

Aiken City Council Minutes

September 26, 1994

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

Others Present: Steve Thompson, Jim Holly, Frances Thomas, Ed Evans, Carrol Busbee, Stanley Quarles, Andy Anderson, Sara Ridout, Philip Lord of the Aiken Standard, and 10 citizens.

Mayor Cavanaugh called the meeting to order at 7:45 P.M. Mr. Thompson led in prayer which was followed by the pledge of allegiance to the flag.

The minutes of the meeting of September 12, 1994, were considered for approval. Councilman Radford asked that the minutes of the last meeting be amended to show that he abstained from voting on the item concerning a contract with Kinghorn & Associates. Councilman Radford felt there might be the appearance of a possible conflict of interest on this matter. Councilwoman Papouchado moved that the minutes be approved as amended. The motion was seconded by Councilwoman Clyburn and unanimously approved.

LANCASTER STREET - ORDINANCE 092694

Aiken Preparatory School  
Quit Claim Deed

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing of an ordinance to execute a quit claim deed for a portion of Lancaster Street to Aiken Preparatory School.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF AIKEN, BY AND WITH THE ATTEST OF THE CITY CLERK, TO EXECUTE A QUIT CLAIM DEED CONVEYING A PORTION OF THE RIGHT-OF-WAY OF LANCASTER STREET TO THE AIKEN PREPARATORY SCHOOL SUBJECT TO SEVERAL CONDITIONS.

Mr. Thompson stated Council has received a request from the Board of Trustees for the Aiken Preparatory School asking the city to consider conveying the portion of Lancaster Street that passes through the school as a permanent part of the campus. The proposed ordinance will authorize the Mayor to execute a quit claim deed for the portion of Lancaster Street abandoning this portion of the street to the school.

The school has used a portion of Lancaster Street since 1921. In 1953 Council allowed the school to close Lancaster Street to thru traffic, leasing the property for a period of 25 years with the second 25 year renewal extending the lease through December 2002. The school is developing a master plan for the campus and would like to place permanent structures on or near the roadway of Lancaster Street.

Mr. Thompson stated the staff concerns are primarily on utilities in the right-of-way and the need for emergency access. The staff suggests that the city retain an easement of 10 feet on each side of the utility lines that are located in the right-of-way. The buildings also need to be spaced far enough apart to allow emergency access into the site, and the city needs an emergency entrance into the campus. The school also needs to install sprinkler systems in the old auditorium and in the older sections of the school before any additional construction takes place.

Mr. Thompson stated to abandon a public street, the city must publish three separate notices in the newspaper and this has been done. The city will require a release from the school from any damages from permanently abandoning the road.

Added to the ordinance on first reading was a condition that the city have the first right of refusal to purchase the property back if the school ceases to exist or changes the purpose of the property with the purchase price for the city to be at a nominal consideration.

Mr. Thompson stated Council had discussed the amendment made to the ordinance regarding the city having first right of refusal to purchase the property back.

Councilwoman Papouchado stated that she would not participate in the discussion or vote on the matter because of a conflict of interest.

Councilman Anaclerio made a motion that paragraph e. of the ordinance, regarding the city having the first right of refusal to purchase Lancaster Street back if the school ceases to exist, be deleted from the ordinance. The motion was seconded by Councilwoman Price and unanimously approved with Councilwoman Papouchado not participating in the voting.

The public hearing was held and no one spoke.

Councilwoman Price moved, seconded by Councilwoman Clyburn and unanimously approved, that the ordinance as amended be passed on second and final reading to authorize execution of a quit claim deed for a portion of Lancaster Street to the Aiken Preparatory School. Councilwoman Papouchado did not participate in the voting.

#### TREE PROTECTION AND LANDSCAPE ORDINANCE 092694A

Central Business District

Trunk Diameter

Tree Diameter

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing of an ordinance to amend the Tree Protection and Landscaping Ordinance regarding measurement of trees and clarifying application to the Central Business District.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING THE CITY OF AIKEN TREE PROTECTION AND LANDSCAPING ORDINANCE WHICH IS DESIGNATED AS ORDINANCE NO. 060892 AND WAS ADOPTED BY THE COUNCIL OF THE CITY OF AIKEN ON JUNE 8, 1992, SO AS TO CHANGE THE METHOD OF MEASURING THE SIZE OF TREES FROM DIAMETER AT BREAST HEIGHT TO CALIPER AND TO CLARIFY THE LIMITED APPLICATION OF THE ORDINANCE TO THE CENTRAL BUSINESS ZONING DISTRICT.

Mr. Thompson stated the Planning Commission had been discussing several changes to the Tree Protection and Landscaping Ordinance and has recommended that Council consider amending the ordinance to change the method used to measure trees under the ordinance and to clarify the ordinance applicability in the Central Business District.

Mr. Thompson stated the present method of measuring trunk diameter for replacement values under the ordinance is through a measurement of breast-height, or approximately 4.5 feet above grade. The Horticulturist feels that existing and newly planted trees should be measured instead at caliper height, or approximately 6 inches above grade. A 3 inch tree at caliper height will be smaller than a 3 inch tree measured at DBH, but caliper is the standard measurement used by nurseries and the difference in measurement methods has caused some confusion.

The Planning Commission also recommended amendments to the ordinance to better illustrate how the Tree Protection Ordinance applies to the Central Business District. Originally the ordinance exempted commercial properties in the CBD from the requirements. The CBD typically requires no setback and buildings can be built up to the lot lines. The Planning Commission was concerned that significant trees could be taken out of the CBD. The Commission has recommended that significant and specimen trees would have to be replaced and that multi-family and commercial properties would have to install a planting strip in front of any off street parking adjacent to the street.

The public hearing was held and no one spoke.

Councilman Radford moved, seconded by Councilman Anaclerio and unanimously approved, that the ordinance amending the Tree Protection and Landscaping Ordinance regarding measurement of trees and application of the ordinance to the CBD area, be passed on second and final reading to become effective immediately.

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REZONING - ORDINANCE

Sibley, William and Florence  
Rutland Drive  
Northside Plaza  
S.C. 118

Mayor Cavanaugh stated an ordinance had been prepared for first reading to rezone .7 acres owned by William and Florence Sibley on Rutland Drive at Northside Plaza.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE CHANGING THE ZONING OF A LOT CONSISTING OF 0.7 ACRES LOCATED SOUTH OF RUTLAND DRIVE, ALSO KNOWN AS S.C. HIGHWAY 118, FROM R-1A, SINGLE FAMILY RESIDENTIAL TO NEIGHBORHOOD BUSINESS.

Mr. Thompson stated Council had received a request from Blanchard & Calhoun, representing Northside Development Group, that .7 acres located behind the Northside Plaza Shopping Center on U.S. 1 North at S.C. 118 be rezoned from R-1A Single Family Residential to Neighborhood Business. The Planning Commission reviewed the request and has recommended rezoning with conditions.

The owners would like to rezone the property to allow the expansion of the Winn Dixie. The Planning Commission has recommended that the property owners comply with the Tree Protection and Landscaping Ordinance for any additional structures constructed on the property and that the city receive a copy of a recorded plat showing the altered property lines.

Councilman Anaclerio stated he felt this was a significant request. He pointed out Council had been concerned about development of the north side of Aiken. He said this points out that development is occurring on the north side.

Councilman Anaclerio moved, seconded by Councilwoman Clybun and unanimously approved, that the ordinance to rezone property behind the Northside Plaza Shopping Center be passed on first reading and the second reading and public hearing be set for the next regular meeting of Council.

VERENES INDUSTRIAL PARK

Airport Land Development Study  
Consultant  
Wilbur Smith & Associates

Mayor Cavanaugh stated Council needed to consider authorizing the staff to negotiate a scope of services and contract for a consultant for the Verenes Industrial Park and Airport Land Development Study.

Mr. Thompson stated during the 1994 Horizons meetings Council discussed the need to develop a plan for the expansion of the Verenes Industrial Park for property now available at the Aiken Airport. He said the city has about 15 sites in the Industrial Park and needs to develop additional industrial sites under an expanded development study. He said the city had accepted requests for qualifications. The staff is recommending that City Council authorize the staff to negotiate a scope of services and contract with Wilbur Smith & Associates to coordinate a new industrial park and to tie it into the airport and existing park at a cost not to exceed \$40,000. Funds for the project would come from the sale of industrial park property.

Council is aware that the remaining sites in the Verenes Industrial Park need to be better marketed and presented before the city will be able to sell the lots to prospective industries. The staff has been working with the Airport Advisory Committee to identify 80 additional acres and the current Aiken Youth Correction Center site for further industrial expansions. Frances Thomas, Roger LeDuc and Larry Morris reviewed the proposals submitted and interviewed some of the companies. The staff feels that Wilbur Smith & Associates can provide a development plan at a reasonable cost.

Councilwoman Papouchado moved, seconded by Councilwoman Clyburn, that Council approve the selection of Wilbur Smith & Associates as consultant for the Verenes Industrial park and Airport Land Development Study.

Mayor Cavanaugh asked if the study will take into consideration all the land available for development, even the less desirable land.

Ms. Frances Thomas stated the study will evaluate all the remaining property in the Park as well as the 80 plus acres on the southwest side of the airport and the frontage property on Highway 1.

Councilwoman Price asked what the expectations from Wilbur Smith & Associates would be.

Ms. Thomas stated a set of services will be outlined for Wilbur Smith & Associates. The request is that the staff be authorized to negotiate a set of services with Wilbur Smith & Associates. The two major activities for the consultant to be involved in would be the enhancement of the Verenes Industrial Park. She pointed out the city has not sold a lot in Verenes Park since 1990. She stated the city had worked with Fred Humes in looking at other sites. His suggestion was that the city probably needed to do some work on some of the sites such as grading, some enhancement to the entrance, and a possible separate truck entrance to Verenes Park. She stated these items will be evaluated. She stated they would study the feasibility of developing the property along Highway 1, the Aiken Youth Correction Center site, and also about 80 acres on the back side of the airport.

Councilwoman Price stated she felt the entrance to Verenes Industrial Park should be made more attractive.

Mr. Thompson pointed out that the Highway Department is in the process of widening Highway 1 and portions of the entrance sign will be replaced. He said the city is planning to install more attractive light fixtures and some landscaping for the entrance.

Mayor Cavanaugh called for a vote on the motion to authorize the staff to negotiate with Wilbur Smith & Associates to serve as consultants for a study of the Verenes Industrial Park and airport area for expansion of additional industrial sites. The motion was unanimously approved.

#### BOARDS AND COMMISSIONS

##### Appointments

##### Airport Committee

Hawkins, Richard

##### Community Development Committee

George, Alan

Derrick, Dave

Mayor Cavanaugh stated Council needed to consider appointments to boards and commissions.

Mr. Thompson stated several committee appointments will be coming available over the next few months. He said appointments on the Airport Committee and the Community Development Committee on Housing expire in September, 1994. He said the term of Richard Hawkins on the Airport Committee expired September 1, 1994. The terms of Alan George and Dave Derrick on the Community Development Committee on Housing expired September 2, 1994. He said Council needed to consider appointments for these committees. He said Mr. Hawkins, Mr. George and Mr. Derrick are willing to continue to serve on the committees.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that Richard Hawkins be reappointed to the Airport Committee for a three year term with the term to expire September 1, 1997, and that Alan George and Dave Derrick be reappointed to the Community Development Committee on Housing for four year terms with the terms to expire September 2, 1998.

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AIKEN REGIONAL MEDICAL CENTER - ORDINANCE

Dedication

Street

Medical Park Drive

Aurora Place

Utilities

Water Lines

Sewer Lines

University Parkway

Mr. Thompson stated the city had received a request from the Aiken Regional Medical Center asking the city to accept the dedication of Medical Park Drive, Aurora Place and the utility systems within the street right of way. Under the city's standard policy the city accepts streets within subdivisions after they have been evaluated to be sure they are properly constructed and maintained. The staff is working with the hospital on some engineering matters which need to be cleared.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ACCEPTING DEDICATION OF THE STREETS KNOWN AS MEDICAL PARK DRIVE AND AURORA PLACE WHICH ARE LOCATED BETWEEN UNIVERSITY PARKWAY AND HUDSON STREET.

Councilman Perry moved, seconded by Councilwoman Papouchado that Council pass the ordinance on first reading to accept the dedication of Medical Park Drive, Aurora Place and the utilities within the right of way with the second reading and public hearing set for the next regular meeting of Council. The motion was approved by a unanimous vote with Councilwoman Price not participating in the discussion or voting on the matter.


Mayor Cavanaugh stated he felt Council needed to restudy the issue of accepting dedication of streets and utilities, considering what is accepted and why the city accepts them to be sure this is in the best interest of the city.

RECOGNITION

Mayor Cavanaugh recognized four members of the Youth Advisory Commission who were present at the Council meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:05 P.M.



Sara B. Ridout  
City Clerk