax billing, and the utility billing system. Each application has a separate price, and overall the total price of this software will be approximately \$235,284.

Mr. Thompson stated the city depreciates the computer system to assist with replacement of the computer system and hardware and funds are available through the Depreciation funds. On approval of Council, the application modules and packages will be delivered starting in May, 1995, with the final package to be delivered in October, 1995. This is an extensive replacement program.

Council discussed the proposed purchase asking Anita Lilly several questions regarding the schedule for upgrading capacity for the system and funding for the proposed purchase.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that Council approve the purchase of computer software from HTE, Inc. as submitted in their proposal at a cost of approximately \$235,284, contingent upon the contract being satisfactorily finalized.

#### BIDS

##### Playground Equipment

##### Eustis Park

##### Game Time

Mayor Cavanaugh stated Council needed to consider the bids for the purchase of playground equipment for Eustis Park.

Mr. Thompson stated last year approximately \$35,000 of Community Development Entitlement Funds was identified to be used to begin improvements at Eustis Park. Phase one improvements include the installation of playground equipment such as a multi-play structure, gliders, benches and improvements to the basketball and tennis courts.

Bids have been solicited for the playground equipment. A total of eight invitations to bid were distributed and six responses received as follows:

<u>VENDOR</u>	<u>BID PRICE</u>
Game Time	\$20,738.71
Peggs Recreational	21,821.00
Hunter-Knepshield	23,885.61
Bliss Products	24,780.56
Play Systems	26,014.00
*Architectural & Recreational Products	2,280.00

\*Only bid on one item.

Mr. Thompson stated Terry Rhinehart has reviewed the bids and is recommending acceptance of the low bid submitted by Game Time for a total bid price of \$20,738.71. Game Time meets all specifications and the delivery schedule.

Councilman Radford moved, seconded by Councilman Anaclerio and unanimously approved, that Council accept the low bid of Game Time in the amount of \$20,738.71 for playground equipment for Eustis Park.

#### JURY BOX 1995

Mayor Cavanaugh stated Council needed to adopt a jury box for 1995 for the Municipal Court.

Mr. Thompson stated that each year Council is required to adopt a jury box. He stated Sara Ridout, City Clerk, as agent for Council, had prepared a jury box under the guidelines required by the City Code. The box prepared includes 11,753 electors eligible for jury duty.

Councilman Anaclerio moved, seconded by Mayor Cavanaugh and unanimously approved, that the jury box as prepared be adopted for 1995.

#### AIKEN OLYMPIC TRAINING COORDINATION COMMITTEE

##### Funding Request

##### Accommodations Tax

Mayor Cavanaugh stated Council has received a request from the Aiken Olympic Training Coordination Committee for additional funds.

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Mr. Thompson stated that in September Council approved funding of \$10,000 to assist with the expenses to host the Olympic training shooting games at the South Carolina Outdoor Shooting Club. Council agreed to funding of \$10,000 for the training site, and included comments that Council would consider an additional \$10,000 in funding if the training center was able to attract more teams to the site. Council has received a request from the Coordination Committee, asking the city for an additional \$10,000. He pointed out the Coordination Committee has received a commitment from the Canadian National Shooting Team, the British International Shooting Federation, and the Italian teams to use the facilities at the South Carolina Outdoor Shooting Club to conduct pre-Olympic training in Aiken.

Mr. Thompson stated if Council approves the additional \$10,000 for the Aiken Olympic Training Coordination Committee the funds will be taken out of 1995 funding under the Accommodations Tax.

Council discussed the request, with Councilman Perry asking about the economic impact on Aiken. He stated he was not sure the city was getting anything and that the private owner of the property was getting \$20,000 to improve his facilities. Councilmembers pointed out that people will be coming in for the training and they have to stay somewhere, eat, etc. and this will have an economic impact on Aiken. It is hoped that other teams will also come to the area, and this will make more of an impact on the area. It was pointed out that private individuals were creating the interest for the shooting teams to come to the area and creating a public-private partnership for an international sporting center.

Councilwoman Papouchado moved, seconded by Councilman Anaclerio, that Council approve an additional \$10,000 for the Aiken Olympic Training Coordination Committee to assist with the expenses to host the Olympic training shooting games at the South Carolina Outdoor Shooting Club with the funds to come from Accommodations Tax funds for 1995. The motion was approved by a vote of 6 to 1 with Councilman Perry opposing the motion.

#### CHURCH

231 Pendleton Street NW  
Episcopal Missionary Church  
Edgefield Avenue  
Barnwell Avenue

Mayor Cavanaugh stated a request had been received to locate a church at 231 Pendleton Street NW.

Mr. Thompson stated a request had been received from the Episcopal Missionary Church for approval of a church in a vacant commercial building on Pendleton Street between Edgefield Avenue and Barnwell Avenue. The building is a vacant office building at 231 Pendleton Street NW. The church would like to renovate the existing building for use as a church and Parish House. The church is not planning to pave or expand the site's parking area, and to help with storm water drainage the staff is also recommending that the church not pave the parking lot. The site will accommodate 15 off street parking spaces required by the Zoning Ordinance for church related parking. The Zoning Ordinance allows religious facilities in any zone upon recommendation by the Planning Commission and approval of City Council. The zoning of 231 Pendleton Street NW is R-3 Multi-Family zoning.

Mr. Thompson stated the Planning Commission had reviewed the request and had recommended approval of the request to Council.

Councilwoman Clyburn moved, seconded by Councilwoman Price and unanimously approved, that the request from the Episcopal Missionary Church for a church at 231 Pendleton Street NW be approved as recommended by the Planning Commission.

BEAVER CREEK SUBDIVISION

Section 4  
Silver Bluff Road  
Glenwood Drive  
Water  
Utility Request  
Tax Parcel No. 00-109-01-020

Mayor Cavanaugh stated the city had received a request for water service to Section 4 of Beaver Creek Subdivision.

Mr. Thompson stated the city had received a request from Beaver Creek Development Company, Inc. for extension of city water for a revised Section 4 of Beaver Creek Subdivision located off Silver Bluff Road containing 50 lots on 52.78 acres. City water was approved originally for Section 4 on March 28, 1994, but the developers have modified the subdivision which requires resubmittal to Council. The changes in the subdivision include: increase in size of subdivision to 52.78 acres and 50 lots from 27.26 acres and 38 lots, configuration of the original 38 lots changed and a new street serving 12 additional lots has been added, two reserve strips to provide access to serve future development have also been added; and a stormwater detention pond had been added.

The city agreed to provide water to the first three phases of Beaver Creek totaling 142.3 acres without annexation agreements. Any provision of city utilities beyond the original area is subject to the city's "Policy for the Provision of New Water and Sanitary Sewer Service to Unincorporated Areas," including the requirement for execution of an annexation agreement.

The Planning Commission reviewed the request for water service and has essentially recommended approval on the same conditions that were approved by City Council in March, 1994, with the first submittal. The city's utility policy states that a project receiving utilities, where feasible, must comply with the Subdivision Regulations regarding the design of roads in addition to water and sewer lines. The conditions of approval recommended by the Planning Commission are:

1. that an annexation agreement be executed;
2. that a copy of the recorded deed verifying ownership for all portions of the property be submitted;
3. that there be no access from the lots fronting on Glenwood Drive onto that road;
4. that a waiver of the 1000-foot limit for the length of a dead-end street be granted to allow Beaver Creek Lane to be 1300 feet long;
5. that the City will not be responsible for maintenance or development of public access for Lot 49 or Lot 50; no city services will be extended beyond Beaver Creek Lane; and
6. that all comments by the City Engineer be satisfactorily addressed.

Council discussed the proposed subdivision. Councilman Anaclerio asked about access to other areas without having to go back to the main road. He pointed out he always asks about access to adjacent subdivisions without having to go back to the main road. Mr. Mark Graham explained that there are some roads marked for future development, but pointed out the terrain of the land and present use of land would not allow access to adjacent subdivisions.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that water service for Beaver Creek Section 4 be approved with the conditions recommended by the Planning Commission.

REZONING - ORDINANCE

South Aiken Presbyterian Church  
1711 Whiskey Road South

Mayor Cavanaugh stated a request had been received from the South Aiken Presbyterian Church that the church property at 1711 Whiskey Road be rezoned.

Mr. Thompson stated the South Aiken Presbyterian Church located at 1711 Whiskey Road South had requested that the church property be rezoned from R-1 and R-1A Single Family Residential to NB Neighborhood Business. The Planning Commission has recommended denial of the request.

Mr. Thompson stated churches are allowed in any zone, however, signs for the church are restricted to the sign allowed in that particular zone. South Aiken Presbyterian Church is presently in residential zones and would be restricted to a sign 24 square feet and 8 feet high in keeping with the regulations for the residential zoning. The Neighborhood Business zone would allow the church greater flexibility in selecting a sign size. The Planning Commission was concerned, however, that the need for a larger sign was not adequate to justify rezoning of the property. Without rezoning the church would need to go through the Zoning Board of Adjustment for a variance to obtain a larger sign. After review the Planning Commission recommended denial of the rezoning request. The request is submitted to Council for consideration.

Council discussed the request. Mayor Cavanaugh and Councilman Perry pointed out there is neighborhood business zoning on either side of the church and other NB zones in the area have the size signs allowed in the NB zone. Mayor Cavanaugh and Councilman Perry asked what would be the difference in allowing one more sign of the size allowed in the NB zone since the area is adjacent to NB zones on both sides. Other Council members pointed out they had problems with allowing a large sign for the church. It was pointed out the members know where the church is located. It was also pointed out the city had changed the Zoning Ordinance several times to try to cut down on large signs.

Mr. Holly pointed out the Planning Commission had discussed the request and asked the church representatives why they wanted the property rezoned. The church representatives didn't have a reason for the rezoning, and he felt this was a concern of the Planning Commission.

AN ORDINANCE TO REZONE THE PROPERTY OWNED BY SOUTH AIKEN PRESBYTERIAN CHURCH LOCATED BETWEEN WHISKEY ROAD AND SILVER BLUFF ROAD FROM R-1 AND R-1A, SINGLE FAMILY RESIDENTIAL TO NEIGHBORHOOD BUSINESS.

Councilwoman Price moved, seconded by Councilman Perry, that the ordinance be passed on first reading to rezone the property owned by South Aiken Presbyterian Church from R-1 and R-1A to Neighborhood Business.

Councilwoman Papouchado stated she had some concern about border residential areas that are struggling to maintain a residential character faced with businesses, neighborhood businesses, churches, etc. She said she would hope that the church would want to be a good neighbor and not proliferate the large sign problem. She felt the rezoning and a larger sign was not a real need or something that would hurt the church if not granted. She pointed out the Planning Commission had studied the matter and made a recommendation to Council to deny the rezoning request.

Mayor Cavanaugh called for a vote on the motion to pass the ordinance on first reading to rezone the South Aiken Presbyterian Church property from R-1 and R-1A to Neighborhood Business. The motion passed by a vote of 6 in favor and 1 opposed. Councilman Anacerlio opposed the motion.

ADJOURNMENT

There being no further business, Councilman Anaclerio moved, seconded by Councilwoman Price that the meeting adjourn. The meeting adjourned at 9:20 P.M.

  
Sara B. Ridout  
City Clerk