

September 9, 2002

REGULAR MEETING

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Present: Mayor Pro Tem Clyburn, Councilmembers Cuning, Price, Smith, Sprawls and Vaughters.

Absent: Mayor Cavanaugh

Others Present: Roger LeDuc, Bill Huggins, Gary Smith, Pete Frommer, Larry Morris, Ed Evans, Richard Pearce, Sara Ridout, Karen Daily of the Aiken Standard, Josh Gelinas of the Augusta Chronicle, and 20 citizens.

Mayor Pro Tem Clyburn called the meeting to order at 7:35 P.M. Mr. LeDuc led in prayer, which was followed by the pledge of allegiance to the flag.

APPROVAL OF AGENDA

Mayor Pro Tem Clyburn stated Council needed to approve the agenda. Councilman Sprawls moved, seconded by Councilwoman Price and unanimously approved, that the agenda be approved with the addition of a proclamation in recognition of 9-11, 2001.

MINUTES

The minutes of the regular meeting and work session of August 26, 2002, were considered for approval. Councilwoman Price moved that the minutes be approved as written. The motion was seconded by Councilman Cuning and unanimously approved.

BOARDS AND COMMISSIONS

Appointments

Patterson, Essie

Aiken County Transit Commission

Mayor Pro Tem Clyburn stated Council needed to consider an appointment to the Aiken County Transit Commission.

Mr. LeDuc stated at the last Council work session on August 26, 2002, Council discussed the city's appointment to the Aiken County Transit Commission. Some information was presented to Council on Ms. Essie Patterson, who has continued to serve on this commission though her term expired on June 30, 2001. The Commission meets the third Wednesday of every month at 4 P.M. The Commission is responsible for providing oversight of the county transit system and making recommendations to County Council about operation of the system. The terms on the Transit Commission are for four years and, if reappointed, Ms. Patterson's term would expire June 30, 2005.

Councilman Cuning moved, seconded by Councilwoman Price, that Essie Patterson be reappointed to the Aiken County Transit Commission with the term to expire June 30, 2005. The motion was approved by a vote of 4 in favor and 2 opposed. Opposed were Councilmembers Vaughters and Smith.

Councilwoman Vaughters stated she was opposed to the appointment because she felt appointees should not serve more than eight years. She stated Ms. Patterson had already been on the Transit Commission for 8 years and she felt that was long enough.

Mr. LeDuc pointed out that Councilwoman Vaughters was recommending that Barry Johnson be reappointed to the General Aviation Commission and that Robert Faulkner be reappointed to the Community Development Committee. He said this would be placed on the next agenda for Council's action.

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ANNEXATION – ORDINANCE 09092002

Clifton Street 108
Keaton, Kathryn
Virginia Acres
TPN 30-057.0-03-006

Mayor Pro Tem Clyburn stated this was the time advertised for second reading and public hearing on an ordinance to annex 108 Clifton Street in the 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 .25 ACRES OF LAND, MORE OR LESS, OWNED BY KATHRYN KEATON AND LOCATED AT 108 CLIFTON STREET AND TO ZONE THE SAME RESIDENTIAL SINGLE-FAMILY (RS-10).

Mr. LeDuc stated Kathryn Keaton owns a single family home at 108 Clifton Street in the Virginia Acres Subdivision. She would like to annex the .25 acre lot with an RS-10 zoning. This is compatible with the surrounding single-family residential neighborhood, which is currently served by city water but not city sewer. City sewer service may be available some time in the future, but is not available at this time. The right of way on Clifton Street would not be included in this annexation.

The Planning Commission at their August 13, 2002, meeting voted unanimously to approve this annexation.

The public hearing was held and no one spoke.

Councilman Smith moved, seconded by Councilman Sprawls and unanimously approved, that Council pass on second and final reading an ordinance to annex a .25 acre single family unit at 108 Clifton Street as RS-10 zoning and that the ordinance become effective immediately.

TOWER – ORDINANCE 09092002A

Lease
Cell Tower
SBA Properties
SunCom
Town Creek Road
Silver Bluff Road
Seven Oaks Drive
Water Plant
City of Aiken
City Property

Mayor Pro Tem Clyburn stated this was the time advertised for second reading and public hearing of an ordinance to lease property to SBA Properties for a monopole cell tower.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE APPROVING THE LEASE OF CERTAIN PROPERTY OWNED BY THE CITY OF AIKEN LOCATED IMMEDIATELY ADJACENT TO THE TOWN CREEK WATER PLANT BORDERING TOWN CREEK AND SEVEN OAKS DRIVE.

Mr. LeDuc stated SBA Properties, Inc., a company out of Boca Raton, Florida, would like to lease a 50' by 50' square foot area from the City of Aiken for the placement of a monolithic cell tower. This has been discussed with the city since February. The property they would like to lease from the city is off Town Creek Road and is immediately adjacent to the city's Town Creek Water Plant.

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City staff has been working with SBA, and they have negotiated a \$1,000 a month lease for the 250 square foot area with an initial term of 5 years and automatic renewals for up to four additional terms of 5 years.

In comparing this lease value to others within the two Carolinas, Aiken would be receiving 2 to 4 times more than any other current lease. The lease agreement also provides that every 5 years there would be an increase of 15% to the monthly lease payment. The city also has a weak reception for their radio transmittal in that area, and this lease agreement will also allow us to co-locate at no cost on this tower.

Several months ago they erected a portable tower to test this area for suitability and found it to meet all their requirements. They feel that this tower will provide for better service in the area, both now and in the future. Since this tower will be 190 feet tall, there will not be a need for a light at the top of the tower. This, and the fact that the tower is monolithic, should provide less visual interference for the residents in that area.

At the January Board of Appeals, the Board discussed this location for a new tower and approved the variance necessary for construction on property owned by the city. The only requirement placed on the property by BZA was for the installation of required landscaping as part of this approval process.

Mr. LeDuc noted that the property had been posted as requested by City Council at the last meeting.

The public hearing was held.

Councilman Cuning asked if the present pole would be removed. Mr. LeDuc pointed out this was a pole which connects to the computer system to monitor the tank from the water treatment plant. He said this antenna could be put on the new tower.

Councilwoman Price asked if the temporary pole that had been erected was the same height as the proposed pole. Councilwoman Price stated she had received some calls with concern about the impact of the appearance of the pole on the community. She also asked if SBA had looked at other sites. She asked if the Public Safety Station 4 site had been considered.

Mr. Jonathan Yates, of SBA Network Services, stated the temporary pole was not quite as high as the proposed pole. He stated other areas had been considered, but this was the best site to provide coverage. He said the city site seemed to be the best and would have the least impact on the neighborhood. He said the pole would barely be visible from Silver Bluff Road; it would be a monolithic pole and have no guy wires. The proposed pole would not have a light at the top since it will only be 190 feet high. He said the pole would not be painted but would be left a galvanized gray that would weather. He said they had agreed to landscape the area, so the base would be pretty much covered.

Councilman Smith moved, seconded by Councilman Cuning and unanimously approved, that Council pass on second and final reading an ordinance to approve a 190 foot cell tower lease on city property at the Town Creek Water Plant to SBA Properties, Inc. and that the ordinance become effective immediately.

Councilwoman Vaughters stated she did not agree with Mr. Yates that the towers did not affect property values. She did state, however, that this was probably the best place that would affect the least number of people. She said they had made a lot of effort to make it attractive with landscaping.

Councilman Cuning stated he looked in the area to see where else the pole might be placed. He said wherever it was moved would affect people and probably affect more people in other areas. He felt this was the best location with the least amount of objection and yet would provide the service needed for the area.

Mayor Pro Tem Clyburn stated a cell tower was located near her residence, and she said her property taxes had not gone down because of the tower.

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Councilman Sprawls stated he had talked with several technicians of cell phone providers, and he knew there was a need for a tower. He said the matter was discussed in a recent Woodside Homeowners meeting and there were no complaints.

EASEMENT – ORDINANCE 09092002B

South Carolina Electric & Gas Co.

SCE&G

Tennis Courts

Virginia Acres

Two Notch Road

Weeks Center

Mayor Pro Tem Clyburn stated this was the time advertised for second reading and public hearing on an ordinance to grant an easement to SCE&G for underground wiring for the Tennis Complex at Virginia Acres.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO GRANT AN EASEMENT TO SOUTH CAROLINA ELECTRIC AND GAS COMPANY.

Mr. LeDuc stated earlier this year City Council approved the construction of tennis courts at Virginia Acres off Two Notch Road. SCE&G needs to obtain some easements to underground the wiring for this tennis complex. A drawing showing the exact easements was given to Council for review. To grant an easement requires a city ordinance which gives the right to SCE&G to locate their lines on city property.

The public hearing was held and no one spoke.

Councilwoman Price moved, seconded by Councilman Smith and unanimously approved, that Council pass on second and final reading an ordinance granting an easement to SCE&G for location of underground wiring at the new tennis courts to be located at Virginia Acres and that the ordinance become effective immediately.

COMPREHENSIVE PLAN – ORDINANCE

Southside

Amendment

Mayor Pro Tem Clyburn stated this was the time advertised for second reading and public hearing on an ordinance to amend the Comprehensive Land Use and Transportation Plan for the south side of Aiken.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING THE CITY OF AIKEN COMPREHENSIVE LAND USE AND TRANSPORTATION PLAN.

Mr. LeDuc stated on June 18, 2002, City Council began a review of the Comprehensive Plan revisions for the south side. Since that time Council has met on six occasions to thoroughly review the Comprehensive Plan, which was approved by the Planning Commission and developed by a Task Force appointed by City Council and the Planning Commission. A lot of hard work has gone into this plan by City Council, the Task Force and the Planning Commission and many major changes were made in the Plan for the south side. In the General Goals and Objectives many new items were discussed, including greenways, PUDs and changes to the Planned Commercial Development.

This is a very important document and because of it Council has asked that there be three readings on the Plan. This will allow for a public hearing on the second and third readings. On the third reading Council will vote on adopting the Plan, which will guide our development for several more years to come. This is not a static document, but one that can be and should be revised by Council when needed at any time.

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In July the Planning Commission approved the Comprehensive Plan for the remainder of the City. This will be brought to City Council once the south side Comprehensive Plan has been approved so we can incorporate any of those changes to the Goals and Objectives that you make in this plan.

The public hearing was held and no one spoke.

Councilman Smith moved, seconded by Councilman Sprawls and unanimously approved, that Council continue the public hearing on the ordinance to adopt the Comprehensive Land Use and Transportation Plan for the south side to the next regular meeting of Council on September 23, 2002.

BARNWELL AVENUE – ORDINANCE

Barnwell Avenue 204 NE

York Street

Kennedy, Keisha L.

TPN 30-069.0-04-021

Duplex

Barnwell Avenue 208 and 210

Demolition

At this point Mayor Pro Tem Clyburn left the room after signing a Potential Conflict of Interest Form since she is employed by the person who proposes to buy the house on Barnwell Avenue.

Councilwoman Price, Acting as Chair, stated an ordinance had been prepared for first reading to sell property at 204 Barnwell Avenue NE.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE APPROVING THE SALE AND CONVEYANCE OF A PORTION OF THE PROPERTY OWNED BY THE CITY OF AIKEN LOCATED AT THE CORNER OF YORK STREET AND BARNWELL AVENUE, AIKEN, SOUTH CAROLINA, A PORTION OF TAX PARCEL NUMBER 30-069.0-04-021.

Mr. LeDuc stated this past January City Council authorized \$150,000 to purchase and rehabilitate three properties at 204 Barnwell Avenue, a duplex at 208 and 210 Barnwell Avenue and a vacant lot on Fairfield Street. The proposal was to renovate the house at the corner of York and Barnwell, commonly known as the yellow house, which had been for sale for almost a decade and for the last two years had been slated for demolition. Once the house was renovated the city would then sell the property to a private owner and the city would use the money to purchase and renovate additional homes. It was the city's goal to hopefully recover the majority of our money, realizing that the real value in the project was to rehabilitate homes on the north side and eventually get private owners to do this renovation without the help of the city.

In February we closed on these three properties and hired an architect to design the rehabilitation of the yellow house and to evaluate the condition of the house next door, known as the white house. The architect reported that the yellow house could definitely be rehabilitated, and recommended the removal of the white house due to structural problems. He was then authorized to begin the design drawings for this renovation while the city advertised for the future sale of this home based on these plans. Several positive articles appeared in the local newspaper, and we received an offer from Keisha Lloyd Kennedy to purchase this house with the condition that she would work with the architect and rebuild it according to his drawings. She optioned the property this summer, and she is now prepared to purchase the property for \$29,000, which includes \$20,000 for the purchase price and \$9,000 for the architectural fees. She has obtained a loan commitment for this home and plans to renovate it according to the architectural drawings and to occupy the residence in March, 2003.

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Our goal was to renovate this home and to avoid its demolition. We had hoped to do this while recovering most of our cost. We feel we have exceeded our goal by recovering all the costs for this project and have saved an historic and architecturally significant home from being demolished on the north side. With the sale of this home we will proceed in reviewing other properties for their possible purchase and resale similar to what we have done with this house.

We also recommend that the duplex on the adjoining property be removed. We have advertised the sale of this home for over 30 days now and seven individuals walked through this property, but none of the parties have made an offer. Several other individuals have expressed an interest in building a home on this property if we remove the existing structure. Council will need to decide whether to sell the land if the house is removed or to construct a home for sale on this property using funds which Council approved last January. If the city were to build a home on this property, it would be architecturally designed to blend in with the other homes built in the 20's and 30's in the surrounding area. He said plans for a house could be brought back to Council at another meeting. He said he would, however, like to have a decision by Council on whether to remove the white house.

Councilman Cuning moved, seconded by Councilman Smith and unanimously approved, that Council pass on first reading an ordinance approving the sale of the home and property at 204 Barnwell Avenue to Keisha Lloyd Kennedy for \$29,000 and that second reading and public hearing be set for the next regularly scheduled meeting.

Councilwoman Price stated the second request by the staff was whether to demolish the houses on property at 208 and 210 Barnwell Avenue NE.

Councilman Cuning moved, seconded by Councilman Smith and unanimously approved, that Council authorize the staff to demolish the houses on the property at 208 and 210 Barnwell Avenue NE known as the white house.

Mayor Pro Tem Clyburn returned to the Council meeting at this point.

QUIT CLAIM DEED – ORDINANCE

Hills Woodland Drive
Eidson, Gene
TPN 30-014.0-07-009
TPN 30-014.0-07-012
Street
Easement
Kalmia Hill
Forest Hill Drive
US 1 S
Richland Avenue W

Mayor Pro Tem Clyburn stated an ordinance had been prepared for first reading for a quit claim deed on Hills Woodland Drive.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE APPROVING THE EXECUTION OF A QUIT CLAIM DEED TO A PORTION OF HILLS WOODLAND DRIVE.

Mr. LeDuc stated several months ago City Council approved a quit claim deed for Hills Woodland Drive for a roadway that was never built in front of several lots. At that time Council conveyed the property to Thomas and Faye Shealy and Robert Shellhouse, Jr. We now have a second request to approve a quit claim deed for the portion facing Lot 9. All of the owners of this property would like to build houses and install a private driveway to their homes. The city is not claiming any interest in this roadway, but will require a 10 foot easement for any utilities that will be necessary for the property in the future.

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Gene Eidson, who is purchasing Lot 9, has obtained easement rights across the other properties that we had deeded to the owners.

Councilman Sprawls moved, seconded by Councilwoman Price and unanimously approved, that Council pass on first reading an ordinance approving a quit claim deed of Hills Woodland Drive in front of Lot 9 owned by Gene Eidson and that second reading and public hearing will be set for the next regularly scheduled meeting.

CHEROKEE STREET – ORDINANCE

Cherokee Street 218
Bryant, Darren and Amy
TPN 30-100.0-06-007
Forest Street
South Boundary

Mayor Pro Tem Clyburn stated an ordinance had been prepared for Council's consideration to sell property on Cherokee Street.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE APPROVING THE SALE AND CONVEYANCE OF A PORTION OF THE PROPERTY OWNED BY THE CITY OF AIKEN LOCATED IN AIKEN, SOUTH CAROLINA, A PORTION OF TAX PARCEL NUMBER 30-100.0-06-007.

Mr. LeDuc stated a couple of months ago the city had an inquiry concerning a house that the city obtained through a foreclosure from a Community Development Block Grant loan. This house is located at 218 Cherokee Street, and we recently had it appraised at \$6,000. We have received three offers, one from Darren and Amy Bryant for \$6,801, another from Richard Percival for \$6,128.48, and a third from Reginald Landy for \$6,500 to purchase this property. This is after we placed a "For Sale" sign on this property for the past month. Since these offers are above the appraised value of the property, we are recommending to Council approval of the sale of the house to the Bryants, the highest offer. It is their plan to renovate the home, and then sell it as an owner occupied residence. This house has been vacant for a number of years and will take an extensive amount of work to renovate the property.

Councilman Cunning moved, seconded by Mayor Pro Tem Clyburn and unanimously approved, that Council pass on first reading an ordinance to sell property at 218 Cherokee Street for \$6,801 to Darren and Amy Bryant and that second reading and public hearing be set for the next regularly scheduled meeting.

PALMETTO CONSERVATION FOUNDATION

Greenway
Proposal
Conservation Easements
Easements

Mayor Pro Tem Clyburn stated Council needed to consider approval of a greenway proposal by Palmetto Conservation Foundation.

Mr. LeDuc stated at the last work session the Palmetto Conservation Foundation discussed a proposal to develop a greenway plan for the City of Aiken. This would involve inventorying our current Open Space and Land Use, along with the city's parks and recreation facilities. The next step would be to analyze this information and present options for possible green space and greenway development. They would then engage the community to get input on possible greenway locations and conservation easements and how to connect these together. From this public meeting and inventory they would develop a conceptual plan for green space and greenways. Upon review by City Council they would then develop ways to implement this plan and to assist in any grant writing or public relations campaign. They propose to do this work for \$18,000. They have been successful in creating similar plans in Camden, Greenville, and Beaufort, plus several other similar plans in other communities throughout South Carolina.

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Staff recommends the use of Palmetto Conservation Foundation, a non-profit group, to assist the city in the development of this plan.

Mr. LeDuc pointed out that in 2004 the State will have funds available to help purchase greenway parcels.

Councilwoman Vaughters moved, seconded by Councilman Smith and unanimously approved, that Council approve the Palmetto Conservation Foundation proposal for \$18,000 to create a green space and greenway plan for the City of Aiken.

Council asked that Palmetto Conservation provide Council with an update as they progress with the plan rather than waiting until the plan is completed.

PROCLAMATION

9-11, 2001

Disaster

Terrorism

September 11, 2001

Mayor Pro Tem Clyburn stated a proclamation had been prepared for Council's consideration in recognition of 9/11, 2001, when there were acts of terrorism on America and two planes crashed into the World Trade Center Twin Towers in New York City, another plane crashed into the Pentagon in Washington, D.C., and another plane crashed in Pennsylvania.

She read the proclamation.

Councilman Cuning moved, seconded by Councilwoman Price and unanimously approved, that the proclamation be adopted by Council and that it be given to the news media.

EXECUTIVE SESSION

Personnel Matter

Police Retirement System

Public Safety

Retirement Plan

Redistricting

Voting Districts

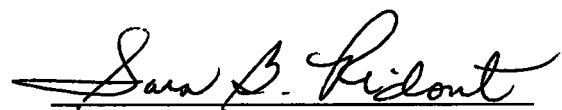
Elections

Mayor Pro Tem Clyburn stated Council needed to go into executive session to discuss a personnel matter regarding possible modifications to the Police Retirement System and redrawing of lines for the voting districts for the city.

Councilman Sprawls moved, seconded by Councilwoman Price and unanimously approved, that Council go into executive session to discuss the Police Retirement System and voting districts for the city. Council went into executive session at 8:40 P.M. After discussion of the matters Councilman Cuning moved, seconded by Councilwoman Price and unanimously approved, that the executive session end. The executive session ended at 9:45 P.M.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:45 P.M.


Sara B. Ridout
City Clerk