

Aiken City Council Minutes

September 9, 1996

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

Absent: Councilwoman Clyburn.

Others Present: Steve Thompson, Gary Smith, Frances Thomas, Roger LeDuc, Carrol Busbee, Ed Evans, Andy Anderson, Sara Ridout, Chasiti Kirkland, of the Aiken Standard, Kathy Steele, of the Augusta Chronicle, and 6 citizens.

Mayor Cavanaugh called the meeting to order at 7:40 P.M. Councilwoman Price led in prayer which was followed by the pledge of allegiance to the flag. The minutes of the regular meeting of August 12, 1996, and the special meetings of August 21 and 27, 1996, were considered for approval. Councilwoman Papouchado moved that the minutes be approved as written. The motion was seconded by Councilman Radford and unanimously approved.

BOARDS AND COMMISSIONSAppointmentsAiken County Transit CommissionBarner, ReginaldVarg, ChristineCommunity Development Housing CommitteeEwing, AnnaWilliams, GwenZoning Board of AdjustmentStrack, John

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

Mr. Thompson stated Council has several appointments available for various boards and commissions, including two appointments for the Community Development Housing Committee, one for the Zoning Board of Adjustment and one for the Aiken County Transit Commission. In keeping with Council's policy on appointments individual members of Council have recommended appointments to the boards.

Mr. Thompson stated Council has received notice from the Chairman of the Aiken County Transit Commission that Mr. Reginald Barner has resigned from the Commission. Mr. Barner served as an appointment from the City of Aiken. Mr. Barner has suggested that Ms. Christine Varg serve in his place. Ms. Varg is an employee at the Housing Authority and lives at 117 Ashewood Court. This is a position with a County Board and would expire on June 30, 1999.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that Ms. Christine Varg be appointed to the Aiken County Transit Commission to replace Mr. Reginald Barner with the term to expire June 30, 1999.

Mr. Thompson stated there are two openings on the Community Development Housing Committee that assists with the Community Development Block Grant Program. Councilwoman Papouchado has suggested that Anna Ewing be reappointed to the Housing Committee, and Councilwoman Price has suggested reappointment of Gwen Williams. Both appointments would expire on September 2, 1998.

Councilman Anaclerio moved, seconded by Mayor Cavanaugh and unanimously approved, that Anna Ewing and Gwen Williams be reappointed to the Community Development Housing Committee for two year terms with the terms expiring September 2, 1998.

Mr. Thompson stated Councilwoman Papouchado has an appointment available on the Zoning Board of Adjustment due to the expansion of the Zoning Board of Adjustment. Councilwoman Papouchado has suggested the appointment of John Strack of DuPree Place SW to the ZBA.

September 9, 1996

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that John Strack, of 200 DuPree Place SW, be appointed to the Zoning Board of Adjustment with the term to expire December 1, 1998.

ZONING ORDINANCE - ORDINANCE 090996

Whiskey Road
Kings Grant Drive
Pizza Hut
FoodMax Shopping Center
Neighborhood Business
South Park Shopping Center

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to rezone the property at the corner of Whiskey Road and Kings Grant Drive from Planned Shopping Center to Neighborhood Business.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING THE ZONING OF REAL ESTATE LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF KINGS GRANT DRIVE AND WHISKEY ROAD (S.C. HIGHWAY 19), A PORTION OF TAX MAP PARCEL NUMBER 30-056.0-01-033, FROM PLANNED SHOPPING CENTER TO NEIGHBORHOOD BUSINESS.

Mr. Thompson stated the owners of the South Park Shopping Center (FoodMax Center) have asked the city to consider rezoning of a portion of the property to allow the creation of a .63 acre lot which is the current site of a Pizza Hut Restaurant. The request has been reviewed by the Planning Commission with the Planning Commission recommending rezoning with conditions.

Mr. Thompson stated the Pizza Hut is owned by a separate property owner, and the owner would like to subdivide the property from the shopping center. Under the Planned Shopping Center zone, the property could not be subdivided because the Planned Shopping Center zoning district requires a minimum lot size of five acres and an average lot depth of 300 feet so the Pizza Hut restaurant would have to remain within the plat of the total shopping center. To allow the subdivision, the Pizza Hut will need to be rezoned to Neighborhood Business before a separate lot can be created.

The Neighborhood Business zone is consistent with the zoning and development in the area. The Planning Commission did not receive any comments opposing the proposed subdivision or rezoning. The Planning Commission voted unanimously to recommend approval of the request for rezoning on the condition that a minor subdivision plat creating lot lines corresponding to the proposed zoning district boundaries be approved and recorded at the RMC office. This is a routine matter that the property owners would comply with.

The public hearing was held and no one spoke.

Councilman Radford moved, seconded by Councilwoman Papouchado and unanimously approved, that Council pass on second and final reading to become effective immediately an ordinance rezoning the property at the corner of Whiskey Road and Kings Grant Drive (the Pizza Hut) from Planned Shopping Center to Neighborhood Business as recommended by the Planning Commission.

ZONING - ORDINANCE 090996A

York Street
Rutland Drive
By-Pass
U.S. 1 North
S.C. 118
Rushton, J. Willard
T & F Properties, Inc.
Tax Parcel No. 30-081-03-001, 002, and 003

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to rezone property at York Street and Rutland Drive from Light Industrial to Neighborhood Business.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING THE ZONING OF REAL ESTATE LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF RUTLAND DRIVE (S.C. 118) AND UNITED STATES HIGHWAY NUMBER 1, TAX MAP PARCEL NUMBERS 30-081.0-03-001, 30-081.0-03-002 AND 30-081.0-03-003, FROM LIGHT INDUSTRIAL TO NEIGHBORHOOD BUSINESS.

Mr. Thompson stated the City had received a request for rezoning of a site that includes the former NationsBank building at the intersection of York Street and Rutland Drive. The owners have requested rezoning from Light Industrial to Neighborhood Business to allow construction of a drug store at the location. The Planning Commission has reviewed the request and recommended to Council rezoning as requested.

Mr. Thompson stated the property contains 3.897 acres, including the former NationsBank building, a vacant warehouse on the adjoining lot to the south, and a heavily wooded undeveloped lot west of the bank site. The area has primarily developed as retail and commercial and rezoning would be consistent with the other uses in the area and with the City's Comprehensive Plan.

The public hearing was held and no one spoke.

Councilman Anaclerio moved, seconded by Councilman Radford, that the ordinance approving the rezoning of property at the intersection of York Street and Rutland Drive from Light Industrial to Neighborhood Business be passed on second and final reading to become effective immediately. The motion was approved unanimously with Councilmembers Perry and Price not participating in the discussion or voting because of a possible conflict of interest.

SUBDIVISION REGULATIONS - ORDINANCE 090996B

Dirt Roads
Paving

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to amend the Subdivision Regulations regarding paving of dirt roads.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING SECTION 5.6.1(d) OF THE SUBDIVISION REGULATIONS TO AMEND THE REQUIREMENT FOR THE PAVING OF ROADS IN THE DEVELOPMENT OF NEW SUBDIVISIONS.

Mr. Thompson stated the Planning Commission has reviewed the requirement for paving of dirt roads near subdivisions and is recommending that the Subdivision Regulations be amended to require that a developer improve or pave a road within 500 feet of a subdivision.

Mr. Thompson stated under the existing ordinance, Section 5.6.1(d), the Subdivision Regulations require that an existing road must be improved to the required standards. Mr. Thompson stated if a developer is building a new subdivision and is some distance away from a paved road the developer must improve the road all the way from the existing paved road to the proposed subdivision. This can result in requiring paving of some length. This leaves a great deal of interpretation over the existing road if a new subdivision or development is located some distance away from existing paved roads and joined only by a dirt road. This could result in a developer having to pave 1,000 feet or more of roadway if the area between the new development and the existing city development is unpaved. The staff has been working with a developer on this issue and asked the Planning Commission to give a recommendation on how far a developer should be reasonably required to pave. The Planning Commission has recommended to Council that the requirement for paving of a dirt road between a new development and existing city development be limited to a maximum of 500 feet. A developer would be required to pave only the last 500 feet of a road between the subdivision and the other paved road. This would not apply if the road is individually designated to the Aiken Historic Register as an unpaved roadway.

The public hearing was held and no one spoke.

Councilman Perry moved, seconded by Councilwoman Price and unanimously approved, that the ordinance amending the Subdivision Regulations to require paving of up to 500 feet of a dirt road connecting new developments to meet city standards be passed on second and final reading to become effective immediately.

AIKEN CORPORATION - ORDINANCE 090996CLoan
Housing Project
Richland Avenue W.

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to provide a loan of \$125,000 to the Aiken Corporation as seed money.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AUTHORIZING A LOAN OF ONE HUNDRED TWENTY-FIVE THOUSAND AND 00/100 (\$125,000) DOLLARS TO THE AIKEN CORPORATION.

Mr. Thompson stated Council has received a request from the Aiken Corporation asking that the city assist with a loan to help the Aiken Corporation to move forward with a housing project on Richland Avenue W. The city will not be serving as a developer, but is preparing lots for sale for housing in the downtown. City Council has discussed this at length and is considering loaning the Aiken Corporation \$125,000 in seed money with the requirement that the city will be reimbursed with the amounts generated from the sale of the Highland Park/Park Avenue and Richland Avenue properties. The balance of the funds loaned to the Aiken Corporation are to be repaid to the city.

Mr. Thompson stated at the August 12 meeting Council approved on first reading an ordinance granting a loan of \$125,000 from the city to the Aiken Corporation. The loan was approved with several conditions. The loan is to be repaid to the city by the sale of property that the city has committed to the Aiken Corporation. The stipulations of the loan include:

1. The proposed housing project on Richland Avenue W. would have to obtain approval of the Historic Preservation Commission, Zoning Board of Adjustment and the Planning Commission through the various city ordinances for the project before purchase of the property at 504 and 518 Richland Avenue W. by the Corporation. The homes must comply with the Historic Preservation Ordinance or variances must be approved. Also, variances would have to be obtained through the Zoning Board of Adjustment for lot size and building setbacks, and the Planning Commission would have to approve subdivision of the property.
2. The Aiken Corporation will include a stipulation that the first house presently located on the property on Richland Avenue W. should be sold or have a contract for sale prior to the transfer of the property.
3. The proceeds from the sale of the lots or properties that will be generated back to the Aiken Corporation are to be specifically reserved for repayment to the City, or for the next multi-family project. The money that accrues to the Aiken Corporation from the sale of properties is specifically limited to a multi-family project within the Central Business District and within the Tax Increment Financing (TIF) District of the city.

Mr. Thompson stated Council has received a request from members of the Aiken Corporation Housing Committee asking that the stipulations be changed. He stated the Committee felt it is very difficult to negotiate a contract with those type of stipulations prior to development of a master plan for the project. He said Council has asked the Aiken Corporation to come up with an innovative and experimental project to bring more density in the downtown. He said the Housing Committee finds it difficult to envision how the property can be sold in pieces before a master plan is developed. A master plan cannot be developed until the property is acquired.

The recommendation from the Housing Committee is that two of the conditions be changed. One, that the condition be deleted that the first house presently located on the property should be sold or have a contract for sale prior to the transfer of the property to the Aiken Corporation. The Aiken Corporation will be responsible for generating funds to repay the loan, but will not be able to do so and guarantee that prior to the actual purchase of the property. The second stipulation requested to be changed is that site development approvals for the property be obtained prior to the closing of the contract by Aiken Corporation. Mr. Thompson stated Council's discussion had been that the Aiken Corporation will still be responsible for meeting those conditions from the various boards of the city, but it does not have to take place prior to the purchase of the property by the Aiken Corporation.

Mr. Thompson pointed out the proposed ordinance spells out the conditions of the loan. The loan would be for one year, based on five months interest free, and after five months the ordinance includes an interest rate of 1% over the investment rate. This is to protect the city's investment. The city's money to be used for the loan is now invested in an investment pool. The properties guaranteed to help make the loan payment include the property at 105 Richland Avenue East (JimBo's). The property is to be sold and the proceeds used to pay part of the loan back. The second property is 505 Highland Park/Park Avenue property. That property is being advertised for sale and funds from the sale of the property should be used for repayment of the loan. The third property would be properties sold within the project at 504 and 518 Richland Avenue West.

Councilman Perry moved, seconded by Councilman Anaclerio and unanimously approved, that the proposed ordinance for a loan of \$125,000 to the Aiken Corporation be amended by deleting the condition that the first house presently located on the property at 504 and 518 Richland Avenue West should be sold or under contract for sale prior to transfer of the property to the Aiken Corporation and changing the condition that the Corporation have the site development approvals from the boards and commissions of the city prior to the transfer of property to the Aiken Corporation and to allow the approvals to be obtained after the sale of the property to the Aiken Corporation.

The public hearing was held and no one spoke.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that Council approve on second and final reading the ordinance as amended authorizing a loan of \$125,000 in seed money to the Aiken Corporation for development of innovative housing in Aiken's downtown with the payment schedule as identified in the ordinance.

Councilman Anaclerio stated he felt the proposed project is a tremendous commitment of the City of Aiken to do something to try to get people to move downtown.

CUT-THROUGH

Parkways

200 Block Williamsburg Street SE

Mayor Cavanaugh stated Council needed to consider some recommendations from the Park Commission regarding closing of a cut-through in the 200 block of Williamsburg Street SE and parking changes.

Mr. Thompson stated the Park Commission has reviewed several cut-throughs in city parkways and is recommending changes in a few locations. The areas have been posted to notify the public of the proposed changes and to allow for any comments.

The Commission is recommending that the cut-through at the 100 block of Orangeburg Street SE, near Richland Avenue, remain at that location. However, the Commission is recommending that the parallel parking adjacent to the parkway be removed.

The Park Commission recommended that the parking area running parallel to the parkway on the 200 block of Williamsburg Street SE (in front of the old Aiken Distributing Company) be removed as well as the old railroad crossing sign since there is no longer a track through the parkway. In addition, the Commission is recommending that the cut-through closest to Park Avenue be eliminated.

The city will work with Norfolk Southern concerning the removal of the railroad sign. The elimination of the cut-through on Williamsburg Street and parallel parking along Williamsburg and Orangeburg streets requires City Council approval. The property has been posted regarding the closing of the cut-through.

A public hearing was held regarding the closing of the cut-through on the 200 block of Williamsburg Street SE and no one spoke.

Councilman Anaclerio moved, seconded by Mayor Cavanaugh and unanimously approved, that the cut-through on the 200 block of Williamsburg Street SE be

closed and that the parallel parking in the 200 block of Williamsburg Street SE and the 100 block of Orangeburg Street be removed.

PURCHASING

Vendor Outreach Pilot Program

Local Purchasing Task Force

Mayor Cavanaugh stated the Local Purchasing Task Force had completed its study and made some recommendations to Council regarding purchasing.

Mr. Thompson stated earlier this year City Council appointed a Task Force to look at several purchasing options for the city and review the city's procurement policies and to suggest ways that the system could be improved. The Local Purchasing Task Force was composed of six members: two members representing the Chamber of Commerce; two members representing the Aiken County Business Alliance; and two members from the city.

The Task Force has been meeting since early April and has recommended a proposed pilot program for Council's consideration. The Task Force's primary objective was to review the city's purchasing procedure and suggest ways to "reach out" to local businesses and promote better communication and accessibility. The Task Force is not recommending any changes to the City Code concerning purchases, but instead has addressed several other matters. The Task Force decided not to recommend a preference policy at this time. The major issue for businesses was not so much local vendor preference, but accessibility to the city bidding process and being given the opportunity to do business with the city.

Out of their discussions, the Task Force is recommending that the city implement the "Vendor Outreach Program" for the next six months. The Vendor Outreach Program is a five-step process to encourage local vendor participation/access to the city's bidding process. The Task Force is suggesting that local be defined as Aiken County businesses.

Mr. Thompson stated the Pilot Program asks that (1) the procurement process and purchasing responsibilities be clear and that the city develop a list of city staff with responsibilities for purchasing that the vendors can contact.

(2) A list of goods and services be developed which the city plans to seek bids or proposals for during FY 96-97.

(3) That the lists of staff responsible for purchasing and the list of goods and services to be purchased be distributed through the Chamber of Commerce, Aiken County Business Alliance, Aiken Net, City Channel, direct mailing to vendors with city business license, and posted at main city building locations.

(4) That quotes for goods and services be requested from all local vendors registered with the city for the particular goods or services as well as other suppliers.

(5) That a vendor workshop be held at least annually to educate and inform vendors on how to do business with the city, provide an informational packet to participants, update vendor files for accurate bidder lists, promote interaction between city staff responsible for purchasing and the business community, and obtain information on new products, services and businesses. As business licenses are issued to new businesses, the city would provide them with an informational packet on how to do business with the city.

Mr. Thompson stated the program should be a good process for the city and should help local business and should satisfy some of the concerns of businesses regarding the city's purchasing process. The Task Force is recommending the Vendor Outreach Program on a six month trial basis.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that Council approve the recommendations from the Purchasing Task Force and that the Vendor Outreach Program be implemented on a trial basis for six months.

It was pointed out Council had tried to listen to the business community and tackle the issues concerning the business community. The city wants to be a partner and in tune with the business community. The License Ordinance has been amended and the building permit process has been streamlined to help businesses.

Councilman Perry thanked the Task Force members including Todd Stilp, Tom Abbott, Nancy Higgins, Jim Stewart, Frances Thomas and Lease Segura for serving on the committee.

UTILITY SERVICES

Water Service

Sewer Service

Summerhill Avenue

U. S. Highway 1 South

Dyches Street

Mayor Cavanaugh stated a request had been received for water and sewer services for a proposed townhouse development on Summerhill Avenue.

Mr. Thompson stated Council has received a petition from E.R.C. Investment Company, Inc. requesting city water and sewer services for a proposed townhouse development. The property is located just south of Highway 1 at the southeast corner of the intersection of Dyches Street and Summerhill Avenue outside of the city limits. E.R.C. Investment would like to develop nine townhouses on individual lots on 1.10 acres.

The Planning Commission has reviewed the request and has recommended extension of water and sewer services with the following conditions:

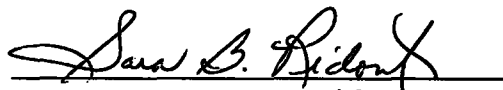
1. that the comments and requirements of the City Engineer are satisfactorily addressed; and
2. that the owner execute an annexation agreement with the city.

The City Engineer's comments are minor and focus on some revisions to the plans. The property owner, E.R.C. Investment, is willing to sign the annexation agreement.

Councilwoman Papouchado moved, seconded by Councilman Anaclerio, and unanimously approved, that the city extend water and sewer services to a townhouse development on Summerhill Avenue with the conditions as recommended by the Planning Commission.

ADJOURNMENT

There being no further business, Council adjourned at 8:10 P.M.


Sara B. Ridout
City Clerk