

Aiken City Council Minutes

January 10, 2000

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

Others Present: Roger LeDuc, Gary Smith, Ed Evans, Bill Huggins, Pete Frommer, Terry Rhinehart, Larry Morris, Stanley Quarles, Anita Lilly, Richard Pearce, Sara Ridout, Adam Burton of the Aiken Standard, Katie Throne of the Augusta Chronicle, and about 15 citizens.

Mayor Cavanaugh called the meeting to order at 7:30 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 December 13, 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.

BOARDS AND COMMISSIONSAppointments

Jackson, William C. III (Buzz)

Planning Commission

Simmons, Reginald

Assistant City Judge

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

Mr. LeDuc stated Councilwoman Price has recommended reappointment of William C. Jackson, III (Buzz) to the Planning Commission. On approval by City Council, this term would expire December 1, 2001.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that Council reappoint Buzz Jackson to the Planning Commission with the term to expire December 1, 2001.

Mr. LeDuc stated Council needs to consider appointment of an Assistant City Judge. Currently Reginald Simmons serves in this position. Mr. Simmons filled the unexpired term of Mr. Lester Diggs. Mr. Simmons term expired January 1, 2000. The appointment for Assistant City Judge is for a four year term and this appointment is an at large appointment. This position requires about 40 hours per year and the Assistant serves during times when Judge Simons is not available. If reappointed Mr. Simmons' term would expire January 1, 2004.

Councilwoman Clyburn moved, seconded by Councilwoman Price and unanimously approved, that Council reappoint Reginald Simmons to serve as Assistant City Judge for a four year term with the term to expire January 1, 2004.

Mayor Cavanaugh stated he would like for Council to add an appointment to the agenda for appointment of a member to the General Aviation Commission.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that Council add to the agenda appointment of a member to the General Aviation Commission.

Mayor Cavanaugh moved, seconded by Councilman Sprawls and unanimously approved, that Council appoint Bear Woodrum to the General Aviation Commission to fill the unexpired term of Richard Hawkins who had resigned. The term would expire September 1, 2001. Mr. Woodrum presently serves on the Accommodations Tax Committee but has said he would resign from that committee if appointed to the General Aviation Commission.

VENTURES PARK - ORDINANCE 01102000

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

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to sell land in Ventures Industrial Park. He pointed out that at the last meeting Council had continued the hearing on this request until some concerns about the building Coca Cola plans to build could be addressed.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE TO SELL 10 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 the staff has been working with Coca Cola Bottling Company concerning the construction of a distribution center at Ventures Park on lot V-12. Originally Coca Cola asked for 15 acres but a few weeks ago decided to purchase just 10-acres so a revised ordinance has been prepared for 10 acres. This is a 10-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. Coca Cola will be constructing a warehouse distribution center in Ventures at the corner of the two major street intersections in Ventures. In the proposed contract 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 had provided a drawing of the proposed building to be constructed.

Mr. LeDuc stated he had met with 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.

The public hearing was held and no one spoke.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that Council amend the proposed ordinance to state the city will sell 10 acres rather than 15 acres to Coca Cola.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that City Council approve the ordinance on second and final reading selling 10 acres of land in Ventures Park to Coca Cola Consolidated.

REZONING - ORDINANCE 01102000A

Jasper Street  
Linden Street  
TPN 30-017.0-05-005; 006; 007; 011; and 016  
TPN 30-017.0-06-001

Mayor Cavanaugh stated an ordinance had been prepared to rezone six lots on Jasper Street and Linden Street.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING THE ZONING OF SEVERAL PARCELS OF REAL ESTATE LOCATED ON JASPER AND LINDEN STREETS FROM NEIGHBORHOOD BUSINESS TO SINGLE FAMILY RESIDENTIAL (RS-8), LIMITED PROFESSIONAL (LP), AND GENERAL BUSINESS (GB).

Mr. LeDuc stated that at the September 14, 1999, Planning Commission meeting the members asked City staff to begin the process of rezoning three lots on Jasper Street and three lots on Linden Street from Neighborhood Business to Single Family Residential (RS-8) and on Linden Street to Limited Professional.

Originally there were three properties on Linden Street to be rezoned from Neighborhood Business to Limited Professional. Last week the city received a request from Mr. Angelos to combine the two lots he owns on Richland Avenue

and on Linden Street. The Angelos property on Linden Street would then stay zoned General Business.

The current regulations under Section 6.2.14 give the Planning Commission the ability to rezone property where they feel it's appropriate upon their approval and a public hearing by City Council. At the Planning Commission meeting four people spoke in opposition to the rezoning while one spoke in favor of the RS-8 zoning for the lots on Jasper Street and the Limited Professional zoning for the lots on Linden Street. The Planning Commission voted 5 to 1 to recommend RS-8 zoning for the lots on Jasper and Limited Professional zoning for the lots on Linden Street.

Council asked for clarification on the lots to be rezoned on Jasper Street and the change in zoning on Linden Street. Mr. Evans, Planning Director, pointed out the proposed zoning for the lots on Jasper and Linden Street.

Mr. Gary Smith, City Attorney, pointed out that the plat to be attached to the ordinance will show that the lot at the corner of Richland and Linden Street, the property marked Auto Sales, has been combined with the lot next to it on Linden Street that is shaded and marked vacant. The combined lot will be zoned General Business which is no change for the lot. The other two parcels on Linden Street marked Service Organization and the one marked single family will be rezoned to Limited Professional. The properties on Jasper Street marked single family and vacant will be rezoned RS-8 Single Family Residential.

Councilman Anaclerio moved, seconded by Mayor Cavanaugh and unanimously approved, that Council amend the proposed ordinance to show that the lot owned by Angelos on Linden Street is combined with the Angelos lot on Richland Avenue and will remain zoned General Business.

The public hearing was held and no one spoke.

Councilman Radford moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass the amended ordinance on second and final reading to rezone land on Jasper Street from Neighborhood Business to RS-8 Single Family Residential and two lots on Linden Street from Neighborhood Business to Limited Professional Zone.

#### KINGS SPORT WAY - ORDINANCE 01102000B

##### Dedication

##### Street

##### Gregg Avenue

##### Richland Avenue W.

##### Kings Sport Development

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to accept dedication of Kings Sport Way.

Mr. LeDuc read the title of the ordinance.

#### AN ORDINANCE ACCEPTING THE DEDICATION OF REAL PROPERTY OWNED BY KINGS SPORT DEVELOPMENT.

Mr. LeDuc stated approximately ten years ago Kings Sport Development was completed, and Phase II was not built as per the concept plan but has been divided into three lots to be developed with single family homes on each lot. The developer has now asked the city to assume maintenance of the Kings Sport Way street.

The Public Works Department has inspected the road and found it to be adequate for acceptance into the City of Aiken system.

The public hearing was held and no one spoke.

Councilwoman Price moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass on second and final reading an ordinance to accept dedication of Kings Sport Way in the Kings Sport Development to become effective immediately.

#### JURY BOX 2000

##### Municipal Court

Mayor Cavanaugh stated Council needs to adopt a jury box for 2000.

Mr. LeDuc stated Sara Ridout serves as the City Clerk for the City of Aiken, and each year prepares a jury box, and submits this Jury Box for City Council approval.

Under our form of government, the members of City Council are the jury commissioners for the Municipal Court for the city. Each year City Council must approve the preparation of a Jury Box during the first 30 days. The box contains two compartments designated as compartment "A" and compartment "B." The names of all registered voters in the city are placed in compartment "A" and during the year jurors are randomly selected from compartment "A." After selection for a particular term of court, the names are then placed in compartment "B" so that the names are not selected again during that calendar year. Ms. Ridout has prepared the jury box and has placed a total of 15,230 names of registered voters in compartment "A" of the jury box.

Councilwoman Clyburn moved, seconded by Councilman Sprawls and unanimously approved, that Council approve the preparation of the Jury Box for 2000.

#### AIKEN ELECTRIC COOPERATIVE

##### Grant

##### Rural Development Act

##### Ventures Industrial Park

##### Economic Development

Mayor Cavanaugh stated Council needed to consider acceptance of a grant from the Aiken Electric Cooperative.

Mr. LeDuc stated the Aiken Electric Cooperative through the Rural Development Act of 1996 can give grants to communities for economic development for investment in infrastructure and other qualifying projects to help encourage development within their area.

Last year the Aiken Electric Cooperative gave the City of Aiken over \$109,000 to help with the development of the new airport terminal. Over the past few months we have been discussing with Aiken Cooperative the city's needs for infrastructure improvements at the Ventures Park including water, sewer and roads. The Aiken Electric Cooperative would like to work with the City of Aiken in the development of the infrastructure of this park which they will serve and have committed \$122,500 for this work with an additional \$34,555.56 from other Cooperatives across South Carolina. This money would primarily be used for water and sewer improvements and for other qualifying projects within Ventures Park. If for some reason the infrastructure is not installed, then the City would need to refund this money to the State and to the Cooperatives. The City has received an additional \$142,944.44 from the Cooperatives, making a total of \$300,000 from the Cooperatives.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that the city accept a grant in the amount of \$300,000 from the Aiken Electric Cooperative and other Cooperatives within the state for infrastructure for Ventures Industrial Park contingent upon approval of the project by the State.

#### HORSE ADVISORY COMMITTEE

##### Zoning Ordinance

Mayor Cavanaugh stated Council needed to consider approval of formation of a Horse Advisory Committee.

Mr. LeDuc stated in November City Council discussed the development of a Horse Committee for the City of Aiken. This committee would operate somewhat differently from the other committees and commissions of the city in that this committee would be dealing with issues brought up either by Council or within the community dealing strictly with horses. Because of this they would not be meeting on a regular formal basis. They would, however, get together a minimum of once a year to discuss any issues in general and would have called meetings based on problems or issues brought up by Council and make recommendations to Council. The staff is suggesting that the Committee be made up of individuals who represent the various horse entities within Aiken such as the Riding Club, Steeplechase, Polo, racing, recreational riding, hunting, etc.

The following names are suggested to serve on this committee and should Council agree they are all willing to serve in this capacity: Mr. Jack

Wetzel, representing the driving and racing community; Dr. John Hadden, veterinarian; Dr. Lisa Handy, veterinarian; Dr. I. Lehr Brisbin, ecology; Ms. Courtney Conger, Steeplechase, recreational riding, and real estate; Ms. Linda K. McLean, hunting; Mr. Alan Corey, Polo, and Lucy Knowles representing riding and the Planning Commission.

The staff is asking Council for formal confirmation of the suggested eight members and any guidelines that Council would like for this committee.

Mayor Cavanaugh suggested that the City Manager meet with the committee and help work up minimum guidelines and present them to Council for approval.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that Council approve the eight members suggested for the Horse Advisory Committee with the committee to meet as needed and that the City Manager meet with the committee to help draw up guidelines to be brought back to Council for approval.

#### UTILITY REQUEST

Richland Avenue E. 1907  
Apple Homes Manufactured Home Sales  
City Services  
Water Service  
Kitchens, Wallace  
TPN 00-155.0-01-006

Mayor Cavanaugh stated Council needed to consider a request for water service for 1907 Richland Avenue E.

Mr. LeDuc stated the city has received a request for city water to serve a 7.9 acre parcel located at 1907 Richland Avenue E. in unincorporated Aiken County. The site is designated Urban Development and the use is for the Apple Homes Manufactured Home Sales. The property fronts Richland Avenue and Park Avenue E. The owner has signed an agreement to annex and is currently receiving city water on a temporary basis while waiting for the process of this request.

The Planning Commission voted unanimously to recommend approval of city water for this property as long as they comply with the following conditions within 45 days of the approval by City Council.

1. All signs must comply with the City's Zoning Ordinance and the existing plywood sign should be removed, the fluttering pendants and their poles removed, and the free-standing sign be reduced to no more than 18 feet in height and 75 square feet in size.
2. The site should comply with the City Tree Protection and Landscaping Ordinance except instead of providing planting strips in the undeveloped portion of the subject property, a planting strip may be provided along the western boundary of the Apple Homes site with the understanding that as the vacant portion of the site develops it would have to comply with the ordinance.
3. A waiver from the requirement for planting islands shall be granted temporarily until such time as the parking area is paved; and
4. Proof of the recording of a plat subdividing the 7.9 acre parcel from the parent parcel is properly recorded at the RMC Office.

Councilman Anaclerio asked whether a time limit should be placed in the third condition for planting islands. He pointed out the waiver could last indefinitely. Councilman Anaclerio stated he would like for the time limit to be one year for installation of the planting islands.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve extension of water service to the 7.9 acre site of the Apple Homes Manufactured Home Sales lot located at 1907 Richland Avenue E. with the conditions recommended by the Planning Commission and with condition 3 being amended to require the planting islands to be installed within one year from approval by City Council.

SIGN

Banner  
Whiskey Road  
Weeks Center  
Mt. Anna Baptist Church

Mayor Cavanaugh stated Council needed to consider a request to erect a temporary banner in the right of way on Whiskey Road.

Mr. LeDuc stated City Council has received a request from Mr. John Brown, Youth Minister with the Mt. Anna Baptist Church, 2612 Banks Mill Road, to place a banner in the Whiskey Road right of way in the vicinity of the Weeks Center. The banner will promote a church sponsored youth gospel jamboree that will be held on January 29, 2000, at the Mt. Anna Church. He would like to have the banner up January 15 with the banner to be removed on January 30, 2000.

Any sign in the right of way requires Council approval according to 4.4.5.7.e and 4.4.8.B.2 of the Zoning Ordinance. The size of the banner would be no bigger than 60 square feet.

Council discussed the request. Some Councilmembers were concerned that if they approved this request they would have other requests for banners. They stated they did not want to get into allowing banners like used to be at South Boundary and Whiskey Road. Councilman Anaclerio suggested that the event be advertised in the newspapers and on the radio stations.

Councilwoman Clyburn moved, seconded by Councilwoman Price, that Council approve the request to allow the Mt. Anna Baptist Church Youth Ministry to place a banner in the right of way on Whiskey Road near the Weeks Center.

Councilman Anaclerio stated he felt the banner would be helpful in advertising the event, but he was concerned that if Council allows one banner there will be other requests for banners.

Mayor Cavanaugh stated he understood Councilman Anaclerio's position. He said Council may be receiving other requests for banners, but he felt Council would have to consider each one.

Councilwoman Price stated her position was that this activity was for the youth of the community. She said everything possible should be done to get the youth involved in something wholesome. She said she realized the city did not want to get into having banners all over the community. She said however when the event is for the youth she felt it should be supported.

Mayor Cavanaugh called for a vote on the motion to allow the banner in the right of way in front of the Weeks Center. Those in favor were Mayor Cavanaugh, and Councilmembers Clyburn and Price. Opposed to the motion were Councilmembers Anaclerio, Radford and Sprawls. The vote was 3 in favor and 3 opposed so the motion did not pass.

EXECUTIVE SESSION

Mayor Cavanaugh stated Council needed to go into executive session to discuss three personnel issues: discussion of appointment of City Commission member, former city employee's retirement compensation, and review for City Manager.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that Council go into executive session for discussion on three personnel issues, appointment of City Commission member, former city employee's retirement compensation, and review for the City Manager. Council went into executive session at 8:15 P.M. After discussion Councilwoman Price moved, seconded by Councilman Sprawls that the executive session end. The executive session ended at 10:10 P.M.

ADJOURNMENT

There being no further business the meeting adjourned at 10:10 P.M.

Sara B. Ridout

Sara B. Ridout  
City Clerk