

Aiken City Council Minutes

September 23, 2002

WORKSESSION

Present: Mayor Cavanaugh, Councilmembers Clyburn, Cuning, Price, Smith, Sprawls and Vaughters.

Others Present: Roger LeDuc, Bill Huggins, Gary Smith, Ed Evans, Richard Pearce, Glenn Parker, Sara Ridout, Karen Daily of the Aiken Standard, Josh Gelinas of the Augusta Chronicle, and 13 citizens.

Mayor Cavanaugh called the meeting to order at 6:15. P.M.

REDISTRICTING

Council Districts

Districts

Voting

Election

4-2-1 Plan

Mr. LeDuc stated for the last several months we have been working on a redistricting plan with the state of South Carolina. They have provided the city with a new plan which will allow a maximum of 10% variation of the voting population between any two districts. This plan would be used until the next census is completed in 2010. Once Council agrees on a redistricting plan, a formal vote would be held with second reading tentatively scheduled for the October 28, 2002 meeting. The approved district plan would then be presented to the federal authorities for final approval. We need a consensus from Council as to your thoughts and direction on the proposed 4-2-1 redistricting plan. He said the agenda includes a resolution outlining the criteria for the redistricting.

City Council had asked Jim Holly, former City Attorney, to work with the state and Richard Pearce, Staff Attorney, on the plan. Mr. Holly presented maps of the proposed redistricting plan to Council for review. He said the city's minority population had remained constant, with the population being about 30 ½%, the same as in 1990, but the population is more dispersed than it was 10 years ago. He said a number of variations had been looked at to increase minority populations in Districts 1 and 2, and he felt the proposed plan was the best plan that could be presented. He said once Council approves the plan it will be presented to the Department of Justice for pre-clearance under the Voting Rights Act.

City Council members had no objections and felt Council should proceed with the proposed plan with the item on the agenda for first reading at the October 14, 2002, meeting.

CAMELLIA TRAILER PARK

Camellia Street

Sundy Drive

Edrie Street

TPN 30-083.0-03-002

Asheton Oake

Edrie Circle

Mr. LeDuc stated at the last City Council work session Council considered possible names for the new subdivision and the interior roadway at the former Camellia Trailer Park site. The surrounding area residents gave City Council a petition and suggested that the subdivision be named after Ruth Ashe who was instrumental in starting up the Croft House, along with other community projects. They would also like to name the interior street Beverly Circle to honor all the work that was done by Councilmember Clyburn to remove the former trailer park and to help get this subdivision established. After looking

at existing subdivision names within Aiken County, some possible suggestions for the subdivision incorporating Ruth Ashe's name are: **Oaks at Asheton Place, Village at Asheton Crossing, or Ashe Crossing.** Possible street names that would include her name could be: **Asheton Circle, Asheton Place.** We checked with Aiken County 911 concerning the original suggestion of Beverly Circle and found another street by this name in the County. Their current policy is to not allow two streets with the same name in the County. There are certainly other names that could be used for the street or the development, but these are some suggestions that Council might want to consider.

Councilwoman Clyburn stated she was humbled that the surrounding residents wanted to name a street after her, but she would not want it to present a problem or set a precedent. She said she would like to suggest that Asheton Oaks would be a good name for the subdivision and perhaps the road could be named Ruth Ashe Circle.

Councilwoman Vaughters stated she had received a call from someone who suggested Edgewood Court for the subdivision.

Councilwoman Price stated naming the subdivision after Mrs. Ashe is an honor, but her concern was that there were other contributors and to name the subdivision and also the street after Mrs. Ashe leaves others out who may have made contributions to the community. Councilwoman Clyburn pointed out the request for naming the subdivision in honor of Mrs. Ashe came from the neighbors in the community.

Councilwoman Clyburn then suggested that the street be named Edrie Circle, since the street is really an extension of that street, and the subdivision be named Asheton Oaks. Then if the neighbors want to suggest another name they can come back with a petition for the naming of the street.

#### CITY PROPERTY

##### Chesterfield Street

##### Babb House

##### Blue House

Mr. LeDuc stated a couple of years ago the city purchased the blue house behind the Washington Center for the Performing Arts on Chesterfield Street. This property was needed to construct the work shop for the theater and for a dumpster location for all of these properties. The house was also used as the contractor's construction site office during this development. With the conclusion of the construction we would now like to seek Council's permission to sell this house and the remaining property for private residential use, business use or a combination thereof. We would suggest including in the deed a restrictive covenant prohibiting the property's future demolition or alteration of the house exterior, and requiring Council's approval should it be moved. We have had over the last few months several individuals who have inquired about purchasing the house, and we feel that once we place it up for sale we should be able to find an owner within a reasonable period of time. Mr. LeDuc said, in talking with Historic Aiken Foundation, he found out the Willcox Inn has an agreement with the Foundation that any exterior changes made at the Willcox have to have approval of the Historic Aiken Foundation, and because of this the Willcox received a tax credit. He suggested that instead of having a deed restriction that any alterations would have to go back to Council for approval that any exterior alterations be approved by the Historic Aiken Foundation.

We have also received a request from Aiken Corporation asking Council's permission to sell the house and receive the revenue generated from this sale. Their intentions would be to use the money to create more housing in the Edgefield, Chesterfield area or the possible preservation of the old St. Gerard's School located on York Street, formerly the Salvation Army. If City Council were to donate the house to them, they would also be willing to place a deed restriction prohibiting the property's future demolition.

Mr. LeDuc stated he was asking Council to decide whether they want to put the blue house on Chesterfield Street up for sale and, if so, would the city sell the house or donate it to the Aiken Corporation and let them sell the house and use the money for housing or preservation of the old St. Gerard's building on York Street.

Council asked what the city paid for the property. Mr. LeDuc stated the property was appraised for \$175,000. The city paid \$140,000 with a \$35,000 tax credit letter. He said the city had removed about three-fourths of the vacant land which was originally the back yard. He said he felt the property had not gone down in value.

Councilman Cuning asked if the cost for the house had been allocated to the cost for the playhouse portion of the Washington Building. Mr. LeDuc responded that it had not been included as a portion of the cost. He said if the city sells the house, then the money received could be allocated towards paying back the \$707,000 inter-loan related to the theater costs or could be used for whatever Council designates. Councilman Cuning stated if the house was bought with taxpayers money then Council needs to have conditions attached to any funds received from the sale.

Mr. Wade Brodie, Chairman of the Aiken Corporation, stated the Aiken Corporation's funds from Aiken 20/20 are restricted to industrial development, and the funds derived from the city through donation of property have conditions that the funds must be used for development of downtown housing. He said the Aiken Corporation presently is interested in two projects; one is working with the city to increase housing density downtown and the other project is preserving the old St. Gerard's school on York Street. He said it was a classic building, but the Aiken Corporation did not have funds to negotiate on the property. He said the Aiken Corporation did not presently have plans for the project.

Councilwoman Vaughters stated the Aiken Corporation did not have definite plans at this time, but there was the \$707,000 interfund loan which needs to be paid back. She also said if there is a tax break for donation of the façade easement, she would like for the new owner to be able to get such a tax break. She pointed out other costs the city had, such as the curb and gutter reimbursement and Hitchcock Woods study. She said she would rather consider the Aiken Corporation's request when they have a plan.

Councilman Cuning suggested that the city could sell the blue house and escrow the money and then, if a plan is submitted by Aiken Corporation that the majority agrees with, the money could be given to Aiken Corporation or the money could be applied to the \$707,000 debt. He suggested that the city could go forward with the sale and escrow the funds at this time. He also suggested that someone check on donation of the façade easement to see if the house would qualify for tax credits.

Mr. Wilkins Byrd of the Historic Aiken Foundation stated he thought the tax laws had changed, and he was not sure if a façade easement would qualify for a tax credit. He said he would be glad to check on this matter. Council asked Mr. Bryd to check on the matter of a façade easement and any possible tax credits.

Mr. LeDuc stated the sale of the house may take several months, and then any sale would have to be approved by Council. He said the reason for discussing this with Council at this time was because several people had expressed interest in the house. With the Playhouse opening soon there will probably be more interest in the property.

Mr. LeDuc stated the city will have the property appraised and place a "for sale" sign on the property.

Councilwoman Vaughters stated if there is not a tax break for donation of a façade easement for the owner, then she would like for the city to consider donating a facade easement to the Historic Aiken Foundation.

#### OLD AIKEN MASTER PLAN

##### Consultant Community Builders

Mr. LeDuc stated at the last City Council work session Council discussed the request for a consultant to help the staff and the task force to complete the Old Aiken Master Plan. Council asked the staff to talk to the director of Community Builders, Bill Steiner, to see

if they could help the City. They have given the city a proposal ranging from \$8,950 to \$19,815, depending on the amount of time needed to help the committee. This does not include any graphics, but they could work with the City on enhanced photos, should we need them. Any graphics would need to be done by another firm. They have also given us a fee of \$750 per person per day should we need them for any additional time. If Council accepts their proposal, the staff will need to take the gathered information and write the final report for the task force, Planning Commission and City Council's approval. Although they would not be doing any display boards for the project, we feel it is a fair price for this work and we recommend using Community Builders to assist us in completing this project.

Councilwoman Vaughters stated the Master Plan Committee had not seen the proposal from Community Builders, and she felt the committee should give their opinion on the proposal before it is approved by City Council.

Mr. LeDuc stated the consultant was a budgeted item, so this did not need formal approval of Council. He said he brought it to Council since several Council members were very interested in the project just so they would know what was being considered. He suggested that the proposal could be taken to the Master Plan Committee and, if the committee is comfortable with the proposal by Community Builders, then the city would move forward with the contract with Community Builders. He said this process would move the project along by several weeks. After discussion Council wanted to have a maximum of \$20,000 for the cost of the study.

#### COMMERCIAL VEHICLES

##### Residential Areas

##### Parking

##### Trucks

Mr. LeDuc stated earlier this summer Council discussed the issue of commercial vehicles parking overnight in residential areas. This was prompted from a situation in Crosland Park where a delivery truck for Frito Lay was parking overnight in front of their house. Until Council could resolve this situation, Council allowed the individual to park within the driveway at their residential unit. The Planning staff has reviewed this and is proposing changes to the Zoning Ordinance regarding commercial vehicles in residential areas. The primary change is that no commercial vehicle exceeding 14,000 (now 10,000) pounds or 20 feet in length can park in a residential area. If they are to park overnight in a residential area, they must park either behind the home or alongside of it, as long as they are not protruding past the front of the home itself. This is similar to the way recreational vehicles are handled. We believe that this would take care of most of the situations that occur in the City, but this may need to be reviewed at a later date once Council has approved any amendments. If Council agrees that these are the changes they would like to make to the ordinance, we will send this to the Planning Commission to review and vote on these changes and then bring it back to City Council for a formal hearing and vote. He said some vehicles may be longer than 20 feet, so there may need to be some flexibility. He asked if Council wanted to make any changes and how much flexibility did they want to give.

Council discussed the proposal and felt the length may need to be more than 20 feet, but the main thing was that the owner be able to get the vehicle behind the front roofline of the house. It was pointed out there are no length restrictions for recreation vehicles. However, it was pointed out it may not be a good situation with houses that are close together with a vehicle parked along side the house and always being the view that the neighbor gets from their house.

Mr. John Wade, a plumber, stated he lives in Crosland Park. He stated he drives his truck home, but it weighs more than 14,000 gvw and is longer than 20 feet. He pointed out many of the vehicles used in business weigh more and are longer than 20 feet. He felt there were many things to consider before amending the ordinance. He pointed out several questions he had about the proposal by the staff. He pointed out corner lots are a problem because there is no way to get vehicles behind the front of the house many times. He stated many vehicles are listed as commercial vehicles that are not pickups.

He was concerned about prohibiting vehicles when the people use the vehicles to make their living.

Mr. LeDuc pointed out that recreation vehicles are parked in yards for months at a time before they are moved, whereas the vehicles used in business are moved every day. He said the length and weight don't make a lot of difference as long as the vehicle is behind the front of the house.

Mr. Gary Moore, 1887 Dibble Road, stated he parks his truck at the rear of his house behind some trees so his truck is not visible from the front.

Mr. LeDuc stated if Council wants to take the approach of the vehicle being behind the front of the house, the matter will be sent to the Planning Commission to work out the details of the proposed ordinance. It was suggested that Mr. Wade, Mr. Moore and Ms. Nix, who were present at this meeting, might want to meet with the Planning Commission to work out details of a proposed ordinance and make suggestions to the Planning Commission.

### REGULAR MEETING

September 23, 2002

Present: Mayor Cavanaugh, Councilmembers Clyburn, Cunning, Price, Smith, Sprawls and Vaughters.

Others Present: Roger LeDuc, Bill Huggins, Gary Smith, Pete Frommer, Ed Evans, Richard Pearce, Anita Lilly, Glenn Parker, Sara Ridout, Karen Daily of the Aiken Standard, Josh Gelinas of the Augusta Chronicle, and 30 citizens.

Mayor Cavanaugh called the meeting to order at 7:35 P.M. Councilwoman Price led in prayer, which was followed by the pledge of allegiance to the flag.

### APPROVAL OF AGENDA

Mayor Cavanaugh stated Council needed to approve the agenda. Councilwoman Clyburn moved, seconded by Councilman Sprawls and unanimously approved, that the agenda be approved.

### MINUTES

The minutes of the regular meeting and work session of September 9, 2002, and the work session of September 16, 2002, were considered for approval. Councilman Sprawls moved that the minutes be approved as written. The motion was seconded by Councilman Cunning and unanimously approved.

### PRESENTATION

Hook a Kid on Golf

Golf

Lock, Mary Jane

Spencer, Joe

Mayor Cavanaugh stated Council wanted to make a presentation for the Hook a Kid on Golf program.

Mr. LeDuc stated this past year our Parks and Recreation Department partnered with the Frank R. Lock, Jr. Memorial Fund, Palmetto Golf Club, the Houndslake Country Club, the Aiken Boys and Girls Club, Woodside Plantation, the United States Golf Association, Southern Cross, Sertoma Club, and ORA-SRS and offered a "Hook-a-Kid on Golf Club" program in the Aiken area. Fifty-one children participated this first year to learn how to play golf for the first time at no cost to them. Funding came from several private sources and grants. The city coordinated this program, and, because of the various funding sources, there was no cost to the city taxpayers. The participants hope that this can be a