

Aiken City Council Minutes

November 8, 1999

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

Others Present: Roger LeDuc, Gary Smith, Anita Lilly, Ed Evans, Bill Huggins, Pete Frommer, Terry Rhinehart, Larry Morris, Sara Ridout, Tom Smith of the Aiken Standard, Katie Throne of the Augusta Chronicle, and about 24 citizens.

Mayor Cavanaugh called the meeting to order at 7:30 P.M. Roger LeDuc led in prayer which was followed by the pledge of allegiance to the flag. The minutes of the regular meeting of October 25, 1999, and the special meeting of November 1, 1999, were considered for approval. Councilwoman Papouchado moved that the minutes be approved as written. The motion was seconded by Councilwoman Clyburn and unanimously approved.

PRESENTATIONCity CouncilPapouchado, Karen

Mayor Cavanaugh stated Council wanted to make a presentation to Karen Papouchado.

Mr. LeDuc stated Council would like to recognize a member who is departing Council after giving the city and its citizens many tremendous years of service. Councilmember Karen Papouchado served as Councilmember from 1991 to 1999 and as Mayor Pro Tem from 1994 to 1997. Councilmember Papouchado has put in a tremendous amount of time and effort during these years and will be missed by those remaining on Council and by the citizens throughout the city.

Mayor Cavanaugh stated Council appreciated all Councilmember Papouchado has done for the city. He pointed out some of the accomplishments and pointed out that Councilmember Papouchado spearheaded many of the accomplishments, including Infant Mortality, International Healthy Cities, All America City, and Moms and Cops Program. Mayor Cavanaugh stated it had been a pleasure to work with Councilmember Papouchado.

Mayor Cavanaugh presented a plaque and key to the city to Councilmember Papouchado.

Councilmember Clyburn pointed out that Councilmember Papouchado many times comes up with the funniest things when dealing with difficult situations. She said she would miss sitting next to Councilmember Papouchado. She stated Councilmember Papouchado had done a lot for the city and had also done a lot for her to help her grow in thinking about what the city needs to be doing for the citizens of Aiken.

Councilman Radford pointed out the hard work of Councilmember Papouchado and said her dedication was inspiring to others. He said the citizens need to understand all the work she had done for the city.

Councilman Anaclerio expressed his appreciation to Councilmember Papouchado for all her hard work and her telephone calls before the meetings.

Councilwoman Price expressed her appreciation to Councilmember Papouchado for all she had done for the community and mankind.

Councilwoman Papouchado stated the years on Council had been eight of the greatest years of her life and it had been a great joy to serve the citizens of Aiken. She told the story of jelly beans which she said illustrated how she has grown from being on Council and how she feels that the city works together. She stated jelly beans don't start out all pretty, but they are rough and lumpy. She stated when wax is added and they are put in the machine where they bump against each other they gradually become beautiful jelly beans. She stated she came to Council with rough edges, but Council had been wonderful and had helped burnish her edges off. She pointed out the staff and department heads had also been wonderful to her. She said she felt the quality of the leadership of Aiken sets it apart. She pointed out Attorney General Reno's office had called regarding the Moms and Cops Program asking for more information and she had sent information to her office.

Councilmember Papouchado stated it had been a great privilege to work for and with everyone.

BOARDS AND COMMISSIONS

Appointments

Black, Steve

Building Code Appeals Committee

Poe, Lee

Park Commission

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

Mr. LeDuc stated at the last Council meeting Councilwoman Papouchado recommended appointment of Steve Black to the Building Code Appeals Committee to replace Jerry Waters who resigned due to a conflict of interest since he serves on the County Building Code of Appeals. If appointed Mr. Black would fill the unexpired term of Mr. Waters. On approval by City Council, the term for this position would expire May 12, 2001.

Councilman Radford has recommended reappointment of Mr. Lee Poe to the Park Commission. On approval by City Council, the term for this position would expire December 1, 2001.

Councilwoman Papouchado moved, seconded by Councilman Radford and unanimously approved, that Council appoint Steve Black to the Building Code of Appeals Committee with the term to expire May 12, 2001.

Councilman Radford moved, seconded by Mayor Cavanaugh and unanimously approved, that Lee Poe be reappointed to the Park Commission with the term to expire December 1, 2001.

CENTRE SOUTH EXECUTIVE PARK - ORDINANCE 110899

Dedication

Streets

Detention Pond

Wyatt Development Co.

Silver Bluff Road

CSEP Limited Partnership

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to accept dedication of the streets and detention pond at Centre South Executive Park.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE ACCEPTING THE DEDICATION OF REAL PROPERTY OWNED BY CSEP LIMITED PARTNERSHIP I.

Mr. LeDuc stated a number of years ago Wyatt Development Co. constructed a commercial subdivision just south of Centre South Shopping Center. They currently occupy a couple of the sites with their business and a few other businesses are located within this Park. The City of Aiken generally accepts these utilities and easements one year or later after the construction has been completed and upon inspection by the Public Works Department. The Public Works Director, Larry Morris, indicates that after correcting a few problem areas the property is in order and complies with the city's requirements. Therefore, he recommends acceptance of the deed of dedication for these utilities and easements.

The public hearing was held and no one spoke.

Councilman Radford moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass on second and final reading an ordinance to accept the streets and utilities at Centre South Executive Park with the ordinance to become effective immediately.

TAXES - ORDINANCE 110899APenalty Dates  
1999-2000

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to adopt penalty dates for collection of taxes for fiscal year 1999-2000.

Mr. LeDuc 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 1999 - 2000.

Mr. LeDuc stated for the last several years Council has had to set a temporary penalty date for taxes. He said a few years ago Aiken County got the tax information to the city earlier in the fiscal year and the city would have the notices ready by September. For the last several years they have been getting out later and later. Mr. LeDuc said every week the city delays in setting the penalty dates the city loses \$1,000 per million dollars the city collects. He said the city collects about \$4,000,000 so the city loses about \$4,000 per week because of the delays. He said the staff felt it was very important that Council approve the ordinance setting the penalty dates. He said the proposed ordinance sets the penalty date for January 19, 2000.

The public hearing was held and no one spoke.

Councilwoman Price moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the ordinance on second and final reading setting the penalty dates for paying taxes for fiscal year 1999-2000 with the ordinance to become effective immediately.

VENTURES PARK - ORDINANCERestrictive Covenants  
Development Standards  
Industrial Park  
Airport

Mayor Cavanaugh stated an ordinance had been prepared for first reading to amend the restrictive covenants and development standards for Aiken Ventures Park.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING THE RESTRICTIVE COVENANTS AND DEVELOPMENT STANDARDS FOR AIKEN VENTURES PARK, AIKEN, SOUTH CAROLINA.

Mr. LeDuc stated at the last City Council work session, Council discussed making several minor changes to the restrictive covenants and development standards for Aiken Ventures Park. These are all minor in nature and will help the city to maintain the high quality standards they want in this particular park.

Mr. LeDuc pointed out Council had copies of the proposed ordinance which amends the restrictive covenants and development standards with the changes underlined and the deletions being crossed out.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that the ordinance be passed on first reading to amend the restrictive covenants and development standards for Aiken Ventures Park, and that second reading and public hearing be scheduled for the next regularly scheduled Council meeting.

ZONING ORDINANCE - ORDINANCERevision  
1999

Mayor Cavanaugh stated Council needed to consider first reading of an ordinance to approve a proposed revised Zoning Ordinance.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE ADOPTING THE REVISED ZONING ORDINANCE OF THE CITY OF AIKEN.

Mr. LeDuc stated that in May, 1998, a Task Force was appointed by the Planning Commission to begin work on revising the Zoning Ordinance with the assistance of Duncan & Associates of Austin, Texas. The Task Force held several meetings and presented their results to the Planning Commission in April, 1999. After their approval Council decided after two readings to ask for further review of this ordinance. They reviewed this ordinance over the summer and fall and the Planning Commission approved it at their October meeting.

City Council reviewed the proposed ordinance at the November 1 work session. A complete draft was given to Council earlier with the new wording and provisions. Several revisions have been made to the Zoning Ordinance which was originally adopted in 1947, and this is the first complete overhaul of this ordinance in 25 years. The ordinance under consideration represents an effort to streamline the regulations to make them easier to use, understand, and to eliminate outdated provisions and to better incorporate the numerous amendments made over the years. In addition changes are being made to bring the ordinance in compliance with the South Carolina Comprehensive Planning Enabling Act of 1994 which will take effect at the end of this year.

The revisions provide regulations for bed and breakfast, a limit for horses in a RSS zone, sunsetting of nonconforming trailer parks, accessory apartments and many other provisions. Council has asked for further information concerning horses. He said a special committee will be meeting and will have a recommendation for Council within two weeks on the number of horses they feel should be allowed within certain zones.

Councilman Anaclerio moved, seconded by Councilwoman Price, that the proposed Zoning Ordinance be passed on first reading and that second reading and public hearing be set for the next regularly scheduled meeting of Council.

Councilwoman Papouchado stated she wanted the citizens to know that she would be voting against the proposed Zoning Ordinance just to flag it to their attention that what she had indicated to them would be in the ordinance regarding the number of horses in the R1S zone is not in the ordinance. She suggested that the citizens follow the ordinance closely to be certain that their needs are being met. She pointed out that when an R-1S occurs in a residential neighborhood sometimes there are problems such as so many horses that the noise, the odor, etc. pose a hazard or they become a detriment to the nature of the community. She said it appears that the city has some difficulty in enforcing the ordinance. She said one thing discussed at the work session to address the residents' concerns was to limit the number of horses in the R-1H areas so there could be some relief within six months with the owner having to reduce the number of horses to a smaller number and then apply to the BZA for a special exception. She said she had indicated to the residents that this would be in the Zoning Ordinance, but at this time it is not in the ordinance. She said the proposed ordinance would revert to the previous ordinance where on a five acre tract there could be up to 90 horses. She said this should not be perceived as an attack on the use of horses in Aiken. She said it was an unfortunate consequence when one individual does not obey the ordinance and it becomes a difficult issue for everyone. She said she certainly supports the use of horses in Aiken.

Councilwoman Price pointed out that the proposed ordinance is standing as it has been for years. She said in the work session it was decided that a group would study this problem rather than Council just suggesting a number of horses to go on an acre.

Mayor Cavanaugh called for a vote on the motion to approve the Zoning Ordinance on first reading with second reading at the next regular meeting of Council. The motion was approved by a vote of 5 in favor with Councilmember Papouchado opposing.

AUDIT 1999Fiscal Year 1998-99  
Cherry, Bekaert & Holland

Mayor Cavanaugh stated Council needed to approve the Audit for Fiscal Year 1998-99.

Mr. LeDuc stated the City of Aiken receives a yearly audit prepared by an independent auditor of the city's accounts and records.

In the letter of opinion the auditors felt we are in good financial standing and gave us a clean finding or audit. During their auditing the auditors did note two conditions that they would like us to review and consider changing in the future. These include the cash receipts at Parks and Recreation and accounting of cash receipts for pending drug cases. Both of these are being reviewed and the necessary changes have already been implemented concerning the pending drug cases, and steps are now being taken to make the necessary changes at the Recreation Department.

This is the auditor's second year of a three year contract with the city and both the Finance Department and the city are very happy with the results of this audit.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that Council accept the audit for fiscal year 1998-99 from the firm of Cherry, Bekaert & Holland.

#### WOODSIDE PLANTATION

##### Sign

##### Entrance Sign

##### East Gate Drive

Mayor Cavanaugh stated Council needed to consider a request to place an entrance sign on East Gate Drive for the purpose of identifying Woodside Plantation.

Mr. LeDuc stated at the October 19, 1999, Zoning Board of Adjustment meeting Woodside Plantation Property Owners' Association requested a variance to place an entrance sign on East Gate Drive prior to their gate. The sign will be similar to the one at the main gate on Pine Log Road.

The Zoning Board unanimously approved the variance to place the sign within the median on East Gate Drive. Since this median is city property it would require approval by City Council to allow them to place this ground level sign which is approximately 4 feet high by 7 1/2 feet wide.

Councilman Radford moved, seconded by Councilwoman Papouchado and unanimously approved, that Council approve the request of the Woodside Property Owners' Association to place an entrance sign on city property on East Gate Drive in front of the gate for the purposes of identifying Woodside Plantation.

#### EXECUTIVE SESSION

##### Industrial Park

##### Sale of Land

##### Ventures Industrial Park

##### Contract Sale

##### Personnel Issue

Mayor Cavanaugh stated Council needed to go into executive session to discuss several matters including the sale of property in the Ventures Industrial Park, a contract sale, and a personnel matter.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that Council go into executive session to discuss the sale of property in the Ventures Industrial Park, a contract sale, and a personnel matter. Council went into executive session at 8:10 P.M. After discussion Councilwoman Price moved, seconded by Councilwoman Papouchado and unanimously approved, that the executive session end. The executive session ended at 8:45 P.M.

#### ADJOURNMENT

There being no further business the meeting adjourned at 8:45 P.M.



Sara B. Ridout  
City Clerk