

Aiken City Council Minutes

November 22, 1999

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

Absent: Councilwoman Papouchado

Others Present: Roger LeDuc, Gary Smith, Anita Lilly, Ed Evans, Bill Huggins, Tom Galardi, Terry Rhinehart, Larry Morris, Stanley Quarles, Richard Pearce, Sara Ridout, Tom Smith of the Aiken Standard, Katie Throne of the Augusta Chronicle, and about 150 citizens.

Mayor Cavanaugh called the meeting to order at 7:45 P.M. Mayor Cavanaugh led in prayer which was followed by the pledge of allegiance to the flag. The minutes of the regular meeting of November 8, 1999, were considered for approval. Councilwoman Clyburn moved that the minutes be approved as written. The motion was seconded by Councilman Radford and unanimously approved.

ELECTION REPORTNovember 2, 1999Mayor CavanaughAt-LargeCouncilwoman ClyburnDistrict 1Councilman SprawlsDistrict 3

Mayor Cavanaugh stated the Election Commission would give a report on the results of the General Election held on November 2, 1999.

Mr. Richard Johnson, Chairman of the Election Commission, made the following report to Council on the election held on November 2, 1999.

The City of Aiken conducted a General Election on Tuesday, November 2, 1999, to fill three (3) expired seats on City Council, the Mayor and two (2) Councilmembers. The election was conducted under the 4-2-1B Single Member District Plan. One member was elected from Council District 1, and one member was elected from Council District 3. The Mayor was elected at large.

Notification of the election was made public through newspaper advertising as prescribed by law. The following persons qualified and their names were placed on the ballot.

Mayor: Frederick B. Cavanaugh, Jr.	Republican
District 1: Beverly D. Clyburn	Democrat
District 3: Don Sprawls	Republican

With 1073 persons voting the election results are as follows:

Mayor

Frederick B. Cavanaugh, Jr.	891 votes
Carl Langley (write-in)	9 votes
Betty Ryberg (write-in)	6 votes
Cot Campbell (write-in)	2 votes
Karen Papouchado (write-in)	1 vote

Council Person District 1

Beverly D. Clyburn	110 votes
--------------------	-----------

Council Person District 3

Don Sprawls	461 votes
Karen Papouchado (write in)	8 votes

We hereby certify the election of Frederick B. Cavanaugh, Jr. for Mayor, Beverly D. Clyburn, Council Person for District 1, and Don Sprawls, Council Person for District 3.

The term of their office shall be for a period of four (4) years.

Attached is a tabulation of votes by precincts and districts.

Respectfully submitted,

MUNICIPAL ELECTION COMMISSION
s/Richard Johnson, Jr., Chairman
s/H. A. McClearen
s/Keith R. Wood

Mayor

Frederick B. Cavanaugh, Jr.

<u>Precincts</u>	<u>Votes</u>
1	129
2	26
3	30
4	49
5	52
6	101
16	0
20	113
35	7
46	13
47	73
52	48
53	55
60	7
Absentee	188

Carl Langley (write in)

1	4
5	3
35	1
Absentee	1

Betty Ryberg (write in)

2	2
6	1
20	1
47	1

Karen Papouchado (write in)

52	1
----	---

Cot Campbell (write in)

Absentee	2
----------	---

Council Person

Beverly D. Clyburn

3	27
4	50
5	26
Absentee	7

November 22, 1999

Don Sprawls

1	116
6	72
20	93
47	72
52	4
60	7
Absentee	97

Karen Papouchado (write in)

1	3
6	2
20	3

Council thanked the Election Commission for all their work and effort in conducting the election for the city.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that the report of the Election Commission be accepted.

OATH OF OFFICE

Sara Ridout, City Clerk, administered the Oath of Office to Mayor Cavanaugh and Councilmembers Clyburn and Sprawls.

PRESENTATION

City Council
Perry, Robert S.

Mayor Cavanaugh stated Council wanted to make a presentation to Robert (Skipper) Perry who is now Representative Perry.

Mayor Cavanaugh pointed out that Councilman Perry has been a main part of the community for many years. He said the city appreciates all that Councilman Perry has done over the years. He presented a plaque and key to the city to Mr. Perry. He pointed out that Councilman Perry had served as Councilmember from 1971 to 1987 and from 1989 to 1999 and as Mayor Pro Tem from 1985 to 1987 and from 1997 to 1999.

Mr. Perry stated it had been a great thrill to be a Councilmember of Aiken, South Carolina. He said he hoped he had made a little difference.

Councilwoman Price stated she had enjoyed Councilman Perry's friendship over the years. She said one may not like what he says, but you know where he stands. She wished him well in his new post.

Councilman Anaclerio stated with Councilman Perry's vast experience Council would welcome receiving his advice.

Councilman Radford pointed out that Councilman Perry had always voted for what he felt was best for the community and sometimes that was taking a stand against some things and some people, but he always voted for what he felt was best for the city.

Councilman Clyburn also wished Councilman Perry well in his new position.

PRESENTATION

Tennis Team
South Aiken High School
Girls' Tennis Team

Mayor Cavanaugh stated City Council recognizes area schools that have achieved outstanding success with statewide or national championships. He said Council would like to make a presentation to the 1999 South Aiken High School Girls Tennis Team.

The team, under Coach Donna Jones, won the Class AAAA State Championship this year and the last three out of five years. This is a tremendous accomplishment for this team and tremendous recognition for the school and for the Aiken area.

Mayor Cavanaugh asked that the tennis team come forward and introduce themselves. He presented a plaque in recognition of the 1999 South Aiken High School Girls Tennis Team, as the South Carolina Class AAAA State Champions.

BOARDS AND COMMISSIONS

Appointments

Pearson, Mark

Historic Preservation Commission

Harrison, Joseph

Community Development Committee on Housing

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

Mr. LeDuc stated Council has two pending appointments to boards and committees of the city. Councilman Anaclerio has recommended appointment of Mark Pearson, of 312 Horry Street SE, to the Historic Preservation Commission to replace Sue Brodie. On approval by City Council, the term for this position would expire December 31, 2001.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that Mark Pearson be appointed to the Historic Preservation Commission with the term to expire December 31, 2001.

Mayor Cavanaugh commended Ms. Barbara Sue Brodie for her service on the Historic Preservation Commission.

Mr. LeDuc stated Councilwoman Price has recommended appointment of Joseph Harrison, of 414 Richland Avenue W. to the Community Development Committee on Housing to fill the unexpired term of Gwen Williams. On approval by City Council, this term would expire September 2, 2000.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that Reverend Joseph Harrison be appointed to the Community Development Committee on Housing with the term to expire September 2, 2000.

VENTURES PARK - ORDINANCE 112299

Restrictive Covenants

Development Standards

Industrial Park

Airport

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance 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 Council had discussed making several minor changes to the restrictive covenants and development standards for Aiken Ventures Park which is located just south of the airport. 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.

The public hearing was held and no one spoke.

Councilman Radford moved, seconded by Councilwoman Price and unanimously approved, that the ordinance be passed on second and final reading to amend the restrictive covenants and development standards for Aiken Ventures Park with the ordinance to become effective immediately.

ZONING ORDINANCE - ORDINANCE 112299A

Revision 1999
Bed and Breakfast
Horse Committee
Government Uses

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to approve a 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 into compliance with the South Carolina Comprehensive Planning Enabling Act of 1994 which will take effect at the end of this year.

The revisions provide changes in regulations for bed and breakfast, a provision for horses in a RSS zone, sunsetting of nonconforming trailer parks, the provision to provide for accessory apartments and many other provisions. He said the ordinance will be reviewed continually and at any time Council can make changes to the ordinance with two readings of an ordinance.

Mr. LeDuc pointed out a change discussed in the work session was on the allowance of government facilities. He said Council needs to amend the proposed ordinance to allow city government facilities in residential areas as "P" Permitted Use. This would allow the Planning Commission to review the request at a public hearing instead of going to the Board of Zoning Appeals. All other government facilities would require a Special Exception from BZA.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that the proposed Zoning Ordinance be amended regarding government facilities in residential areas.

The public hearing was held.

Mayor Cavanaugh pointed out Council had an at length discussion in the work session on the Zoning Ordinance, mainly the horse issue. He said he felt Council had reached a good agreement on what should be done in the future regarding horses.

Mr. R. S. Matthews, 152 Dupree Place, spoke regarding the proposed regulations for bed and breakfasts. He reviewed the history of the bed and breakfast on Dupree Place known as Sandhurst Place. He said on March 11, 1996, Council approved a bed and breakfast at Sandhurst. He said at the time he supported the bed and breakfast on the basis that without approval for allowance of a bed and breakfast that the Sandhurst property would be in jeopardy. He said he supported this on the basis that the owner described the bed and breakfast as being a very, very limited operation primarily for tax purposes for the refurbishment and that it would be for Masters Week and several other occasions, but very limited. He said he supported it on that basis to preserve Sandhurst. He said from the time the approval was given there have been a number of occasions where the limited use has been exceeded. Several other problems, including the horse problems, came up and the neighbors proceeded to say that he had led them astray with support of the bed and breakfast and it had opened the door for abuse and was now out of hand. Mr. Matthews expressed concern about the new regulations and the allowances for

bed and breakfasts. He pointed out the regulations will allow up to 10 guest rooms, meeting facilities, meal service for 60+ people, horse rental facilities for 20 horses, retail sales of souvenirs to guests and meeting participants, restaurant meal service to 20 invitees of the bed and breakfast guests, street side and building mounted signs advertising the bed and breakfast. He said the new scope is basically totally and completely commercial. There is very little difference in anything other than commercial. He said at the present time there is to be no more than three guests and there are none of the other allowances for commercial activities. He said in January, 1998, there was a bridal affair which was very large and exceeded the scope allowed. The city made notice to the owner that this would not be allowed and recognized that there was advertising for receptions, conferences, retreats, etc. He said the use for these purposes is in violation of the special conditions for approval of the bed and breakfast which states that no commercial receptions or benefits are to be held on the premises which involve monetary payment. He said this operation affects adversely the immediate neighborhood and creates noise, light, and traffic conditions detrimental to neighboring residents in violation of the Zoning Ordinance and is not within the definition of a bed and breakfast inn. Also continued use of the residence for commercial purposes would be in violation of construction and life safety standards that have been adopted by the City of Aiken. He said with the possibility that the bed and breakfast could become a major commercial business, the residents no longer support it. He pointed out the present advertisements for the bed and breakfast are for 10 bedrooms and for other activities such as meeting facilities, retreats, etc. He said this was commercial and he felt the neighborhood is being encroached by commercial. Mr. Matthews said he understands the regulations for a bed and breakfast will be passed by Council, and he pointed out the city and DHEC will be aided in their efforts to make sure there are no violations as the neighbors are going to help in this effort. He also said any changes in the bed and breakfast that have to go before the BZA will be objected to by the neighbors.

Mayor Cavanaugh pointed out the regulations will apply to all bed and breakfasts but the regulations could be amended at any time. He said there had been problems at Sandhurst and the city is going to have to try to do a better job in enforcement of the regulations.

Mrs. Robert Matthews asked about the process for the new regulations for bed and breakfasts. She asked if each level had to be applied for and approved by the Board of Zoning Appeals such as increasing the number of guest rooms to 10.

Mr. LeDuc pointed out there are three levels for bed and breakfasts. One is basically three bedrooms. The next level is for four to ten bedrooms. The third level is ten bedrooms. He said each level also allows a certain number of other items to be with the level such as meeting space, serving of guests, etc. He said a person can apply for any of the levels. Under the new Zoning Ordinance the bed and breakfast at Sandhurst would be the bed and breakfast home stay which allows three guest rooms to be occupied at any one time. However, to get the bed and breakfast/meeting facility the application would have to go before the BZA and all the items allowed such as 10 bedrooms, meeting facilities, etc. would be allowed if approved by BZA.

Mrs. Jean Kierspe, 632 Sandhurst Place, stated she was present regarding the issue of horses at the Sandhurst Place bed and breakfast. She asked that some type of action be taken regarding the horses. She also presented a petition from the residents of Sandhurst Place and DuPree Place asking for some kind of limitation on the number of horses in RSS neighborhoods and controls to help with odor, flies, etc.

Mr. Billy Benton stated he had moved from Virginia three years ago to Aiken. He said when he was searching for a place to buy he stayed at a bed and breakfast. He said he felt it was very wise of City Council to look at regulations for bed and breakfasts. He felt no hotel could give the warmth of a bed and breakfast. He encouraged Council to move forward with the progressive regulations for bed and breakfasts. He said he was speaking in favor of Sandhurst Place.

Mr. Len Cherry pointed out presently there is a difference in regulations for bed and breakfasts in residential zones and the Central Business District. He stated he had renovated some homes for a bed and breakfast and the regulations are stricter in the business zone. He felt this would not be fair as when a bed and breakfast grows to 10 rooms with meeting rooms, etc. it certainly is a

business in a residential area. He did not feel it was fair to have stricter regulations for the same type business in a Central Business District than in a residential area. He was referring to the building code requirements, such as for electrical wiring, plumbing, etc.

Ms. Rachel d'Entremont, a member of the Zoning Ordinance Task Force, pointed out that after five rooms and above many of the building code requirements are stricter requiring fire walls, certain wiring, etc.

Councilman Anaclerio pointed out a bed and breakfast in a residential area is a little different because they are trying to preserve a building which is a home of a historical nature. He stated special exceptions have to be obtained for bed and breakfasts in a residential area which will be considered quasi-commercial.

Ms. Lucy Knowles, 1141 Two Notch Road, stated a lot of people were present concerning the allowance of horses. She said she felt they would like to hear about some of the discussion held in the pre-Council session.

Mr. Barry DeLoach was concerned about whether property could be designated as historical property without notifying the property owner and was concerned about regulations for maintaining or demolishing a building designated as historical.

Ms. d'Entremont explained the regulations and pointed out the proposed ordinance requires better notification. She also pointed out historical designations are supposed to be noted on a person's deed.

Mr. Jack Wetzel, Powder House Road, stated he had horses on Two Notch Road and Orangeburg Street. He stated City Council and the Planning Commission has been very helpful with the horse community in coming to a working arrangement to satisfy the maintenance code for having animals in neighborhoods surrounded with horses. Mr. Wetzel pointed out there is the polo season and the race season. He said at times some of the horse people will stable many horses for a short time during the polo season. He said this had been going on for 100 years without any problems. He pointed out the special committee which Council had asked to determine the number of horses to be stabled on property had met many times. He said all the horse people follow the maintenance procedure, which has eleven steps to maintain their barns. He said there had been some complaints but those would be looked at further. He said City Council had asked a small group of horse people to help enforce the maintenance procedures. He said if the city receives a complaint, the city will send out an inspector to work with the person. Then if the city process does not work, the city will contact the horse committee which will be made up of fellow neighbors and horse people. The committee will go to the person and work with the person to get the situation cleared. He said the committee people would not want that person to jeopardize the stabling of horses for other people in Aiken. He said he felt there was a consensus that there not be a restriction on the number of horses, but there will be a very, very policed maintenance procedure which will have to be followed.

Ms. Jane Page Gunnel, 927 Two Notch Road, stated several things were discussed in Council's work session such as the number of complaints that would have to be filed for a city representative to check an area. She stated she would like for the representative to check not only the horse area, but also check the landscaping of neighbors. She stated she had noticed a lot of the landscape companies use "black cow" which she cannot tolerate. She encouraged Council not to just look at the horse person, but possibly other environmental infringements which may be causing an odor and flies.

Mayor Cavanaugh stated the city was not trying to put more hardships or hurt the horse industry. He said the horse industry is very important to Aiken, but neighbors have to live together and be caring about each other. Mayor Cavanaugh stated Council was very happy to have the horse committee and have some of the horse people to come together and tell Council they wanted to help with any problems there may be with horses. He said sometimes it only takes one problem to make things bad for everyone. He said everyone must abide by the regulations.

Councilman Anaclerio pointed out that for the people concerned about Sandhurst Place that it would not be upgraded to a 4 or 10 bedroom bed and breakfast without going through the Board of Zoning Appeals for a specific approval for the request. He said Sandhurst will remain a three bedroom bed and breakfast

unless approval is obtained. He said any time a neighbor sees a commercial activity beyond a bed and breakfast taking place, they are empowered to call Public Safety to report the violation. He pointed out Council is not authorizing an enlargement of a bed and breakfast.

Councilwoman Price stated she had been contacted by many citizens and she wanted to commend the citizens for their professionalism and how they dealt with the situation.

Councilman Radford stated he hoped the citizens who live in the area realize that their concerns are Council's concerns. He pointed out the city is going to try to strictly enforce the maintenance ordinance for stabling of horses. He said Council recognizes the benefits of the horse community. He said at this time the proposed ordinance does not have a restriction on the number of horses. He said, however, the city will be looking at the maintenance aspect of enforcing the ordinance more than the number of horses. He said it had been his experience that most people who own horses know how to take of them and the cost involved if they don't care of horses. He said he wanted the neighbors in the area to know that Council is very concerned.

Ms. Pat Corey, Easy Street, stated she wanted to commend Council and the committee that worked on the issue of horses. She said the horse people had been concerned because they love Aiken and those who don't have horses love what horses bring to Aiken. She stated there is the other side where citizens have a right in the community to live without being disturbed by nuisances. She said there is a balancing which has to be done. She said the problems seemed to have been a maintenance issue rather than a numbers issue. She said she would be the first to resent a violation of the ordinance because it gives horses a bad name as well as Aiken. She commended Council for working on the issue and coming to a resolution.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that Council approve the revised Zoning Ordinance as amended.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that Council officially designate a Horse Advisory Committee to be at the call of the City Manager.

Mr. LeDuc pointed out that the city now has a full time person in the Planning Department who will be enforcing the Zoning Ordinance.

REZONING - ORDINANCE

Corporate Parkway 101
Hall, James Jr.
Golds Gym
South Aiken Fitness, Inc.
Parking
Whiskey Road
TPN 00-157.0-01-003

Mayor Cavanaugh stated an ordinance had been prepared for first reading to rezone property adjacent to 101 Corporate Parkway from Professional to Neighborhood Business.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING THE ZONING OF REAL ESTATE LOCATED ON THE SOUTH SIDE OF CORPORATE PARKWAY, A PORTION OF TAX MAP PARCEL NUMBER 00-157-01-003, FROM PROFESSIONAL TO NEIGHBORHOOD BUSINESS.

Mr. LeDuc stated the city has received a request from South Aiken Fitness to rezone 1.3 acres of land from Professional to Neighborhood Business to expand the Gold's Gym parking lot. The land is currently vacant and located adjacent to the eastern edge of the gym facility at 101 Corporate Parkway. Based on the site plan received, the current parking lot has 129 stalls and the expansion would remove 15 stalls but add 67 new parking stalls resulting in a total of 165 with a second driveway cut proposed. The gym currently has an overflow parking demand in the early evening hours, Monday through Thursday, and during seasonal peaks in the first quarter of the year. The original language in the approval of the current property for Neighborhood Business included language stating that it could only be used for a gymnasium or uses customarily incidental to a gymnasium such as a parking lot.

The Planning Commission, at its November 9, 1999 meeting, recommended the rezoning of this property from Professional to Neighborhood Business with the stipulation that the owner of the property enter into a contractual agreement with the City that the property will be used only for a gymnasium or use customarily incidental to a gymnasium.

Councilman Radford moved, seconded by Councilwoman Price and unanimously approved, that Council approve first reading of an ordinance rezoning a 1.38 acre tract adjacent to 101 Corporate Parkway from Professional to Neighborhood Business and that second reading and public hearing be set for the next regularly scheduled City Council meeting.

ANNEXATION - ORDINANCE

Collier Street
Virginia Acres Subdivision
Vickery, Jeffrey L.
Jeffcoat, Tommy
Usher, Brian E.
Brantley-Huffman, Marlene
McCarthy, Christopher
Davis, Robin
Ouzts, Christine
Prosser, Donna
TPN 30-057.0-02-007, & 008
TPN 30-057.0-03-017, 018, 019, 020, 021

Mayor Cavanaugh stated an ordinance had been prepared for annexation of seven lots on Collier Street in Virginia Acres Subdivision.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF SEVEN (7) LOTS TOTALING 1.34 ACRES OF LAND, MORE OR LESS, OWNED BY SEVERAL PROPERTY OWNERS AND LOCATED ON COLLIER STREET, AND TO ZONE THE SAME SINGLE FAMILY RESIDENCE (R-1A).

Mr. LeDuc stated the city has received an annexation request from the homeowners of seven properties on Collier Street consisting of 1.34 acres to be zoned R-1A.

This request is one of several involving a total of 25 lots in the Virginia Acres neighborhood in exchange for receiving city sewer services. None of the streets are to be annexed.

At the November 9, 1999, meeting the Planning Commission unanimously approved this annexation request for R-1A zoning. The right of way of Collier Street in front of these homes is not part of this annexation petition.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved that Council pass on first reading an ordinance approving annexation of seven properties which front on Collier Street to be zoned R-1A and that second reading and public hearing be scheduled for the next regularly scheduled meeting of City Council.

ANNEXATION - ORDINANCE

Collier Street
Virginia Acres Subdivision
Mack, Paul R.
Marvin Drive 125
TPN 30-058.0-02-007
Mack, Paul R.
Marvin Drive 127
TPN 30-058.0-02-006
Mack, Renee L.
Marvin Drive 129
TPN 30-058.0-02-005
Duckett, Fred H.
Bonner Street 400
TPN 30-058.0-01-006
Ivey, Ellen V.
East Pine Log Road 201
TPN 30-058.0-02-017
Okey, Paul James

Collier Street 110
TPN 30-057.0-02-003
Murdoch, David W.
Collier Street 112
TPN 30-057.0-02-002
Owens, Patricia V.
Marvin Drive 120
TPN 30-057.0-03-013
Roe, Barbara A.
Marvin Drive 121
TPN 30-058.0-01-002
Sullivan, William F.
Marvin Drive 122
TPN 30-057.0-03-014
Welch, James W.
Marvin Drive 123
TPN 30-058.0-01-001
Gardner, James W.
Marvin Drive 124
TPN 30-057.0-03-015

Mayor Cavanaugh stated an ordinance had been prepared for first reading to annex twelve lots on Collier Street, Marvin Drive, and East Pine Log Road.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF TWELVE (12) LOTS TOTALING 3.43 ACRES OF LAND, MORE OR LESS, OWNED BY SEVERAL PROPERTY OWNERS AND LOCATED ON COLLIER STREET, AND TO ZONE THE SAME SINGLE FAMILY RESIDENCE (R-1A) AND (R-1B).

Mr. LeDuc stated the city has received a request for annexation from twelve property owners located on 3.43 acres fronting on Marvin Drive, Bonner Street, Collier Street and East Pine Log Road. This request is one of several applications involving a total of 25 lots in Virginia Acres desiring city sewer service in exchange for annexation. All the lots meet the minimum requirements of the R-1A zone, and this was unanimously approved by the city Planning Commission on November 9.

The one lot which fronts on East Pine Log Road is in an area of similar size lots which meet the minimum requirements and is requesting R-1B zoning. The rights of way of the streets in front of these homes will not be included in this annexation.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that Council pass on first reading an ordinance approving annexation of property fronting on Marvin Street, Bonner Street, and Collier Street to be zoned R-1A and a single lot fronting on East Pine Log Road to be zoned R-1B and that second reading and public hearing be set for the next regular meeting of Council.

ANNEXATION - ORDINANCE

Collier Street 106
Brady, Julie
TPN 30-057.0-02-005

Mayor Cavanaugh stated an ordinance had been prepared for first reading to annex 106 Collier Street.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF .23 ACRES OF LAND, MORE OR LESS, OWNED BY JULIE BRADY AND LOCATED AT 106 COLLIER STREET, BEING KNOWN AS TAX MAP PARCEL NUMBER 30-057.0-02-005 AND TO ZONE THE SAME SINGLE FAMILY RESIDENCE (R-1A).

Mr. LeDuc stated a request had been received from Julie Brady at 106 Collier Street to annex .23 acres consisting of a single family lot and home. It is contiguous to the City of Aiken along the eastern rear property line. This property is one of several annexation applications involving a total of 25 lots in the Virginia Acres neighborhood which will receive sewer through the Laurel Oaks project approved by Council last month.

November 22, 1999

The Planning Commission reviewed this annexation request and approved it unanimously with the property to be zoned R-1A. This lot meets the minimum requirements for the R-1A zone. The Henry Street right of way in front of this house would not be included in this annexation.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that Council pass on first reading an ordinance approving annexation of property at 106 Collier Street and that second reading and public hearing be set for the next regularly scheduled meeting of City Council.

ANNEXATION - ORDINANCE

Henry Street
Virginia Acres Subdivision
Oerman, Charles H.
Henry Street 692
TPN 30-077.0-01-005
Clark, Willie R.
Henry Street 690
TPN 30-077.0-01-006
Burnett, J. D.
Henry Street 688
TPN 30-077.0-01-007
Kleinholz, Carl K.
Henry Street 686
TPN 30-077.0-01-008
Greer, Ruby G.
Henry Street 684
TPN 30-077.0-01-009

Mayor Cavanaugh stated an ordinance had been prepared for first reading to annex five lots on Henry Street.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF FIVE (5) LOTS TOTALING 1.34 ACRES OF LAND, MORE OR LESS, OWNED BY SEVERAL PRPOERTY OWNERS AND LOCATED ON HENRY STREET, AND TO ZONE THE SAME SINGLE FAMILY RESIDENCE (R-1A).

Mr. LeDuc stated the city has received an annexation request from five lots totaling 1.34 acres on Henry Street across from Millbrook Elementary School. Each lot is occupied by a single family home and is contiguous to the City of Aiken along the rear property line to the north and Millbrook Elementary School to the south. This request is one of several applications involving the total of 25 lots in the Virginia Acres neighborhood.

The Planning Commission at its November 9, 1999, meeting unanimously approved this annexation request to be zoned R-1A. These lots meet the minimum requirements set forth for the R-1A zoning. Henry Street which is in front of these homes is not included in the annexation request. Each of these lot owners have signed an annexation agreement and desire sanitary sewer service to be made available to them in the near future.

Councilman Radford moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass on first reading an ordinance approving annexation of five lots consisting of 684, 686, 688, 690 and 692 fronting on Henry Street and that second reading and public hearing be set for the next regularly scheduled meeting of City Council.

ANNEXATION - ORDINANCE

Henry Street 698
Virginia Acres Subdivision
Riley, Steven and Martha
TPN 30-077.0-01-002

Mayor Cavanaugh stated an ordinance had been prepared for first reading to annex 698 Henry Street.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF .25 ACRES OF LAND, MORE OR LESS, OWNED BY STEVEN AND

MARTHA RILEY AND LOCATED AT 698 HENRY STREET, BEING KNOWN AS TAX MAP PARCEL NUMBER 30-077.0-01-002 AND TO ZONE THE SAME SINGLE FAMILY RESIDENCE (R-1A).

Mr. LeDuc stated the city has received a request from Steve and Martha Riley to annex .25 acres at 698 Henry Street to be zoned R-1A.

This request is one of several applications involving a total of 25 lots in the Virginia Acres neighborhood in exchange for receiving city sewer services.

At the November 9 meeting the Planning Commission unanimously approved this annexation to be zoned R-1A. Henry Street in front of this lot would not be part of this annexation.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that the ordinance be passed on first reading approving annexation of 698 Henry Street to be zoned R-1A and that second reading and public hearing be set for the next regularly scheduled meeting of City Council.

VENTURES PARK - ORDINANCE

Industrial Park
Airport
U. S. 1 North
Coca Cola Consolidated

Mayor Cavanaugh stated an ordinance had been prepared for first reading to sell land in Ventures Industrial Park.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE TO SELL 15 ACRES IN VENTURES PARK TO COCA COLA CONSOLIDATED.

Mr. LeDuc stated a couple of years ago the City of Aiken developed Ventures Park just south of the airport to sell land for manufacturing and distribution. For the past year we have been working with Coca Cola Bottling Company concerning the construction of a distribution center at this park on lot V-12. This is a 15-acre parcel to be sold at \$10,000 per acre plus \$5,000 per acre for development of a wetlands to be used for stormwater detention. The city is guaranteeing through a Letter of Credit that all roads, water, sewer and storm drainage will be ready upon completion of the building on this property. The city will provide upon closing a recordable plat of this property. This closing will take place in February or March, 2000.

Mr. LeDuc stated he had met representatives of Coca Cola at the corporate office and feels that the construction and landscaping surrounding this building will meet or exceed the city's expectations for development in this park.

Councilman Sprawls moved, seconded by Councilwoman Price and unanimously approved, that Council pass on first reading an ordinance to sell 15 acres of land in Ventures Park to Coca Cola Consolidated and that second reading and public hearing be set for the next regularly scheduled meeting of City Council.

ADULT ENTERTAINMENT - ORDINANCE

License
Business License

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to license adult entertainment establishments.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE ESTABLISHING LICENSING REGULATIONS FOR ADULT ENTERTAINMENT ESTABLISHMENTS.

Mr. LeDuc stated that at the last work session Council discussed moving forward with an ordinance to regulate adult entertainment establishments. City Attorney, Gary Smith, has put together an ordinance which was presented recently at the International Municipal Lawyers Association Conference.

The city would be adopting this ordinance in conjunction with the new Zoning Ordinance to restrict the location of adult establishments. The city has reviewed and analyzed numerous studies and reports concerning the effects and impact of sexually oriented business activities. From these studies and

reports it was found that these activities adversely affect business areas and interfere with schools, child care centers, parks, housing facilities, and places of worship. They can also cause or contribute significantly to increased crime and can significantly deteriorate residential neighborhoods. It is found that these activities can also undermine the stability of established businesses and commercial areas resulting in decline of these areas and adversely impacting the local government and property values. Sexually oriented business activity also can have a major impact and influence on young people and families. It is for these reasons that the staff is recommending approval of the ordinance. The proposed ordinance limits what activities are allowed and how those activities can happen. Alcohol cannot be sold at an adult entertainment center.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that Council pass on first reading an ordinance to establish licensing regulations for adult entertainment establishments and that second reading and public hearing be set for the next regularly scheduled meeting of Council.

EASEMENTS

Laurens Street
Richland Avenue
Parker Property
Streetscape
Resolution
Aiken Corporation
Conte, Joel, General Gold Products
Laurens Street 115 NW
TPN 30-044.0-03-009
Brooks, Patrick
Laurens Street 108 NW
TPN 30-044.0-03-005
Burckhalter, Walter
Laurens Street 120 NW
TPN 30-044.0-03-018
Allewelt, Richard
Paschal, Greg
Laurens Street 116 NW
TPN 30-044.0-03-019
Jerome, Toni
Laurens Street 122 NW
TPN 30-044.0-03-004
Carmike Cinemas, Inc.
Laurens Street 126 NW
TPN 30-044.0-03-003

Mayor Cavanaugh stated a resolution had been prepared for Council's consideration to accept easements behind property on Laurens Street and Richland Avenue.

Mr. LeDuc stated the Aiken Corporation has been working to obtain easements and donations of property behind the buildings fronting on Laurens Street between Eulalie Salley and Carmike Theater and along Richland Avenue from Laurens to Newberry. This is to help us clean up the entire area, provide approximately 40 new parking places, to provide opportunities for more businesses to develop and to enhance residential redevelopment in the downtown area.

Wade Brodie in particular has done a tremendous job in obtaining these easements and property donations from each of the owners along these two streets. The streetscape behind this area coupled with the parking will totally renew this entire area.

Each of these agreements states the responsibility of the donor and the city in accepting this property. The agreement also recommends the purchase of the block storage building behind Toni Jerome's and Carmike Theater for \$18,000 and its demolition by the City of Aiken. Early next year the city will place a roadway from Laurens Street to near Newberry in front of the houses to be started in the next few months. This area will be landscaped and a driveway will extend from this roadway to the north and into a future parking area behind the theater and the other adjoining buildings. The parking lot and associated landscaping will be started during calendar year 2000 along with

improvements to the buildings and property in accordance with each of the agreements.

Aiken Corporation and the city staff are excited about the possibilities for this area and recommend City Council's approval of a resolution to accept the easements and donations of property behind buildings along Laurens and Richland Avenue.

Councilman Radford moved, seconded by Councilwoman Clyburn and unanimously approved that Council approve a resolution to accept the easements behind the property on Laurens Street and Richland Avenue and that Council offer thanks to Wade Brodie for his outstanding job in obtaining these easements.

ADDITION TO AGENDA

Mayor Cavanaugh stated Council needed to vote on an addition to the agenda concerning acceptance of Newberry Street in the city system for maintenance.

Mayor Cavanaugh moved, seconded by Councilwoman Clyburn and unanimously approved that Council add consideration of acceptance of Newberry Street in the city system to the agenda.

STREET

Newberry Street 100 SW

Park Avenue

Richland Avenue

Highway Department

Resolution

City System

Festival Area

Streetscape

Mr. LeDuc stated in the work session Council discussed the item of Newberry Street and the festival area and what the city was trying to do in the Newberry Street area. In order to accomplish the festival area Newberry Street from Richland Avenue to Park Avenue will have to be removed from the State Highway System and placed in the City System for maintenance. He stated a letter would have to be written to the Highway Department stating that City Council approved removal of the 100 block of Newberry Street SW from the State Highway System and that the city would maintain the street.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved that Council approve removal of the 100 block of Newberry Street SW from Richland Avenue to Park Avenue from the State Highway System so the city can proceed with the festival area on Newberry Street.

MEETING SCHEDULE

December, 1999

Mayor Cavanaugh stated Council needed to consider the meeting schedule for December, 1999.

Mr. LeDuc stated the regular meeting of City Council would normally be scheduled for Monday, December 27, 1999, and City Council's practice in the past has been to cancel the meeting between Christmas and New Year's Day. For City Council consideration, this is adoption of a December meeting schedule, deleting the second meeting in December. With the holiday schedule there usually are no items that require immediate attention, but if an issue arises, then Council can call a special meeting.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved that Council adopt a December meeting schedule, holding a meeting on December 13 and cancelling the December 27 meeting.


EXECUTIVE SESSION

Mayor Cavanaugh stated Council needed to go into executive session for an attorney briefing on a contractual matter and a personnel matter.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council go into executive session for a briefing on a contractual matter and a personnel matter. Council went into executive session at 9:30 P.M. After discussion Councilman Anaclerio moved, seconded by Councilwoman Price that the executive session end. The executive session ended at 9:55 P.M.

ADJOURNMENT

There being no further business the meeting adjourned at 9:55 P.M.



Sara B. Ridout
City Clerk