

Aiken City Council MinutesSpecial Meeting

August 24, 1998

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

Absent: Councilmember Clyburn

Others Present: Steve Thompson, Gary Smith, Bill Huggins, Larry Morris, Sara Ridout, Tom Smith of the Aiken Standard, Margaret O'Shea of the Augusta Chronicle, and 1 citizen.

Mayor Cavanaugh called the special meeting to order at 5:30 P.M. He stated there were two items for Council to consider.

ADDITION TO AGENDA

Mayor Cavanaugh stated Council needed to consider whether to add appointment of a City Solicitor to the agenda.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that Council add appointment of City Solicitor to the agenda.

ANNEXATION - ORDINANCE 082498

Whiskey Road
Stratford Drive
Watson, James
Traughber, Dianne W.
Excel, Inc.
Tax Parcel No. 00-158.0-01-699

Mayor Cavanaugh stated since he was an independent representative of Excel he would not participate in the discussion or voting on the item regarding annexation of property for an office building for Excel. Mayor Cavanaugh left the room at 5:35 P.M.

Mayor Pro Tem Perry stated this was the time advertised for the second reading and public hearing of an ordinance to annex property located at the southwest corner of Whiskey Road and Stratford Drive, the site of a new Excel office building.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF 27.5994 ACRES OF LAND, MORE OR LESS, OWNED BY JAMES S. WATSON, JR. AND DIANNE W. TRAUGHBER AND LOCATED AT THE SOUTHWEST CORNER OF WHISKEY ROAD AND STRATFORD DRIVE AND BEING ALSO KNOWN AS TAX MAP PARCEL NUMBER 00-158.0-01-699 AND TO ZONE THE SAME PROFESSIONAL (P).

Mr. Thompson stated City Council has received a request for annexation of 27.6 acres located on the west side of Whiskey Road at Stratford Drive. This is the property proposed for development of an office building for Excel, Inc. He pointed out Council had been asked to hold the final reading before the next regular meeting of Council because the Excel group wanted to annex the property before closing on the property. However, the owners of the property have asked that annexation not be effective until after closing on the property. He said the staff is proposing that the ordinance for annexation of the property not be effective until September 15, 1998, at the request of the developers for Excel.

Mr. Thompson stated the Planning Commission, has noted that the applicant has proposed a large office building. The proposed site is located on Whiskey Road, a major artery, at a signalized intersection, with utilities available for the site, and could serve as the company's location if sufficient restrictions are placed on the property to protect existing development in the area. The Planning Commission has voted to recommend annexation of this site to City Council, with restrictions. The Comprehensive Land Use Plan has designated this area for low density residential use, and City Council should include a statement that approves

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this use for this function in the motion. The restrictions recommended by the Planning Commission include:

1. that there be untouched buffers of at least 100 feet in depth on the front and rear property lines and there be untouched buffers of at least 50 feet in depth on the north side of the property and 25 feet in depth on the south side of the property;
2. that there be no more than one driveway onto Sizemore Circle, no more than two driveways on Stratford Drive, and no driveways or curb cuts onto Whiskey Road.

The public hearing was held.

Mr. Todd Haas, with Haas & Hilderbrand, stated his firm was doing the surveying and site work on the project. He presented a site and landscape plan for the site. He pointed out the dark green shown on the plan was untouched, ungraded buffer that will not be touched. He pointed out the untouched area is over 25% of the site. He said a lighting plan will be presented later.

No one spoke in opposition to the proposed annexation.

Councilwoman Price moved, seconded by Councilwoman Papouchado and unanimously approved, that Council pass on second and final reading an ordinance approving the annexation of property owned by James Watson and Dianna Traughber, located at the southwest corner of Whiskey Road and Stratford Drive, under the Professional Zone with the conditions recommended by the Planning Commission regarding maintenance of buffers and a limit on the number of driveways into the property. Also, it is moved, that the proposed use of the property is acceptable even though it conflicts with the Land Use Map and the Comprehensive Land Use and Transportation Plan, due to the availability of a major street, signalized intersection, and utilities at this site. Also, Council supports clustering of commercial and professional properties at major intersections, and supports lower density development away from commercial clusters. The motion also includes that annexation of the property will be effective September 15, 1998.

Mr. Thompson pointed out that the proposed use differs from the Comprehensive Land Use Plan, but Council had stated its reasons for the different use of the property.

Mayor Cavanaugh returned to the room at 5:40 P.M.

SOLICITOR

City Solicitor
Appointment
Pearce, Richard

Mayor Cavanaugh stated the second item was appointment of a City Solicitor.

Mr. Thompson stated under the City Code, City Council appoints the City Attorney and the City Solicitor, and the previous practice has been that the City Attorney is a local attorney in private practice. The City Solicitor is the attorney that serves as the City's prosecutor, and also serves as the Staff Attorney, to research different issues facing the city and to help prepare legal education and defense on a day to day basis.

Andy Anderson has recently resigned as the City's Staff Attorney and Solicitor, and Richard Pearce now serves as the Staff Attorney, and would serve in the role of the City Solicitor. Mr. Pearce meets the state requirements for the Solicitor's position, and lives within the city limits of the City of Aiken.

We have several upcoming court dates, and the staff is recommending that City Council formally appoint Richard L. Pearce as the City Solicitor, in accordance with the City Code.

Councilwoman Papouchado moved, seconded by Councilman Radford and unanimously approved, that Council appoint Richard L. Pearce as the City Solicitor.

EXECUTIVE SESSION

Mayor Cavanaugh stated Council needed to go into executive session to discuss negotiations concerning an electric franchise agreement.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that Council go into executive session to discuss an electric franchise agreement.

Council went into executive session at 5:45 P.M.

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

Others Present: Steve Thompson, Gary Smith, Bill Huggins, Don R. Harris, Mike Cherry, Pat Smith, and Keith Coones of S.C. Electric & Gas Co. and Sara Ridout.

ADJOURNMENT

After discussion, Councilwoman Price moved, seconded by Councilwoman Papouchado and unanimously approved, that the Executive Session end.

There being no further business, the meeting adjourned at 9:40 P.M.


Sara B. Ridout
City Clerk