

Mr. LeDuc also stated a solution to the traffic problems on East Gate Drive will be presented to Council in March. The consultant is recommending a round-about.

REGULAR MEETING

February 10, 2003

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

Others Present: Roger LeDuc, Bill Huggins, Gary Smith, Ed Evans, Glenn Parker, Anita Lilly, Pete Frommer, Larry Morris, Sara Ridout, Karen Dailey of the Aiken Standard, Josh Gelinas of the Augusta Chronicle and 30 citizens.

Mayor Cavanaugh called the meeting to order at 7:35 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. Councilman Sprawls stated he would like to add a matter regarding the demolition of homes to the agenda. Councilman Sprawls moved, seconded by Councilwoman Price and unanimously approved, that the agenda be approved with the addition as requested.

MINUTES

The minutes of the work session and regular meeting of January 27, 2003, and the Horizons meetings of January 31 and February 1, 2003, were considered for approval. Councilwoman Clyburn moved that the minutes be approved as written. The motion was seconded by Councilman Sprawls and unanimously approved.

RECOGNITION

Eagle Scout Scout

Mayor Cavanaugh recognized Brian Heffner, of South Aiken High School, Troop 110 Boy Scouts. He said Brian was working on his Eagle Scout project, which is helping to build benches along the path at the Carolina Bay.

BOARDS AND COMMISSIONS

Appointments

Erb, Sam

Accommodations Tax Committee

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

Mr. LeDuc stated we have 7 pending appointments to boards and committees of the city and 1 appointment is presented for Council's consideration.

Councilman Sprawls has recommended reappointment of Sam Erb, of 594 Highland Park Drive, to the Accommodations Tax Committee. If reappointed Mr. Erb's term would expire March 25, 2005.

Councilman Sprawls moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the appointment of Sam Erb to the Accommodations Tax Committee, with the term to expire March 25, 2005.

Mr. LeDuc stated he understood from Council that for the next agenda there will be the following recommendations for appointment: Leland Reynolds, Rosalee Johnson and

James Milledge to the Historic Preservation Commission; Neel Shah, to the Accommodations Tax Committee; and T. A. Hammond to the Park Commission.

ANNEXATION – ORDINANCE

Hampton Avenue 1215

Florida Avenue

Bell, Horace

TPN 30-025.0-01-005

TPN 30-025.0-01-004

TPN 30-025.0-01-003

TPN 30-025.0-01-002

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to annex four lots at Hampton Avenue and Florida.

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 FOUR (4) LOTS AND 1.19 ACRES OF LAND, MORE OR LESS, OWNED BY HORACE BELL AND LOCATED ON HAMPTON AVENUE AND FLORIDA AVENUE AND TO ZONE THE SAME GENERAL BUSINESS (GB) AND RESIDENTIAL MULTIFAMILY LOW-DENSITY (RML).

Mr. LeDuc stated Horace Bell would like to annex property at 1215 Hampton Avenue and three additional lots to the rear consisting of 1.19 acres with a proposed zoning of General Business. The Planning Commission spoke with Mr. Bell concerning the annexation and compromised with him on a unanimous vote to approve the annexation of the two front lots as General Business and the two rear lots as RS-6. They felt this was consistent with other properties along Hampton Avenue and would allow Mr. Bell to develop it as he desires. The property is currently vacant, and the property to the east and west is in the county, whereas the property in the rear and across Hampton Avenue is in the City. According to our Comprehensive Plan, the property in this area is shown as low-density residential. Should Council approve the annexation, they should state why they are changing this from the proposed zoning in the Comprehensive Plan.

After our last meeting, the Planning Department determined that the only other General Business lots on Hampton Avenue in the city are 3 blocks to the East. Furthermore, the current property that Mr. Bell would like to annex into the City is currently zoned Residential Conservation not Urban Development. Based on this zoning, he cannot build a convenience store without getting the property rezoned by the county. If Council desires to zone the property commercial, you could consider a limited business zone which would allow a convenience store but would have more strict standards and not allow fuel sales. Currently the Comprehensive Plan shows the area as residential.

Council approved this ordinance on first reading at the January 13, 2003, meeting. The public hearing was postponed until this meeting at the request of Horace Bell since he could not be present at the January 27 meeting.

The public hearing was held.

Mr. Horace Bell was present to answer any questions.

Council then discussed at length as to whether the proposed rezoning would be consistent with the Comprehensive Plan and whether the Comprehensive Plan for this area should be restudied to consider whether it should be commercial or residential. At the last Council meeting Mr. Ronny West was present and expressed concern of the neighbors about a business being in the area and selling alcohol. It was pointed out none of the neighbors were present at this meeting, and they wondered if they were still concerned about the proposed rezoning.

Councilman Cunning stated his concern was what is the best plan for the City of Aiken and the neighborhood as it relates to Hampton Avenue in this area. He said he would rather ask the Planning Commission to restudy that portion of the Comprehensive Plan. He said he felt the area needed to be studied to see what is best for the area. He pointed out the Planning Commission had voted for the rezoning, but it is in conflict with the Comprehensive Plan.

Councilwoman Vaughters stated neighbors in the area had expressed concern about commercial in the area. She pointed out the neighbors live in the city and she felt Council should listen to them. She said the neighbors were concerned about what had happened in the area at commercial areas in the past.

Mr. Gary Smith stated what he was hearing Council say was that if the Comprehensive Plan is right for the area, then the proposed annexation does not comply with the Comprehensive Plan. If the Planning Commission wanted to recommend the proposed zoning to Council, they should have given a reason why they felt deviating from the Comprehensive Plan was appropriate at this time. He said he felt the discussion was either change the Plan or give a reason why it is appropriate to deviate from the Plan.

Councilwoman Price stated she could work with the neighbors and set up a neighborhood meeting to discuss the request to see how the neighbors feel about the request.

Councilman Cunning moved, seconded by Councilwoman Price, that the request for annexation be tabled for a future meeting, as he felt the matter needs further study. He asked that the Planning Commission study the three block area of Hampton Avenue as far as the Comprehensive Plan to see what is the best use of the property and whether the Comprehensive Plan should be changed to allow some commercial use in the area and get neighborhood input of the proposed use. The motion was approved by a vote of 6 in favor and 1 opposed. Councilwoman Vaughters opposed the motion.

ANNEXATION – ORDINANCE 02102003

Pine Log Road 1351

Alpha Street

Kisner, Steve

Wyatt, Thomas W. 1997 Trust

TPN 00-133.0-01-074

Mayor Cavanaugh stated an ordinance had been prepared for first reading to annex property at Pine Log and Alpha.

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 5.87 ACRES OF LAND, MORE OR LESS, OWNED BY THOMAS W. WYATT 1997 TRUST AND LOCATED AT 1351 PINE LOG ROAD AND TO ZONE THE SAME PLANNED UNIT DEVELOPMENT (PUD).

Mr. LeDuc stated the city has received an application from Steve Kisner to annex 5.87 acres of property at 1351 Pine Log Road. This property is immediately west of Centre South Shopping Center and east of Alpha and is currently zoned Office/Residential in the county. The applicant is requesting a PUD zoning for the construction of 35 – 37 attached single-family dwelling units. PUD zoning is allowed for areas being annexed to the city.

The Planning Commission unanimously approved this annexation with the following conditions:

1. If the project cannot use a detention pond on the adjacent property, the applicant is permitted to replace the first two units, between the entrance roads, with storm drainage detention.

2. The project shall have a minimum 4-foot high brick wall along Pine Log Road and a decorative wrought iron fence with brick piers along Alpha Drive.
3. Any chain link fencing shall be vinyl covered in either black or dark green.
4. In lieu of an entrance median, the Alpha Drive frontage shall be heavily landscaped according to a plan approved by City staff.
5. The building design should be as depicted in the drawings submitted by the applicant.
6. All trees shown on the concept plan as preserved are to remain.

On the first reading of this ordinance Council decided to annex Pine Log Road from Centre South to the Houndslake Drive entrance. This will allow the city and Public Safety to better control traffic on this area of the roadway and to define for Public Safety their limits for their jurisdictional area.

The public hearing was held and no one spoke.

Councilman Cuning moved, seconded by Councilman Sprawls, that the ordinance to annex a 5.87 acre site at Pine Log Road and Alpha Drive as PUD zoning be approved on second and final reading with the conditions as recommended by the Planning Commission and that the ordinance be amended to include in the annexation that portion of Pine Log Road from Centre South to Houndslake Drive with the ordinance to become effective immediately.

Councilwoman Vaughters asked what variances were requested and about the trees between the property and Centre South.

Mr. Kisner stated the variance was to request permission to have a fence along Pine Log Road 6 feet high like the fence between the property and Centre South. He stated many of the trees between the property and Centre South would be removed because he planned to install a brick fence, and to install the fence the trees would have to be removed. He stated he wanted a brick fence in this area to block the shopping center view. He said the trees were not dense enough to block the view from the shopping center.

Mayor Cavanaugh called for a vote on the motion to approve the annexation. The motion was unanimously approved.

ANNEXATION – ORDINANCE 02102003A

Gregg Highway 1036
Barnes, Donald E. Trustee
Kalmia Hill Chapel
TPN 00-104.0-01-028

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to annex property at 1036 Gregg Highway, the location of the Kalmia Hill Chapel.

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 1.0 ACRES OF LAND, MORE OR LESS, OWNED BY KALMIA HILL CHAPEL AND LOCATED AT 1036 GREGG HIGHWAY AND TO ZONE THE SAME LIMITED PROFESSIONAL (LP).

Mr. LeDuc stated the Kalmia Hill Chapel would like to annex their 1 acre site at 1036 Gregg Highway under the Limited Professional (LP) zoning. This site currently is zoned RUD in the county and the proposed zoning is compatible to the O zoning, which is currently south of this area. The LP zoning is intended to provide locations for Limited

Professional offices and selected institutional services within residential areas. The right-of-way along Gregg Highway is not included in this annexation.

The Planning Commission voted unanimously at their January meeting to approve the annexation of this property.

The public hearing was held and no one spoke.

Councilman Sprawls moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve on second and final reading an ordinance to annex 1 acre at 1036 Gregg Highway as a Limited Professional zone and that the ordinance become effective immediately.

LANDMARK – ORDINANCE 02102003B

Historic Landmark
Historic Designation
Waugh, Jan
Huckabee, Ginny
Laurens Street 241
Legare-Morgan Site
#10 Downing Street
TPN 30-028.0-06-002

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to remove an historic landmark designation.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE MODIFYING THE LANDMARK DESIGNATION OF THE LEGARE-MORGAN HOUSE LOCATED AT 241 LAURENS STREET SW.

Mr. LeDuc stated the city had received an application from Jan Waugh and Jenny Huckabee, owners of the Legare-Morgan site at 241 Laurens Street, to remove two structures currently designated as landmarks. In 1996, the City approved their request to have the Legare-Morgan house and its entire property designated as a historic landmark. This included the main house, the carriage house, and two other out-buildings. At that time, these two out-buildings were included in the designation because the owners were under the impression that it was necessary that the whole site be designated in order to receive the benefits of the local tax incentive program. This amendment is to request the removal of these two out-structures at the rear of the property from the historic designation. The Aiken Historic Preservation Commission and the Planning Commission both voted unanimously to recommend that the designation of the Legare-Morgan house be amended to remove the two rear structures from the landmark designation. This is based on the fact that one of the structures known as the tree house is not historic nor does it contribute to the historic or aesthetic character of the landmark. The other structure known as No. 12 Downing Street is made substantially of reclaimed material from other locations and its history cannot be determined or demonstrated, and several changes to the structure have destroyed whatever historic or aesthetic integrity it may have had. Therefore, it also does not contribute to the historic and aesthetic character of the landmark.

For these reasons, both the Historic Preservation Commission and the Planning Commission have recommended that these two structures could be removed from the landmark designation.

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 to remove two out-structures at the rear of the property of the Legare-Morgan site at 241 Laurens Street SW from their landmark designation and that the ordinance become effective immediately.

COMPREHENSIVE PLAN

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to approve the Comprehensive Plan.

Mr. LeDuc read the title of the ordinance.

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

Mr. LeDuc stated City Council, last summer, approved the revisions to the Comprehensive Plan for all areas south of Pine Log Road. Over the last couple of months, Council has now reviewed those districts located north of Pine Log Road. He pointed out Council had decided to hold two public hearings on the Plan to allow the public opportunity to give input. This portion of the Plan will be combined with the Plan adopted for the southside. Once Council has approved these plans, the Planning Department staff will summarize the goals and action plan necessary to officially revise those changes needed within our various ordinances.

The public hearing was held and no one spoke.

Council then discussed again the question of the Comprehensive Plan and the area along Hampton Avenue and the request for annexation and zoning as General Business and Residential zoning. It was pointed out Council could consider the Plan at this time and proceed with the next hearing. It was stated Council could always amend the Plan at any time.

Mayor Cavanaugh then proceeded to discuss some proposed changes to parts of the Plan. He pointed out 2.12 on page III-34. He suggested that the wording "reduce the amount of land zoned for commercial use along Laurens Street" should be less restrictive.

Councilman Cuning stated his comments at the last meeting concerned changing the zoning of existing commercial use. He suggested that perhaps the wording could be "evaluate the amount of land zoned for commercial use" rather than "reduce".

Mr. LeDuc suggested the wording "evaluate the amount of land zoned commercial use along Laurens, Hampton, and Vaucluse Road." He said the Planning Commission would look at the paragraph in general.

Mayor Cavanaugh noted on page III-40 under "Overview" - "but additional recreation opportunities are needed in Kalmia Hill." He suggested that "are" be changed to "may be." Also, on page III-46 the third line under "commercial" he suggested that the word "abandoned" should be "vacant."

Mayor Cavanaugh also asked if information regarding the by-pass had been verified. He stated on page III-56 "The SC 118 by-pass should incorporate a separate pathway for pedestrians and bicycles." He asked if the state had agreed to a separate pathway and if the staff would check on this matter.

Mr. LeDuc asked if Council wanted to proceed with the third reading of the ordinance for the Comprehensive Plan at the next meeting or wait until the Planning Commission has given some reaction.

Councilwoman Price pointed out 6.11 on page III-18 regarding "Study the possibility of rerouting through-traffic to reduce congestion. Keeping unnecessary trucks out of Old Aiken could make it a more pleasant place." She asked how you determine what are unnecessary trucks.

Mr. LeDuc stated the city would have to work with the Highway Department to assess how this can be done.

The general consensus of Council was to proceed with the third reading and then amend the Plan later when the Planning Commission makes a recommendation to Council regarding Hampton Avenue.

Councilman Smith moved, seconded by Councilman Cuning and unanimously approved, that Council pass on second reading and public hearing an ordinance to approve the revised Comprehensive Land Use and Transportation Plan for the area north of Pine Log Road with the revisions suggested and that third reading and public hearing be set for the next regular meeting of Council.

STREET – ORDINANCE 02102003C

Morgan Street
Aiken County Office Complex
Richland Avenue

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to close a portion of Morgan Street.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO ABANDON ITS RIGHT, TITLE AND INTEREST IN AND CLOSE A PORTION OF THE RIGHT OF WAY OF MORGAN STREET.

Mr. LeDuc stated several years ago City Council approved plans to close a portion of Morgan Street as part of the streetscape improvements along Richland Avenue. By closing this section of Morgan Street, a formalized parking lot could be created in front of the County Council Annex to beautify this area and to enhance safety along that portion of Richland Avenue. The County and State have now given the city permission to go forward with these plans. For the City to complete this work Morgan Street will have to be officially deeded over to the city. This would then allow us to close this section and to complete the plan.

The public hearing was held and no one spoke.

Councilman Sprawls moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass on second and final reading an ordinance to close a portion of Morgan Street next to the Aiken County Annex and that the ordinance become effective immediately.

DETENTION POND – ORDINANCE

Whiskey Road
CVS
Church of Christ
S & B LLC

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to donate the detention pond on Whiskey Road near CVS to S&B LLC.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO ABANDON ITS RIGHT, TITLE AND INTEREST IN THE REAL ESTATE COMPRISING A DETENTION FACILITY TO THE DEVELOPERS OF A PROPOSED COMMERCIAL DEVELOPMENT ON WHISKEY ROAD.

Mr. LeDuc stated a limited partner developer has approached the City concerning the donation of the detention pond located on Whiskey Road south of the Church of Christ and north of CVS Pharmacy. They would like the City to donate this detention pond to them with the following conditions.

1. They would fill in the pond and pipe the stormwater to an existing detention pond

- east of this site.
2. They would work with the City to follow the landscaping and signage provisions and interparcel access as discussed in the LDR report.
 3. No driveway cuts would be placed along Whiskey Road.

Their intention is to purchase the property from the Church of Christ and, along with this detention pond, build two retail stores at this site. The roadway behind the CVS would be tied into and exit onto Corporate Parkway. With this approval, the City would eliminate an unattractive detention pond located on Whiskey Road and have the opportunity to have the ditches filled in with piping along Whiskey Road along with proper landscaping as part of enhancing this area of Whiskey Road.

Councilwoman Clyburn moved, seconded by Councilman Sprawls and unanimously approved, that Council pass on first reading an ordinance to donate the detention pond on Whiskey Road south of Church of Christ and north of CVS to S & B, LLC, for new retail stores on the Church of Christ and the detention pond property, and that second reading and public hearing be set for the next regularly scheduled meeting.

CAROLINA BAY - ORDINANCE

Conservation Easement
Aiken County Open Land Trust
ACOLT
Price Avenue
Two Notch Road
Management Plan

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to approve a conservation easement with the Aiken County Land Trust.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO GRANT A CONSERVATION EASEMENT TO THE AIKEN COUNTY OPEN LAND TRUST.

Mr. LeDuc stated Aiken County Open Land Trust (ACOLT) for the last six years has been working to purchase 14 acres of land at the corner of Price Avenue and Two Notch Road known as the Carolina Bay. This land, combined with the 10 acres already owned by the City, would make up the Carolina Bay Preserve. They have now completed the purchase of this land and have developed a Management Plan to be used over the next several years to help preserve it.

The Aiken County Open Land Trust would like to give the City their 14 undeveloped acres surrounding the pond. In return, the City of Aiken would convey to ACOLT a Conservation Easement, which would remain with this land forever.

We commend and congratulate the ACOLT for the significant gift of the Carolina Bay and the preservation of the wetlands and open space. The City will continue to work with them through the Management Plan to preserve this area while using it for stormwater detention and limited recreation, including a climbing wall and possible ropes course in the future.

Ms. Lee Dane, of ACOLT, pointed out that the proposed ordinance grants the conservation easement to ACOLT. She stated the first step, however, is for the ACOLT to donate the land to the City of Aiken. After the land has been accepted, then the city gives ACOLT the conservation easement for the whole Carolina Bay property. The deed to the property and the easement will be recorded. The management plan will not be recorded, but is a plan that can be updated as the need arises.

Mr. Gary Smith pointed out if Council wished they could pass a resolution accepting the donation of the property to the City of Aiken. It was suggested, since the deed had just been received and had not been reviewed, that Council could consider acceptance of the deed by resolution at the next Council meeting before the second reading and public

hearing on the ordinance to grant the conservation easement to ACOLT. This would give the attorney time to review the deed for acceptance.

Councilwoman Clyburn moved, seconded by Mayor Cavanaugh, and unanimously approved, that Council pass on first reading an ordinance to approve a Conservation Easement for the Carolina Bay Preserve with the Aiken County Open Land Trust contingent on the passage of a resolution that accepts the deed at the next regular meeting of Council, and that second reading and public hearing of the ordinance be set for the next regular meeting.

POSTINGS – ORDINANCE

Public Hearings

Mayor Cavanaugh stated an ordinance had been prepared for first reading regarding posting property for public hearings.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE TO AMEND SECTION 2-61, AIKEN CITY CODE, AND SECTION 6.1.4, ET SEQ., AIKEN ZONING ORDINANCE TO PROVIDE PUBLIC NOTICE OF PUBLIC HEARINGS ON MATTERS AFFECTING REAL PROPERTY IN THE CITY LIMITS OF AIKEN, OR TO BE ANNEXED INTO THE CITY LIMITS OF AIKEN, BY POSTING THIS PROPERTY WITH NOTICE OF THE PUBLIC HEARING BEFORE CITY COUNCIL.

Mr. LeDuc stated last year City Council asked that we consider posting all property prior to public hearings before City Council. Since that meeting we have voluntarily posted properties for public hearings on annexations, rezonings or utility requests. Our intent is when the property is posted for the Planning Commission's public hearing, it will also give tentative dates for the City Council hearing. The sign would remain posted at the property until after the second reading and public hearing before City Council. This would give the citizens who want to know more about the subject a minimum of 20 days notice prior to the public hearing. The only failing that we may have concerning the posting would be when the applicant withdraws their petition, as did Horace Bell on the annexation. In this case we could try and identify through the posting that the public hearing has been postponed.

Should Council approve this ordinance, we will continue for the next year using this procedure and, if anything needs to be modified, we will bring it back to Council for your further review.

Mr. LeDuc stated if Council approves the ordinance on first reading, the matter will need to be sent to the Planning Commission for review. He pointed out, by state law, any modification to the Zoning Ordinance must be reviewed and approved by the Planning Commission.

Mr. LeDuc pointed out the proposed ordinance will cover postings for public hearings on annexations, utility requests and rezonings. He pointed out there were several items on this agenda that would not require posting, including demolition of the theater on Laurens Street, donation of the detention pond, and the Carolina Bay conservation easement.

Council discussed that with large tracts more than one sign may be required, especially if property fronts on two major roads. Council expressed concern about the sign giving notice of public hearing being up so long, and that it would have the Planning Commission's hearing as well as Council's hearing on the same sign. It was felt people may wait until the last public hearing to express concern. It was the feeling of Council that there should be separate postings for the Planning Commission and City Council public hearings, and that the sign should be removed after the Planning Commission hearing and the property posted again for the Council hearing. It was felt separate postings may eliminate some confusion on the hearings.

Councilwoman Clyburn moved, seconded by Councilwoman Vaughters and unanimously approved, that Council pass on first reading an ordinance to approve the posting of property for public hearings on annexations, rezonings, or utility requests and that the matter be referred to the Planning Commission for comment and a recommendation.

ACCOMMODATIONS TAX FUNDS

Aiken Running Club Triple Crown Race

Mayor Cavanaugh stated a request had been received for Accommodations Tax Funds for the Aiken Running Club.

Mr. LeDuc stated the Accommodations Tax Committee recently met to hear a request for \$500 from the Aiken Running Club to assist with the Triple Crown Race. Mr. LeDuc stated that last year he and Glenn Parker discussed the future of the Triple Crown Road Race, given the fact that the City was not receiving enough revenue to cover the real costs for the race. Based on this fact, Glenn asked the Aiken Running Club if they would take over this race. They have agreed and this year have managed the registration, sponsorships, flyers, publicity, and all the other work involved with the race.

The City is co-sponsoring by providing some space at the Weeks Center and helping at the race. Altogether we feel that we will save approximately 70 hours of time by having them put on this race. We feel this is good for our staff and good for the Aiken Running Club to take over these responsibilities, and we highly commend them for it. For this reason, staff recommends the approval of \$500 out of the Accommodations Tax Contingency Fund to assist the Aiken Running Club with the Triple Crown Road Race.

Councilman Smith moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve \$500 from the Accommodations Tax Funds to the Aiken Running Club for the Triple Crown Road Race.

DEMOLITION

Theater Laurens Street Resolution T & Z Development Company

Mayor Cavanaugh stated Council needed to consider a request for removal of the Laurens Street theater.

Mr. LeDuc stated a local business person, T & Z Development Company, wants to purchase the Laurens Street theater. He would like to remove this building and rebuild it as townhomes off the rear and commercial facing Laurens Street. This structure would most likely be two stories and at most three stories at that location. He has discussed with the Aiken Corporation's Housing Committee developing design plans for this building and entering into an agreement with them to use these drawings, paying them back as each of these units are sold. Aiken Corporation would work with the developer to design a building which would fit the character of the downtown area and develop a combination of business and residential at that location.

The developer is asking the City to assist them in the removal of the debris from this building. They would be responsible for removing the asbestos and leveling the building. If the developer's plans have not been finalized at the time of demolition, he would then keep this site as a green field until construction began.

Councilman Cuning stated the Aiken Corporation Housing Committee allocated \$15,000 for a land plan. He said the Housing Committee wants to know who the design architect is, and plans must be brought back to the Housing Committee for review. Money is reimbursed to the Housing Committee as units sell.

Councilwoman Price moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the city removing debris from the demolition of the

theaters located on Laurens Street for a future residential commercial building with the understanding that the design criteria for the future development be approved by the Aiken Corporation Housing Committee.

GOALS

Horizons 2003-04

Mayor Cavanaugh stated Council needed to approve the goals which they had suggested at the Horizons meeting.

Mr. LeDuc stated at the Horizons meeting Council discussed the various goals they would like the City to accomplish during the next fiscal year July 1, 2003 to June 30, 2004. These goals are as follows:

1. Continue to support current and future missions of the Savannah River Site through annual visits to Washington in support of regional projects and by receiving periodic updates on Site missions and plans and attending public hearings.
2. Help facilitate cooperation between the City of Aiken, Aiken County, and the South Carolina Department of Transportation to develop engineering solutions for the drainage problems in Hitchcock Woods, and to delineate the roles of each entity in addressing the issues.
3. Support sound fiscal policies in order to ensure the City's future financial strength.
 - a) Locate and develop new revenue sources and reduce expenses where possible to offset impending revenue losses as a result of State policies and cutbacks.
 - b) Maintain acceptable fund balance levels.
4. Continue to develop and implement methods to ease traffic congestion along Whiskey Road on Aiken's south side.
5. Encourage coordination of goals and functions within Aiken's art community and Performing Arts Theater, and Aiken Arts Center and where needed provide support to coordinate these activities.
6. Leverage funding from the South Carolina greenways program to begin acquiring greenspace and wetlands in and near the City in order to:
 - a) Protect the City's primary surface water source north of Aiken;
 - b) Provide important recreational opportunities for Aiken's citizens which can also serve to attract new homeowners to the community.
7. Begin the first phase of a comprehensive housing plan to renew neighborhoods on Aiken's north side.
8. Purchase the old Community playhouse building located at Price Avenue and Two Notch Road and renovate it as a multi-purpose facility.
9. Build a new Public Safety substation near the southern end of Whiskey Road
10. Continue to support and strengthen the Character First Program.
 - a) Encourage the local business community to adopt and implement the program at the employee and administrative levels
 - b) Support implementing character initiatives as an integral part of the City's truancy program.
11. Establish a Parks and Recreation Commission to provide support and direction for the City's Parks and Recreation Department and City Council.
12. Support the relocation of the Aiken School District maintenance offices to a new location in order to promote renewal of the nearby Toole Hill neighborhood.

13. Continue to strengthen the City's litter program.
14. Review and implement necessary improvements to recreation facilities.
 - a) Review the entrance location at Smith-Hazel Recreation Center
 - b) Consider installing lights for the Smith-Hazel tennis courts
15. Continue efforts to obtain federal funding to install and operate an instrument landing system (ILS) at the Aiken Municipal Airport.
16. Continue to develop, strengthen and update growth management strategies.
 - a) Implement an overlay district for portions of the Whiskey Road corridor in cooperation with Aiken County.
 - b) Work to extend the overlay concept and plan to other important entrance corridors.
 - c) Complete and implement a Master Plan for Old Aiken.
 - d) Update the City's Comprehensive Land Use and Transportation Plan for the City's utility area north of the City.
 - e) Continue to seek out and implement traffic management techniques as needed to reduce traffic congestion on Aiken's south side.
 - f) Complete and implement strategies to promote reuse of vacant "Big Box" buildings and an ordinance addressing the design and size of new Big Box construction.
17. Strive for greater volunteer diversity, development opportunities, and recognition.
18. Adjust the solid waste program in order to reduce revenue shortfall and discourage unsightly placement of materials at the curbside for extended periods.

Councilwoman Price moved, seconded by Councilman Smith and unanimously approved, that Council approve the goals for fiscal year 2003-04 as discussed.

NORTHSIDE DEVELOPMENT PLAN

Housing

Mayor Cavanaugh stated Council needed to consider approval of the Northside Development Plan.

Mr. LeDuc stated at Horizons Council discussed a proposal to revitalize Northside neighborhoods by building approximately 260 new homes and the rehabilitation of 120 other buildings. This 10 year plan would begin with a two block section along Morgan Street in the Toole Hill Neighborhood consisting of 41 lots. The City, along with the Second Baptist Church and Aiken Housing Authority, would invest approximately \$2.1 million for new infrastructure, lot purchase, renovation of existing homes, façade and landscape improvements, and the building of approximately 20 new homes. Second Baptist Church will take a major lead through their Community Development Corporation in helping to facilitate this plan and in the building of new houses. The City would recoup approximately 92% of these expenses through the sale of the homes and the land associated with these sales. Over the mortgage life of these new properties, the City will receive four times more revenue than what the actual costs are to complete this work.

As discussed at Horizons the City will work with the Aiken Corporation to develop a land plan for Toole Hill and the Edgewood area, which begins in Phase II. Additionally vacant lots would be purchased throughout the northside and the City would facilitate building new homes based on architectural drawings which would blend with existing houses in those areas. The City would also purchase homes that need rehabilitating and develop a plan for the rehabilitation and either make the improvements or market the home for sale based on these improvements. This plan is similar to what the City did with Keisha Lloyd Kennedy and the house at Barnwell and York.

This project is a true example of smart growth within the City of Aiken. Throughout this area an infrastructure system consisting of roads, water and sewer exists, and we are daily delivering city Public Safety and solid waste services past each of these lots. Neighborhood parks have been renewed in each of these areas, and a neighborhood organization is currently in place. By utilizing existing neighborhoods no sprawl is involved.

This plan may require some condemnation, but this would only be as a last resort as we will strive to work with each owner to give them fair value for their property.

Upon City Council's approval, staff will begin purchasing lots and existing homes with the \$500,000 currently set aside in Holding Funds for work on the northside. This is a visionary step for City Council and one that in years to come will make a major difference to individuals and families throughout our community.

Mr. LeDuc stated he was asking Council for approval to go ahead and start the process with the two block area in Toole Hill. He said this would allow the staff to go ahead and start purchasing lots, renovating some of the existing homes, making some façade changes and landscape improvements with some owners and build approximately 20 new homes. He said the development of the Toole Hill area and the Edgewood area should not interfere with the Old Aiken Master Plan, as these areas are outside of the Old Aiken Master Plan area.

For City Council consideration, this is approval of the development plan for the northside beginning with Phase I in calendar year 2003.

Mayor Cavanaugh stated he did not have a problem with the overall plan, but he was concerned about designating so much money for the plan at one time. He stated he was concerned about the upcoming budget and the loss of revenue. He was concerned about how fast and how much the city should do towards the project at this time. He was concerned about the total plan and total cost.

Mr. LeDuc stated currently there is approximately \$500,000 in Holding Funds from General Fund money. Also, there is Community Development Block Grant money that would basically be used for infrastructure improvements and some possible lot purchases. He said he was only asking for approval of Phase I of the project at this time. He pointed out the city had been doing piecemeal, a few houses at a time in different areas. It had some success, but it was felt that by taking two blocks for the project some real progress would be shown. He said to do two blocks and to acquire the property would take approximately \$500,000. Second Baptist Church and Aiken Housing Authority through their CDC portion of their investment group, along with the city, will be seeking grants to build houses. It was pointed out the City's portion of \$500,000 has already been set aside for the project.

Council continued to discuss the proposed plan at length, including the funding, budgeting concerns, the cooperation between the City and Second Baptist and the Aiken Housing Authority.

Councilwoman Price stated she was excited about the project and the return on the investment. She said she would like for the city to move forward with the project. She said she feels like the project indicates that the city is serious about changes for the northside. She felt the city leaders had looked at the project very carefully.

Councilwoman Vaughters stated she felt the project had many pluses, as the infrastructure is there and the parks are there. She said her concern was the development of a land plan and the selection of architects and designers. She said she wanted City Council to have some input before the plan is drawn.

Councilwoman Clyburn pointed out the money is set aside for the project and she felt moving forward at this time is the right thing to do. She felt the energy that could be generated from going forward with the project would be worth it.

Councilman Sprawls stated the project at this time is only two blocks. He said if it doesn't work with the two blocks Council will know it. He said they would never know if it would work if they don't try it.

Councilwoman Clyburn moved, seconded by Councilwoman Price that Council approve the northside development plan and authorize the staff to move forward with phase I of the project. The motion was unanimously approved.

Mr. William McGhee, 217 Fairfield Street NE, asked to make some comments regarding the proposed program. He said he had some concerns about the proposed plan. He said he was not concerned about the starting point, but the ending point. He said he was concerned that the plan talks about the whole northside of Aiken and a 10 year plan. He said he could not see much in the plan other than Toole Hill. He said he did not see anything in the plan which mentions anything about historic sites on the northside of Aiken, or anything about preservation of the neighborhoods. He said he was not sure where the plan is going with infill houses. He said he could not see taking one area and building infill houses that don't fit into the character of the neighborhood. He wondered where the Schofield Community fits into the plan. He pointed out the Schofield Community organization had been awarded a \$5,000 grant from Concurrent Technologies Corporation for a five month planning phase for the Schofield Community. He said they would like to have an opportunity to partner with the city for the Schofield Community because they feel they have some properties that need protection. He said the organization has a membership drive, and citizens in the Schofield Community are trying to work to better their community and they don't see much help from the city.

Mr. LeDuc reviewed the proposed plan, stating it is a 10-year plan. He said maps had been presented of the plan. He said when phase 1 is completed and the city starts phase 2, the Old Aiken Master Plan will be completed and it will determine what each area will look like. He said the assumption is that the majority of the northside will remain residential. He said with that assumption the city put in the plan that over the next 10 years the city would be buying lots within the areas or facilitating with private contractors to buy lots to put homes that would depict each particular neighborhood. He said the city would like to have several architectural designs that would fit into the various neighborhoods. He pointed out, however, the city can only control so much. He stated the vacant property is private property, so unless the city owns the property the city can't always control what is built, but can have designs and recommend to builders suggested housing for the area. He said as the redevelopment progresses the land will become more valuable and builders will want to build and infill and the city will not have to take as much of a major role.

Councilwoman Clyburn stated she felt the proposed plan was a good plan and a step in the right direction. It is not a plan that will please everyone, but it is a plan. She said normally the city is not in the housing business, but she applauded the staff for taking the time to develop something that shows promise in the Toole Hill area and in the Edgewood area. She said as the city moves through the plan other areas will be included. She said she felt the staff did a good job identifying the needy areas. She asked that anyone interested in improving the area join forces and work together with the city to make sure the city continues to move in the right direction. She asked the Councilmembers to support the staff in the program.

The motion to approve the proposed Northside Development Plan was unanimously approved.

ELECTION

Referendum

5-1-1 Plan

Election Date

Mayor Cavanaugh stated Council needed to adopt a resolution setting the election date for the referendum on the method of election of Council.

Mr. LeDuc stated this week we received a letter from the U. S. Department of Justice which gives us permission to hold a referendum on April 1, 2003, for the selection of the voting plan for the City of Aiken. At this special referendum the voters will be asked to approve or not approve the change in redistricting from 4-2-1 to 5-1-1. The exact language for the question that will be placed on the referendum is as follows:

"Shall the municipality of the City of Aiken change its method of electing members to City Council from four (4) members elected from Single Member Districts and two (2) members elected At-Large, to five (5) members elected from Single Member Districts and one (1) member elected At-Large?" [] Yes [] No

For City Council consideration, this is approval of a resolution calling for a special referendum on April 1, 2003, to determine the election plan for the City of Aiken.

Councilwoman Clyburn moved, seconded by Councilwoman Price and unanimously approved, that Council approve the resolution setting the election date for the referendum on the method of election of Council members as April 1, 2003.

DEMOLITION PROGRAM

Houses

Sumter Street

Chesterfield Street

Mayor Cavanaugh stated Council needed to vote as to whether to add an item regarding demolition of homes to the agenda.

Councilman Sprawls moved, seconded by Mayor Cavanaugh and unanimously approved, that Council add discussion of demolition of some homes to the agenda.

Councilman Sprawls stated he was concerned about a couple of houses that were on the list for demolition. He pointed out one of the houses had burned and one was about to fall off its foundation. He pointed out the Demolition Program had been put on hold by City Council. He pointed out one of the owners of these houses had already paid the fee to the city last year to have the house demolished. He said he would like to see the city proceed with the demolition of these two houses. He said the owners keep calling asking when the city is going to tear the houses down. One house is on Sumter Street near Hampton Avenue and the other is on Chesterfield Street near the water tank. The house on Chesterfield burned about two years ago.

Mr. LeDuc stated in October, 2002, the staff presented a list of houses to Council that was scheduled for demolition. It was stated at that time that Council wanted to look at an overall plan for the northside and hold up on demolition of the houses. Council asked that the houses be posted to give people the opportunity to possibly buy the houses. The houses were posted and there was no response. The city demolished a couple of the houses on the list and then the city was criticized for tearing down the houses. Other houses have been added to the list for demolition, but the demolition program is on hold at this time. He pointed out people are continuing to complain about dilapidated houses and once the city declares the house substandard there is a legal process for substandard housing. He said he was concerned about the legal liability of the city when the house has been declared substandard.

Council discussed the process and the condition of the houses at length. Councilman Smith stated he did not understand Council not delegating to staff the decision to demolish the houses. He asked if Council was going out individually and look at every house in the city before it is demolished. He stated the staff consisting of professional and technical people have declared the houses substandard and they should have the ability to make the decision to remove the houses.

Mr. LeDuc stated either the city needs to require the individuals to bring the houses up to code or require them to be removed. He said the Demolition Program was to assist in the process rather than going through the Court system, which takes two to three years to get something done to a house. Many times the property owner can't afford to do anything

to the house, and they want it removed. Many times adjacent property owners are complaining about the dilapidated housing in their neighborhood and bringing the value of their homes down.

Councilwoman Clyburn stated she would still like to have the properties posted before they are removed to give people the opportunity to buy the property and renovate it before tearing it down. She said she did not want to be responsible for investigating houses to see if they need to come down. She said the staff has this expertise and they have standards to follow for this procedure.

Mr. Gary Smith, City Attorney, pointed out if the owner recognizes that the house is in bad shape and takes advantage of a city-offered program and pays the city the money and then the house sits there for a period of time, certainly there is an argument that the liability may transfer to the city, since the city had the opportunity to do something about it but did not. The longer the house sits there the better the argument that the city is liable. He said the city can post the property for sale, but no one might want to buy the property or someone may or may not enter into a contract to purchase the property. He said the city can't make the property owner sell the property to somebody else.

Councilman Sprawls stated he felt the city should honor the agreements with the people that have already paid their fee and asked for removal of a house. It was pointed out the city probably has about a dozen agreements for removal of houses at this time.

Council continued to discuss the matter at length. It was pointed out the owner may be willing to have a house removed because it is substandard, but they are not willing or can't afford to upgrade the house to make it livable so we will still have a vacant, abandoned house. Many times it is not practical to invest the amount of money needed to bring a house up to standard. Council discussed posting the properties for sale for two weeks. It was pointed out a person could buy one of the properties and still not bring it up to standard. Gary Smith suggested that if the houses are not to be demolished that the city return the owner's money.


Mr. LeDuc asked that Council think about the matter and discuss it at the next meeting of Council. He said the staff would like to have some direction from Council as to what to do regarding the demolition program and vacant, abandoned, substandard housing.

Councilwoman Clyburn moved, seconded by Councilman Sprawls that Council approve the removal of the house in the 500 block of Chesterfield Street N. The motion was approved by a vote of 6 in favor and 1 opposed. Councilwoman Vaughters was opposed to the motion.

After much discussion Councilman Sprawls moved, seconded by Councilman Cunning that the pink house on Sumter Street be posted for sale for two weeks to see if there was any interest in rehabilitating the house. The motion was unanimously approved.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:50 P.M.


Sara B. Ridout
City Clerk