

Aiken City Council Minutes

REGULAR MEETING

September 29, 2008

Present: Mayor Cavanaugh, Councilmembers Clyburn, Dewar, Price, Smith, and Vaughters

Absent: Councilmember Wells

Others Present: Roger LeDuc, Gary Smith, Richard Pearce, Pete Frommer, Ed Evans, Glenn Parker, Anita Lilly, Susan Mimmie, April Bailey of the Aiken Standard, Michelle Guffey of the Augusta Chronicle and about 22 citizens.

Mayor Cavanaugh called the meeting to order at 7:02 P.M. Mayor Cavanaugh 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 Dewar that Casey Frails' presentation be moved from the end of the agenda and placed as the first item under New Business. Councilwoman Clyburn moved, seconded by Mayor Cavanaugh and unanimously approved, that the agenda be approved as amended.

MINUTES

The minutes of the regular meeting of September 8, 2008, were considered for approval. Councilman Dewar moved, seconded by Councilwoman Clyburn and unanimously approved, that the minutes of the September 8, 2008, meeting be approved as written.

PRESENTATION

Boards and Commissions

Mayor Cavanaugh stated Council wanted to recognize volunteers who had previously served on the various boards and commissions of the city.

Mr. LeDuc stated the City of Aiken has always appreciated all the hard work and effort that our members of the boards, commissions, and committees do as they serve the city. They give back to the city through their time and talents to assist City Council in formulating city policy and administering its regulations.

He said it was a great honor to recognize several of the former boards and commission members at this meeting for their service to the City of Aiken.

Mayor Cavanaugh thanked the volunteers for their service and presented certificates of appreciation to the following:

Design Review Board

James Milledge	Feb. 24, 2003 – Feb. 26, 2007
Leland Reynolds	Dec. 12, 1994 – Dec. 12, 2005

Planning Commission

Kay Biermann Brohl	Jan. 8, 2001 – Oct. 22, 2007
Roscoe Stanley	Jan. 14, 2002 – Feb. 26, 2007
Ed Woltz	Dec. 13, 1999 – Jan. 28, 2008

The following individuals were not able to attend and certificates recognizing their service will be mailed to them.

Board of Zoning Appeals

Arthur Andersen	Feb. 25, 2002 – Oct. 24, 2005
Lee Boylston	Mar. 16, 1993 – Dec. 11, 2006
George Krist	Dec. 17, 2002 – Dec. 11, 2006
Kenneth Wiland	Nov. 11, 1996 – Feb. 28, 2005

Design Review Board

Rosamond McDuffie	Feb. 8, 1999 – April 14, 2008
Philip Merry	Nov. 13, 2000 - Nov. 26, 2007
Rosalie Johnson	Feb. 24, 2003 – May 9, 2005
Jack Wetzel	Jan. 13, 2003 – Nov. 8, 2004

Planning Commission

Joe Daniels	Nov. 28, 2005 – Feb. 26, 2007
James Holland	Dec. 14, 1998 – Jan. 28, 2008

On behalf of City Council Mayor Cavanaugh again expressed thanks to the volunteers who had given many hours of service to the City of Aiken.

PRESENTATION

Recreation Department
S.C. Recreation & Parks Association
Agency of the Year
Award

Mayor Cavanaugh stated Council wanted to recognize the Parks, Recreation and Tourism Department for winning the Agency of the Year award from the S.C. Recreation & Parks Association.

Mr. LeDuc stated every year the South Carolina Recreation and Parks Association recognizes four agencies across the state as “Agency of the Year” based upon their population. Early this month the Association recognized the City of Aiken as the 2008 Agency of the Year in the population category of 25,000 to 50,000. We are one of the smallest cities in this class, along with other cities such as Rock Hill, Irmo-Chapin, the Naval Weapons Station in Charleston, etc.

Since 1975 the City has been awarded this recognition sixteen times. It is through the hard work and efforts of a great staff and City Council appointed commission members that allows us to win this award. Each of them played a very vital role in our receiving this recognition. Our recreation and athletic programs, along with the quality of life that we bring to all the citizens of Aiken can be seen in the recognition of our PRT Department.

We highly congratulate Glenn and his entire staff for a job well done.

Mr. Jim Headley, Executive Director of the S.C. Recreation and Parks Association, first recognized Mayor Cavanaugh for his commitment as President of the S.C. Municipal Association for the year. He then pointed out the economic impact the Parks, Recreation & Tourism Department brings to the city and the economic development that occurs because of the PRT Department. He also pointed out the impact it has on the kids who become involved in the programs of the department. He then reviewed the vision that the Board of Directors of the SC Department of PRT had adopted. The vision is “Parks and Recreation Creating Community Through People, Parks and Programs.” He said the citizens of Aiken had been served very well by the PRT in Aiken. He pointed out all the volunteers who are involved in recreation programs, the visitors who are brought in to the City of Aiken through recreation programs, and visitors who then choose Aiken to stay and make Aiken their home. He pointed out the wonderful job that Phil Berley and his staff do in maintaining the parks in Aiken and making sure they are safe for the players.

He commended Kim Coleman and her staff for their efforts in providing all the programs that the city provides. He pointed out the wonderful job that is done could not be made possible without the support of Council and the leadership of Glenn Parker, the Director.

Mr. Headley again thanked Council for their support and pointed out that the City of Aiken had received this award 16 times since 1975. He pointed out the commitment that Council and the staff have made in providing for the citizens of Aiken. He presented the Class 3 Agency of the Year Award plaque to Mayor Cavanaugh.

Mayor Cavanaugh thanked Mr. Headley for the presentation and the Recreation Department staff for their work in making this possible.

Councilman Dewar pointed out the recent Senior Extravaganza sponsored by the Department, which was a wonderful day for seniors in Aiken.

ELECTION COMMISSION

- Election Report
- Referendum
- Partisan Elections
- Non-Partisan Elections
- Special Election

Mayor Cavanaugh stated the Election Commission would make a report to Council on the election held on September 9, 2008, to determine whether the Council elections would be partisan or non-partisan.

Mr. Richard Johnson, Chairman of the Commission, made a report to Council on the Commission’s findings and the results of the Special Election held on September 9, 2008. The question was whether the City of Aiken should change its method of election of members of City Council from partisan elections with a primary to a non-partisan system.

Mr. Richard Johnson, Chairman of the Election Commission, made the following report:

On Tuesday, September 9, 2008, the City of Aiken conducted a special election. The purpose of the election was to determine if the City of Aiken should change its method of electing City Council members from a partisan election with a primary to a nonpartisan general election system.

Notification of the election was made public through newspaper advertising as prescribed by law. All registered voters in the City of Aiken were eligible to vote in this election.

The Ballot Question

“Shall the municipality of Aiken change its method of election of members of City Council from partisan elections with a primary to a nonpartisan general election system?”

- () Yes
- () No

With 1,437 votes cast in the election the results are as follows:

Yes	422 votes
No	1,015 votes

We hereby certify that the referendum to change the method of electing City Council members for the City of Aiken failed.

Respectfully submitted,
MUNICIPAL ELECTION COMMISSION

Richard Johnson, Jr., Chairman

H.A. McClearen
Keith Wood

Tabulation by Precinct

<u>Precinct</u>	<u>Yes</u>	<u>No</u>
Aiken 1	50	84
Aiken 2	6	66
Aiken 3	12	63
Aiken 4	3	61
Aiken 5	25	105
Aiken 6	46	48
College Acres 13	0	2
Graniteville 16	0	0
Millbrook 20	47	96
Montmorenci 22	3	5
Six Points 35	13	23
Six Points 46	6	82
Aiken 47	10	19
Levels 52	28	40
Hollow Creek 53	42	109
Gem Lakes 60	25	51
Hitchcock 66	32	39
Anderson Pond 69	23	48
Sandstone 70	15	33
Levels 72	8	6
Absentee	<u>28</u>	<u>35</u>
Total	422	1,015

Councilwoman Price moved, seconded by Councilman Smith and unanimously approved, that Council accept the report of the Election Commission reporting the results of the election held on September 9, 2008.

BOARDS AND COMMISSIONS

Appointments

Redd, Timothy

Building Code of Appeals Committee

Owen, John

Barnes, Don

Boatwright, Frank

General Aviation Commission

Brown, Mary Ella

Shaver, Keith

Community Development Committee

Wright, W. Frank

Gladden, John

Environmental Committee

Mayor Cavanaugh stated Council needed to make appointments to the various boards and commissions.

Mr. LeDuc stated we have 15 pending appointments to boards and committees of the city, and 7 appointments are presented for Council's consideration.

Councilwoman Clyburn has recommended reappointment of Timothy Redd to the Building Code of Appeals Committee. If reappointed Mr. Redd's term would expire May 12, 2010. She has also recommended reappointment of John Owen to the General Aviation Commission with the term to expire September 1, 2010.

Councilman Dewar has recommended reappointment of Don Barnes to the General Aviation Commission with the term to expire September 1, 2010. He has also recommended reappointment of Mary Ella Brown to the Community Development Committee with the term to expire September 2, 2010.

Councilwoman Price has recommended reappointment of Frank Boatwright to the General Aviation Commission with the term to expire September 1, 2010. She has also recommended appointment of W. Frank Wright to the Environmental Committee to replace John Gladden who has resigned. If appointed his term would expire December 31, 2010.

Councilman Smith has recommended the reappointment of Keith Shaver to the Community Development Committee. If reappointed his term would expire September 2, 2010.

For City Council consideration, this is approval of 7 appointments to the various boards and commissions of the city.

Councilwoman Clyburn moved, seconded by Councilwoman Price and unanimously approved, that Council approve the reappointment of Timothy Redd to the Building Code of Appeals Committee with the term to expire May 10, 2010, John Owen to the General Aviation Commission with the term to expire September 1, 2010, Don Barnes to the General Aviation Commission with the term to expire September 1, 2010, Mary Ella Brown to the Community Development Committee with the term to expire September 2, 2010, Frank Boatwright to the General Aviation Commission with the term to expire September 1, 2010, appointment of W. Frank Wright to the Environmental Committee with the term to expire December 31, 2010, and the reappointment of Keith Shaver to the Community Development Committee with the term to expire September 2, 2010.

Councilman Dewar stated he would like to recommend the appointment of Derek Martin to the Recreation Commission to replace Johanna Gibbs who has resigned.

Councilwoman Vaughters stated she would like to recommend the reappointment of Stephen Peterson to the General Aviation Commission and Mark Tatusko to the Recreation Commission.

Councilman Wells would like to recommend the reappointment of Susan Haslup to the Recreation Commission.

PRESENTATION

Youth

Frails, Casey

American Promise

Mayor Cavanaugh stated Casey Frails had requested to be on the agenda to share some ideas she had regarding youth.

Councilwoman Price stated Casey is an excellent student at Aiken High School and was in Washington last week attending the American Promise Conference. She called from Washington and was very excited about some things she had learned at the Conference regarding youth, and she wanted to share her ideas with Council.

Ms. Casey Frails, a senior at Aiken High School, stated Aiken had been selected as one of the Top 100 Communities in America for Young People by America's Promise Alliance. This non-profit organization was started by Colin and Alma Powell. Each community selected one person to attend the convention, and she was selected from Aiken. She said this was an enlightening event, and she had learned so much at the conference. She said the mission of the organization is that every community in attendance should provide the 5 promises to children in their community. The five promises are: Effective Education, Caring Adults, A Healthy Start, Opportunities to Serve, and a Safe Place. The Alliance hopes to reach at least 15 million disadvantaged children in America. She said the trip truly changed her life. She said she had been

unsure of her purpose in life, but the trip had shown her her true passion—helping and serving others. She said she would like to present two proposals to Council. She first proposed a Youth Empowerment Team. The objective of the group would be to work along side of elected officials when it comes to issues concerning youth in the community. She said she would spread the word to the schools in Aiken, and interested students would fill out an application. If the application meets the standards of the type people needed, they would be interviewed. Ideally, there would be 5 students chosen from each high school and 3 from each middle school. This would include public, private and home schooled children. The people selected would represent different races, backgrounds and interests. The group of young people would meet twice a month to discuss ways to promote service in the community and issues they see and ways to fix them. Then the President and Vice President would attend meetings such as the Council meeting and voice the youths' opinions. The program would help area youth with leadership skills which are essential in life.

The second proposal is to open a facility for sixth through tenth graders in Aiken as a retreat after school. She pointed out that 14 million children in American go home to an empty home after school. She stated many of the children are at a much greater risk for juvenile crimes, substance abuse, teen pregnancy, dropping out of school and other problems. She felt this situation could be avoided if the community invested in more after school programs. She pointed out that many children go home alone to unsupervised places, and during these hours when school is out and before their parents get home these children get into trouble. She suggested the name of the program be "Igniting the Spark." Every child in the community is a spark. She said through this facility she would hope to open many doors so they can be ignited and truly let their light shine in their life. The ideal location would be the old Food Lion store on the northside of town. It is a large facility and is located in one of the areas in Aiken, where programs such as this are lacking. This way surrounding neighborhoods could easily get to and from the facility, and transportation would not be an issue. She said she would like to incorporate as many different interests as possible, such as a basketball court, a dance exercise room, art room, tutoring room, lounges, counseling room and conference room. She would hope to have speakers from various professions to better educate kids on various careers. Also, in the stores on each side of the old Food Lion store she would like to open a snack bar and a discount food supply store on the other. The snack bar could provide children with a healthy snack after school. The supply store would provide the kids with school supplies at a much cheaper price than usual. She said she had learned that often Staples supports things such as this and may donate items. She stated there would have to be adult supervision, but ultimately she would like for 11th and 12th graders in the community, along with college students, to run the facility. This would provide older kids in the community with a chance to give back. These older youth would act as mentors to the kids, and as time progresses become a positive role model and develop a relationship with the kids.

She felt the key to success is having support of people in your life. A lot of kids are not fortunate enough to have encouraging people in their lives to help them along life's stream. She said she had found that younger children are more likely to listen to people close to them in age. This program would provide them with someone who is there for them and have their best interests at heart. Then they would be more likely to succeed. Every 29 seconds one high school student drops out of school, which means over 1 million children a year drop out of high school. She felt through this program kids would more likely graduate from high school and continue on to college because they have someone who believes in them and shows support and encouragement. She said because of support in her life she had accomplished many things. She said she was before Council because she had always been told she could do anything if she set her mind to it. There are many service organizations in the local high schools and colleges that would support such a program. She said she knew many teens who would love to become involved and to mentor, tutor, counsel, encourage, support, chat with, hang out and overall make a difference in children's lives. The proposed program meets all the five promises that America's Promise Alliance hopes to supply America's youth. It will give the kids a more effective education through tutoring. It will supply them with caring figures in their lives. The snack bar would give them a healthy start. The facility would also give local teens an opportunity to give back to the community. It would not only

give them a safe place to go after school, but a fun place where they can learn, be creative and be active. She said there are kids in her community who are not as fortunate as she is. Her mission is to open doors for these kids and provide them with a sense of support and tell them they can accomplish anything to which they set their minds. She said she is only a high school student, but she is a high school student who stands up for what she believes. She said she feels strongly about helping the kids in the Aiken community and will do all in her power to better their lives. She said it breaks her heart to hear some of the situations of kids that she tutors, mentors and coaches. She said she wants to provide a positive environment for kids and put them on the path to success. She said she understands this will not be an easy task, but hopes that with Council's support this can happen and make Aiken one of the best communities for young people. She asked that Council consider her two proposals and the positive effect they will have on kids in the community. Kids are the future.

Mayor Cavanaugh stated Casey's presentation was excellent, and he felt Council was concerned and would like to see the proposals happen. He pointed out recently some Aiken citizens had visited the Fusion Warehouse in Anderson, which is a youth facility. He asked Pete Frommer to tell Council about their visit to the Fusion Warehouse.

Chief Frommer stated the Fusion Center is an exciting place and is very much like the place that Casey spoke about. At this time of year the facility is only open Thursday, Friday and Saturday, and they have 700 kids at the facility each night. They have had to turn kids away because there is not enough room. They use volunteers from the church community and have one adult with every 15 children for supervision. It is a safe place where kids can go. They have many activities such as computers, cooking classes, automobile repair shop where adults help them repair cars, a welding shop, movie theater, radio station, tutoring, mentoring, and art. The kids are learning as they have fun. He said he had talked to the Police Chief, and the crime rate had gone down in the city. The Fusion is a great place to be. This takes a partnership of corporations, businesses and banks to make it happen. He said such a facility would take a lot of people like Cayce and her friends to make it happen. He said if it is run like a business it can support itself, but it takes a lot of volunteers.

Councilwoman Price stated it was obvious that Cayce had given a lot of thought to her presentation, which was well thought out with some very good ideas. She said she was proud of what she is doing as a future leader.

Council thanked Cayce for her presentation, ideas and suggestions.

ANNEXATION – ORDINANCE

SPCA

Society for Prevention of Cruelty to Animals

Willow Run Industrial Park

Willow Run Road

Dog Park

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to annex 10 acres on Willow Run Road owned by the SPCA.

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 10 ACRES OF LAND, MORE OR LESS, OWNED BY AIKEN SPCA AND TO ZONE THE SAME PLANNED COMMERCIAL (PC).

Mr. LeDuc stated the Aiken SPCA would like to annex a 10 acre tract of property fronting on Willow Run Road just behind the Willow Run Industrial Park. The proposed project includes an animal shelter and the City Dog Park. It is currently zoned in the County as Rural District, and they are requesting annexation as a Planned Commercial Zone. A copy of a proposed concept plan was presented to Council for review.

The proposed planned commercial development would consist of a 20,000 square foot building for the animal shelter, a 2.3 acre dog park, and the additional property would remain as open space. A long driveway from Willow Run Road would be used to enter the property. The dog park would be open from about 7 a.m. to dusk. A portion of the proposed building would be a wing built by the city for the animals which the city picks up. The city would have about 15% of the building for the city's animals.

The Planning Commission unanimously recommended approval of this annexation with the following conditions:

1. That the provisions of the Planned Commercial Zone be met;
2. That a waiver from 5.5.2.c.(v) of the Land Development Regulations be granted reducing the buffer and setback for the detention pond to be 10 feet;
3. That the BZA approve the application for Special Exception to allow a kennel on the property; and
4. That proof of recording of conditions of approval at the RMC be provided within 180 days.

For City Council consideration, this is first reading of an ordinance to annex 10 acres of property off Willow Run Road owned by the SPCA under the Planned Commercial Zone. Upon City Council consideration, a second reading and public hearing will be held.

A public hearing was held.

Ms. Barbara Nelson, President of the SPCA, stated the proposed building would be a 20,000 square foot facility. A portion of the building is set aside for the City animal control area which consists of kennels for dogs, cats and other animals. The City animal control area is about 3,200 square feet, which represents 16% of the 20,000 square feet of the facility. Within the facility there is enough kennel space for what the SPCA has at the present facility. If the city is not ready to build its portion of the animal control area when the SPCA is ready to build, then the SPCA would work with the City as is presently done and share its facility. The SPCA has a great relationship with the City, and the present setup works. However, there will come a time when the City will have to have its own set of kennels. The dog park is about two acres, and hopefully it will be able to spread into the city land which is north of that. She stated the area proposed for the SPCA kennels is about the same size they presently have. At some point the City will need to construct its 3,200 square feet in order to accommodate the animals. She stated a facility 10 times the proposed facility could be built and it would still not hold all the animals that need to come to the facility. She pointed out, however, the good thing is that because of the spay/neuter program the City of Aiken put into place three years ago, the pet fairs held jointly with Public Safety, and the microchipping, the number of animals coming to the facility is leveling out even though the city has grown. She pointed out the County now also has a spay/neuter program, and the SPCA has a good relationship with the County also. She stated the SPCA does not have the funding for the project at this time. The program is in the beginning stages. The point at this time is the architect has designed the building, and they have the floor plan. The capital campaign has not been announced. She said the schedule of events is to be able to break ground next summer. She said with the present financial climate this may not be possible. She said there is no push to leave the present SPCA facility, but the building will be needed at some point.

Councilman Dewar stated from the comments it seemed this would delay the dog park for a couple of years, but it was hoped originally that the dog park would be ready this fall.

Ms. Nelson stated the dog park would be built this fall. She said once the SPCA is through the process of the Planning Commission, approval of the annexation by Council and approval of the kennel by the BZA, then the dog park can be built. She said it would be a great advantage to the SPCA to build the dog park now. She said once people start coming to the area, they will see the beautiful property and get excited about the building. She said the SPCA is prepared to provide their side of the finances in building the joint dog park with the City of Aiken. She said they have looked at the equipment that will be needed, the fencing cost, etc. She felt it will be constructed and be ready for use by the beginning of the year.

Councilman Dewar stated he was concerned about the location of the dog park. This location is at the eastern end of the city line. He was concerned as to whether this location would be as good as the first proposed area at Citizens Park. He was also concerned about the property being annexed as Planned Commercial zone and wondered if it could be built there with the present zoning.

Ms. Nelson stated the SPCA is going to build a dog park anyway, whether one is built at Citizens Park or some other area by the City.

Mr. LeDuc responded that it seemed the Planned Commercial zone was the most appropriate zone for the property. He stated the property is presently in the county.

Councilman Dewar stated the plan shows a long driveway back to the property.

Ms. Nelson stated the driveway is about 500 feet, and it is about 800 feet back to the building. It will be located far off Willow Run Road. She said with the proposed location the intent is for the building to be non-intrusive.

Councilman Dewar asked if the parking lot for the dog park would be in front of where the dog park will be located, and Ms. Nelson responded that it would be.

In response to a question by Mayor Cavanaugh, Ms. Nelson stated they would like to start building the facility in the summer of 2009, depending on the financial climate. Ms. Nelson pointed out the SPCA is always full of animals. She pointed out the County Animal Shelter adjacent to the SPCA has 6,500 animals, with only 300 adopted. She said there are two shelters with the SPCA taking in between 1,200 and 2,000 animals and the County Shelter taking in 6,500 animals.

Councilwoman Price pointed out presently the property is in the county, and the facility can be built outside the city. Her question was why annex the property.

Mr. LeDuc responded the City has a policy that if a facility wants water and sewer, they need to annex to the city. The County's Land Management Ordinance does require that the property annex, since it is near city water and sewer service. If possible the proposed facility should be on city sewer.

Ms. Nelson pointed out that presently the SPCA does approximately 1,200 outside surgeries. When the new facility is opened it will be a regional spay/neuter clinic, and they will be doing 6,000 spay/neuters, which should make a huge difference. Most of the spay/neuters are for people who would normally never be able to afford having their animal sterilized. Through the SPCA one can pay \$0 to \$15 and the animal can be sterilized. The reason for many of the problems now is that many people cannot afford the spay/neuter. She said now there is no reason for anyone who lives in the region serviced by the SPCA (which is about a 45 miles radius) not to have their animal spay/neutered because they can not afford it, as there is a program to supplement the cost.

Councilwoman Price asked if having the dog park near the city's old landfill and on Willow Run Road would impact the use of the park in comparison to the dog park being near Citizens Park.

Ms. Nelson stated she did not see a reason why having the dog park on Willow Run would make the dog park used less than if it were at Citizens Park. She pointed out a residential area is not far away from the proposed facility. She also pointed out the SPCA planned to build a dog park anyway. She said in the future perhaps the city could have two dog parks. She said one advantage of building a dog park on the SPCA property on Willow Run is that the city's adjacent 90 acres is planned to be an open/green space and used for passive recreational opportunities. She said it would be nice if it could be a larger dog park, and that could be possible with the adjacent city-owned land, whereas at Citizens Park it could not be expanded.

Councilwoman Vaughters expressed concern about the access to the proposed facility off the narrow two lane road. She asked if thought had been given to access the property through Beaufort Street and the industrial park the city owns.

Ms. Nelson stated this had been researched, and the cost of building a driveway would be prohibitive for the SPCA. She pointed out there is a large elevation change which would involve a lot of fill which would make the cost prohibitive for the SPCA.

Mr. LeDuc stated they had looked at the suggestion for an entrance off Willow Run Road so it would be at an angle from the concrete plant. It is a much shorter distance, but the curvature on Willow Run and the site distance would cause some problems in the future, as one would not be able to see traffic coming around the corner.

Mr. John Dirgins, 203 Pine Hill Drive, stated people in the county surrounding the proposed facility are unhappy about the facility and feel that it will down grade their land and cause more traffic on Willow Run Road. He suggested the facility be turned around and face the landfill and have the entrance come out on Beaufort Street. He pointed out there is no sewer or storm drainage on Willow Run, and the houses are on wells and septic systems. He said for the proposed land development for small farms, he did not see the road being widened. He felt the area on Willow Run was not the right location for the proposed facility, but that it should be on Wire Road where it is now, with an expansion of the present facilities. He felt the proposed facility would cause more traffic on Willow Run, which is a narrow road and dangerous.

Councilman Dewar stated a traffic study for the area had been done, but it was not included in the Council packet. He asked if the traffic study identified any traffic or safety issues. Council asked that the traffic study be included in the next Council Agenda packet. Mr. Ed Evans responded that the study did not identify any traffic or safety issues.

Ms. Nelson pointed out that the proposed building would be back on the property near the landfill site and as far back as they could get the building to the landfill. The driveway entrance is about 500 feet away from the curve on Willow Run, and there should be a clear vision at the corner.

Councilwoman Clyburn stated she travels Willow Run frequently and turns on Gaston Road. She felt the road needs to be posted with speed limit signs. She felt eventually the road is going to need a lot of work because it can't sustain a housing development, a dog park, and the neighbors who are already turning off of Willow Run. She felt the road is a cut through to get from one point to another, but it is not designed for heavy traffic in its present condition.

Mr. Pete Krebs, 237 Pine Hill Drive, stated he works at the Aiken Training Track and had replaced fences along the road where the Track is located many times. He pointed out there are speed bumps on the road, but people still speed and have knocked fences and speed signs down. He said he lives on Pine Hill Drive and pointed out there is a blind spot off the by-pass. He was concerned about the speed and increase in traffic on Willow Run. He felt the proposed entrance for the SPCA is a bad entrance. He felt it would be better to have the entrance in the cul-de-sac.

Councilwoman Price asked if it was possible to get some cost figures for placing the entrance in the cul-de-sac area.

Councilwoman Vaughters was concerned about the road being sufficient for the Industrial Park that is there and asked if there were plans to build more roads. She said it seemed another road would also be beneficial to our land in the industrial park.

Mr. LeDuc stated there could probably be only about four buildings in the park, and it was felt that the present road would be sufficient. He pointed out there is only one road in and out at the Verenes Industrial Park and it has been sufficient. There is about 1,000 acres of land at Verenes versus about 30 acres of land at the Willow Run Park.

Councilwoman Price asked what the plans are for the current SPCA building on Wire Road once the new building is constructed.

Ms. Nelson stated the old building would be sold once the new facility is built. There is a possibility the County may expand into the current SPCA facility, since their facility is adjacent to this property.

Councilwoman Clyburn moved, seconded by Councilman Smith and unanimously approved, that Council approve on first reading an ordinance to annex 10 acres off Willow Run Road owned by the SPCA under the Planned Commercial Zone, and that second reading and public hearing be set for the next regular meeting of Council.

Mr. LeDuc stated from the discussion of Council, he understood Council wanted to have a copy of the Traffic Study for their review and also wanted some cost comparisons of the roadway going through the industrial park.

ZONING ORDINANCE – ORDINANCE

Group Homes Type 1

Mayor Cavanaugh stated an ordinance had been prepared for first reading to amend the Zoning Ordinance regarding Type I Group Homes.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE REGARDING TYPE I GROUP HOMES.

Mr. LeDuc stated several months ago two applications came before City Council concerning Group I homes. There was a lot of confusion as to how the City should react to these applications in light of the state regulations regarding them. If a Group I home provides 24 hour care to 9 or fewer mentally or physically handicapped persons, the home can be considered single family residential use. However, the home would then need to follow several guidelines and regulations required by the State of South Carolina.

To avoid confusion in the future we would like to amend our Zoning Ordinance in Section 3.3.11 to state the following:

“A group home, Type I, is subject to all applicable provisions under South Carolina law including, but not limited to, Section 6-29-770 et. Seq.: Any applicable regulations, registration procedures, building code mandates, as well as all licensing and operational requirements of all Federal, State, and Local Government agencies with jurisdiction in this area. All applicable city application procedures must be met in addition.”

By adding this language it will require them to seek guidance and approval by the State before the City would review these projects. By seeking licensing by the South Carolina Department of Health and Environmental Control the applicant would receive information concerning the sequence of events leading to licensing of a residential care facility. By following these procedures, the applicant would receive a copy of a written Determination of Need for their facility and be required to have a thorough description of the type of facility that they want to have licensed. Along with this they would be stating the maximum number of residents to be housed in the facility, the hours of operation, and whether or not these individuals would have physical handicaps, mental handicaps or both. Once we have this information, we could then determine if they would need to seek a rezoning or if it would fit under the State regulations that apply to physical or mental handicapped residents.

We feel this language would support both the guidelines that City Council has given us and the regulations by the State of South Carolina.

For City Council consideration, this is first reading of an ordinance to amend the Zoning Ordinance regarding Type I Group Homes. Upon City Council consideration, a second reading and public hearing will be held.

Council briefly discussed the proposed ordinance. There was a question regarding nine people being allowed to be cared for 24 hours a day in a residential neighborhood. Mr. Gary Smith, City Attorney, pointed out DHEC regulations have a minimal space per person, with common area type rooms having a minimal living area, a commercial kitchen, and trash requirements. He pointed out DHEC would be looking at the area and with their regulations it would not be feasible to have such a group home in many of the residential homes. He said to be able to have a group home in most cases the people will probably have to build a new facility that will meet DHEC regulations, as an old residential home probably will not meet the DHEC regulations.

Councilman Dewar asked where he could find the definition of a Group I home. Mr. LeDuc responded a definition is in Section 6-29-770 of the State Code.

Councilwoman Price moved, seconded by Councilman Dewar and unanimously approved, that Council approve on first reading an ordinance to amend the Zoning Ordinance regarding Type I Group Homes and that second reading and public hearing be set for the next regular meeting of Council.

DESIGN GUIDELINES – ORDINANCE

Old Aiken Design Guidelines

Setbacks

Downtown Business Zone

Design Review Board

Mayor Cavanaugh stated an ordinance had been prepared for first reading to amend the Old Aiken Design Guidelines.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING THE OLD AIKEN DESIGN GUIDELINES REGARDING BUILDING SETBACKS IN THE DOWNTOWN BUSINESS (DB) ZONE.

Mr. LeDuc stated several months ago City Council heard from several residents who were concerned about building setbacks in the Downtown Business Zone (DB). It was decided to send this to the Design Review Board to study. They have recommended to City Council that the Old Aiken Design Guidelines be changed and that the following should be inserted in Section 2.1.1-Building Setback and Alignment.

“In the DB District, a new building or addition shall be set back from an adjacent building when the proposed new construction is determined to need appropriate separation from such adjacent building. This determination may take into account any public safety issues raised by the Building Official or City of Aiken Department of Public Safety.”

The Design Review Board feels that this change will address the concerns raised by these citizens and allow an opportunity for a public hearing to be held when new construction or major renovations occur in the DB area. The Planning Commission also reviewed the proposed change, and they also feel positive about the proposed amendment.

Mr. LeDuc pointed out that the Design Review Board will have to consider each project. He said in some cases no separation is needed between buildings, but in other cases 10 or 20 feet may be needed. This will allow the Design Review Board to look at the applications and make the determination.

Mr. LeDuc pointed out Council had also discussed concerns about off street parking and the possibility of incentives for landscaping. A memo from Ed Evans dated June 3, 2008, concerning all three items that were presented to Council in June was given to Council

for review. He said staff is ready to discuss the other issues whenever Council wishes to discuss the issues.

For City Council consideration, this is first reading of an ordinance to amend the Old Aiken Design Guidelines concerning building setbacks in the Downtown Zone. Upon City Council consideration a second reading and public hearing will be held.

Councilwoman Price asked if the proposed ordinance would help the problem that Art Gregory who lives on Newberry Street was concerned about, that being someone building right up to his property line.

Mr. LeDuc stated the Design Review Board would look at the building proposed to be built adjacent to it and take into account the buildings presently there. Then they would determine whether in the best interest of the proposed project and the present buildings if there needs to be some separation between the buildings. He said the distance to be between the buildings would then be determined by the Design Review Board. The protection would be that there is a body to review the proposed building to determine if there should be separation between the proposed building and the present building.

Councilwoman Vaughters stated she would like to have discussion on the issues of off street parking and incentives for landscaping at another date. It was the general consensus of Council that a date be set for a work session on these issues.

Councilwoman Clyburn moved, seconded by Councilwoman Price and unanimously approved, that Council approve on first reading an ordinance to amend the Old Aiken Design Guidelines concerning building setbacks in the Downtown Zone and that second reading and public hearing be set for the next regular meeting of Council.

TOOLE HILL – ORDINANCE

Sell Lots

Mayor Cavanaugh stated an ordinance had been prepared regarding the selling of lots in Toole Hill.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE APPROVING THE SALE AND CONVEYANCE OF LOTS OWNED BY THE CITY OF AIKEN LOCATED IN THE TOOLE HILL NEIGHBORHOOD IN AIKEN, SOUTH CAROLINA.

Mr. LeDuc stated over the last several years the City of Aiken has purchased several lots in Toole Hill. During that time we have built numerous homes which we have sold to various individuals. In 2004 we had a similar situation with the lots that we sold in Asheton Oaks. At that time Council approved an ordinance selling all the lots to buyers for a minimum of \$9,000. In Toole Hill these lots have been sold for a minimum of \$10,000 with the majority being \$12,000 or more.

It has always been our goal to build quality homes and develop the subdivision to meet or exceed the standards of the surrounding neighborhoods. We feel that we have met that goal. The funds received from the sale of these lots are being used to continue the redevelopment of additional properties on the northside.

Mr. LeDuc stated staff is asking Council to approve an ordinance which cleans up the paperwork and which officially says City Council has given staff the ability to sell the land the City bought several years ago. The land was subdivided and homes built on the lots. Every lot sold in Toole Hill was sold for a minimum of \$10,000 with some as high as \$12,000. In reviewing the paper work, it was felt that selling of the lots had never officially been approved by City Council. He pointed out it takes a resolution to buy property, but every time the city sells property it must be done by ordinance. He pointed out that several years ago Council told staff in principle to build the houses and to sell the houses, but no ordinance was officially passed.

For City Council approval, this is first reading of an ordinance to sell lots in Toole Hill for a minimum of \$10,000. Upon City Council consideration, a second reading and public hearing will be held.

Councilman Dewar moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve on first reading an ordinance to sell lots in Toole Hill for a minimum of \$10,000 and that second reading and public hearing be set for the next regular meeting of Council.

ANNUAL REPORT

Fiscal Year 2007-2008

Mayor Cavanaugh stated the staff had prepared an Annual Report for fiscal year 2007-08.

Mr. LeDuc stated each year all the departments prepare a summary of their previous year's activities highlighting the results of their various goals and objectives. This Annual Report includes a tremendous amount of information which can be used over the next year as we discuss various issues and projects. Each of the departments put a lot of work into this report, and it provides a great recap of many of the accomplishments for the City of Aiken, along with statistical data covering several years. He briefly reviewed some of the projects of the various departments. He also talked about the shortage of fuel and how it has been affecting the city vehicles. He pointed out that after Katrina hit New Orleans a few years ago there was a shortage of gasoline, and some city vehicles had to be parked and services suspended for a short time because of the lack of fuel. He said Council granted some funding and the city activated its fuel tanks and this time the city has had fuel in its own tanks to provide fuel for the city vehicles during the fuel shortage.

For City Council consideration, this is acceptance of the Annual Report for fiscal year 2007-2008.

Councilman Smith moved, seconded by Councilwoman Clyburn and unanimously approved, that Council accept the Annual Report for fiscal year 2007-08 as information and commended the department for the accomplishments during the year.

WOODSIDE – RESOLUTION 09292008

Dedication

Deeds

Utilities

Woodside Plantation

Mayor Cavanaugh stated a resolution had been prepared for approval of acceptance of deeds of dedications for utilities in Woodside Plantation.

Mr. LeDuc read the title of the resolution.

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF DEEDS OF DEDICATION OF WATER, STORMWATER, AND SEWER UTILITIES, AND UTILITY EASEMENTS FROM THE RESERVE AT WOODSIDE, LLC, THE RESERVE AT HOLLOW CREEK LLC, AND WOODSIDE DEVELOPMENT LLP.

Mr. LeDuc stated over the last several months our Engineering Department has been working with Woodside to dedicate utilities in completed sections that have not previously been brought to City Council. As a result we have several sections that are ready for the dedication of the water, sewer and stormwater utilities. All these dedications do not include roadways.

These dedications include:

- Phase 2 Sec 19 Phases 1 & 2 Holley Ridge Road
- Phase 2 Sec 18 A-E Spaulding Lake Circle, Forest Pines Road, Huntington Court, Fox Trace Court
- Phase 2 Sec 24 Hunter's Run

Phase 3 Sec 1-A Steeplechase Road Lots 1A, 1-1A.10
 Phase 3 Sec 1-B Steeplechase Rd. (289, 301, 305, 309, 313, 317) Bridle Lane
 Phase 3 Sec 8 Crescent Pointe, Bridge Crest Point (off Spaulding Bridge Rd.)
 Phase 3 Sec 9 & 9A Steeplechase Rd. (455, 493, 501, 507, 521) Grassy Creek Ln.
 Phase 3 Sec 14 Silver Meadow Court
 Phase 3 Sec 15 Balfour Court, Earlston Alley, Glenlevit Dr., Thornhill Dr.
 Phase 4 Sec 1 Steeplechase Road (778-899)
 Phase 4 Sec 2 Quiet Oak Court
 Phase 4 Sec 3 Sterling Grove Circle, Summerwinds Circle (109),
 Commonwealth Way (112-253)
 Phase 4 Sec 4A Rock Maple Court & Cameron Alley (lots 401-414, 425, 426
 & 427)
 Phase 4 Sec 5 Twin Ponds Lane, Steeplechase Rd (lots 501, 502, 503),
 Bristlecone Dr. (lots 516, 517, 523, 524, & 525)
 Phase 4 Sec 6 Anderson Mill Rd. & Barbaro Court (lots 601-624)

Several of the water and sewer lines have been in operation for several years. Per the ordinance that Council approved at the last meeting concerning the new development regulations, we are now accepting all operating utilities. These dedications do not include Fox Hound Run which is located in Phase III, Section 1 B. There is an extended warranty on the road, water and sewer due to major problems that occurred at this location. As per the DHEC letter the City will continue to operate the utilities in Fox Hound Run; however, we are not recommending their dedication.

For City Council consideration, this is approval of the aforementioned deeds of dedications for Phase 2, Phase 3, and Phase 4 as listed above in Woodside Plantation.

Councilwoman Clyburn moved, seconded by Councilwoman Price and unanimously approved, that Council accept the deeds of dedication for Phase 2, Phase 3, and Phase 4 in Woodside Plantation as recommended by staff.

PRICE AVENUE

Colony Parkway

Watts, Jay

Lease

Purchase

Mayor Cavanaugh stated a request had been received for the purchase or lease of property at Price Avenue and Colony Parkway.

Mr. LeDuc stated Jay Watts owns the building at 110 Price Avenue near Colony Parkway. He would like to purchase the property the City owns at the corner of Price and Colony Parkway for employee parking. Earlier this summer he asked the City to sell him the property. We told him that we felt at this time we could not recommend the sale of this property, since we were keeping it as open space opposite the property that we own at the Carolina Bay.

He is now asking if we are willing to consider leasing the property to him for employee parking. This may be an acceptable solution assuming that the proper landscaping could be added to this area.

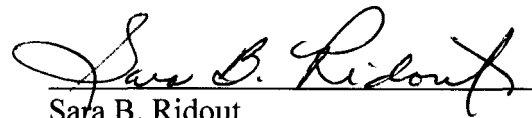
Mr. LeDuc pointed out Mr. Watts was not present at the meeting to discuss his proposal, and he would suggest that Council continue the request to the next meeting.

There was a brief discussion as to what property Mr. Watts was requesting to use and what property the city owned at this location. It was suggested that a better map be prepared for the next meeting to show the city's property.

Councilwoman Price moved, seconded by Mayor Cavanaugh and unanimously approved, that Council continue this item until Mr. Watts can be contacted and be present at the meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:05 P.M.


Sara B. Ridout
City Clerk