

Aiken City Council Minutes

**WORK SESSION**

July 10, 2006

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

Absent: Councilwoman Price

Others Present: Roger LeDuc, Gary Smith, Bill Huggins, Glenn Parker, Richard Pearce, Larry Morris, Sara Ridout, Tony Baughman of the Aiken Standard, Betsy Gilliland of the Augusta Chronicle, and about 17 citizens.

Mayor Cavanaugh called the meeting to order at 6:50 P.M. He stated Council had one item to discuss in the worksession—a presentation by Partners in Friendship.

PARTNERS IN FRIENDSHIP

Presentation

PIF

Custodi, George

Zigelman, David

Mayor Cavanaugh stated George Custodi, of Partners in Friendship, and David Zigelman, of the Washington Group International, were present to talk about the visit of Russians to Aiken and the activities scheduled in Aiken for the week starting on Sunday, August 13, 2006. During that week a delegation from Russia will be visiting Aiken and meeting with City and County officials. Mr. Custodi and Mr. Zigelman will describe the various details concerning this visit. The delegation will be leaving the following Saturday to return to their home country.

Mayor Cavanaugh stated there had been talk about a group from Russia visiting Aiken since about 2005. He said the Department of Energy was interested in bringing a group of about six people from Russia and letting them share some time with the City and the County. The visitors would be from Seversk, Russia. He said Seversk is a nuclear city, and it is hoped that a MOX fuel facility will be built which coincides with the Savannah River Plant. He said that WGI is the contact with the Russians and will financially support the venture.

Mr. George Custodi, of Partners in Friendship, stated Mayor Cavanaugh had asked him and PIF to be involved in welcoming the Russian delegation to Aiken. He said their part was to show the Russian guests what life is like in a small city in the South. He said with the visit in August they will get to see their share of the hot temperatures in the South. He said a news release was being released to the City and the press tonight with details of the visit. He said this would give the citizens of Aiken another opportunity to interact with another culture.

Mr. David Zigelman, of Savannah River Site, stated he manages an initiative called the Nuclear Cities Initiative on behalf of the U.S. Department of Energy. He said the purpose of the program is to help the Russians downsize their nuclear weapons complex and help them create commercial sector employment opportunities for their engineers and scientists that are displaced because of funding limitations. He said for several years the Savannah River Site has been involved with a city called Sarov. There have been several delegations visiting Aiken, and Mayor Cavanaugh has participated in several of the meetings. He said they are now turning attention to the city of Seversk. He said attention is being given there because they will be shutting down a reactor that provides heat and steam to the city. He said SRP wants to help them create commercial sector jobs for the displaced employees. At the request of DOE headquarters Savannah River was asked to find a local community that would be interested in turning into a partner-city relationship. It was felt with a partner-city relationship between the city of Seversk and a town in this area that a closer relationship could be developed between the two cities and the two

July 10, 2006

nuclear facilities. He said the delegation coming to Aiken with the support of WGI, the Mayor and PIF provides an opportunity to learn more about the people from Seversk and the opportunity to show them how we have done things to mitigate the economic impact on the area, downsize at the Savannah River Site and become "buds" so they can pursue the non-proliferation programs while being a good partner to another city in Russia. He said the program would involve PIF and the City; there would be a Savannah River Site program, and some DOE officials from Washington would be in Aiken also.

Mayor Cavanaugh stated the agreement involved having the Russian delegation come to Aiken and later a delegation would visit Seversk. He said the visit would begin on Saturday, August 12, 2006. On Wednesday, August 16, 2006, the City will be hosting the official welcoming reception and dinner. He said in planning the event it was felt that Aiken wanted to show them a Southern meal. He said Public Safety and the Sheriff's Department will cook the dinner, which will be held at the Municipal Building. He said invitations will be mailed shortly. He stated Council supports the Savannah River Site through various activities during the year. He said this will be another opportunity to show Aiken's support for SRS. It was pointed out there are two programs--a DOE funded program and the partner-city activities which are being funded by WGI.

#### Aiken City Council Minutes

#### REGULAR MEETING

July 10, 2006

Present: Mayor Cavanaugh, Councilmembers Clyburn, Smith, Sprawls, Vaughers and Wells.

Absent: Councilwoman Price

Others Present: Roger LeDuc, Gary Smith, Bill Huggins, Richard Pearce, Ed Evans, Glenn Parker, Anita Lilly, Larry Morris, Richard Abney, Sara Ridout, Tony Baughman of the Aiken Standard, Betsy Gilliland, and about 20 citizens.

Mayor Cavanaugh called the meeting to order at 7:05 P.M. Councilman Wells 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. Mr. LeDuc stated he would like for Council to add three items to the Agenda. He said he would like to add consideration of adoption of a resolution to send to Washington to the Congressmen and Senators concerning funding for transportation projects; a report from Bernadette Clayton, representing the Aiken Training Track, regarding demolition of barns on the training track property; and a matter regarding subdivision of properties and what can or cannot be done. He pointed out currently subdivisions are approved administratively by the Planning Director. He said a request had been received asking that requests for subdivision of properties be posted. He said he would like Council's direction on the request.

Councilwoman Clyburn moved, seconded by Councilman Smith and unanimously approved, that the agenda be approved with the items added as requested.

#### MINUTES

The minutes of the work session and regular meeting of June 26, 2006 were considered for approval. Councilwoman Clyburn moved that the minutes be approved as submitted. The motion was seconded by Councilman Sprawls and unanimously approved.

## BOARDS AND COMMISSIONS

### Appointments

Bouknight, Andrew

Building Code Appeals Committee

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

Mr. LeDuc stated there are 4 pending appointments to boards and committees of the city and 1 appointment is presented for Council's consideration.

Councilwoman Price has recommended that Andrew Bouknight be reappointed to the Building Code Appeals Committee, with the term to expire May 12, 2008.

Mr. LeDuc pointed out as information for Council that the committee does have an issue and the committee will be meeting shortly to consider the issue.

Councilwoman Clyburn moved, seconded by Councilman Wells that Andrew Bouknight be reappointed to the Building Code Appeals Committee, with the term to expire May 12, 2008.

## LANDMARK – ORDINANCE 07102006

Pine Lawn Cemetery

Aiken Historic Register

Landmark

Pine Lawn Memorial Gardens, Inc.

Historic Register

Hampton Avenue

Abbeville Avenue

Florence Street

McCormick Street

TPN 104-16-22-001

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance designating Pine Lawn Cemetery as a Landmark.

Mr. LeDuc read the title of the ordinance.

### AN ORDINANCE DESIGNATING PINE LAWN CEMETERY TO THE AIKEN HISTORIC REGISTER AS AN HISTORIC SITE WITH LANDMARK STATUS.

Mr. LeDuc stated there had been various committees working on this matter for a number of years. He said the committee had asked that the Pine Lawn Cemetery be designated as a Landmark.

Mr. LeDuc stated the Design Review Board at their May, 2006, meeting voted unanimously to recommend that the Pine Lawn Cemetery on Hampton Avenue at Lancaster Street be designated as a historic site with Landmark status. This designation includes the common property and improvements that will be made to the cemetery through the use of the 1 cents sales tax.

Mr. LeDuc stated that as set forth in the Zoning Ordinance under 5.1.4.b Council must conclude that a site: (1) is significant in American, South Carolina, or Aiken history, (2) has integrity of vocation, design, setting, materials, or workmanship that needs to be protected or preserved and meets one of the following criteria: (a) is associated with events that have made a significant contribution to history, (b) is associated with the lives of persons significant in history, (c) it has distinctive characteristics of a type, period or method of architecture construction, (d) it has yielded or is likely to yield information important to pre-history or history, or (e) it is listed in the National Register of Historic Places.

Mr. LeDuc stated that originally the site was four acres, and in 1892 the City of Aiken deeded a lot containing 9.5 acres to the Aiken Cemetery and Burial Association. The staff's research states that this property is significant in South Carolina history and Aiken's history because it was the site of internment for slaves, former slaves, paupers, veterans, and prominent citizens of Aiken's African-American community. It is also associated with lives of persons significant in history, including E.P. Stoney, Vincent Green, Reverend W. R. Coles, Lillie Bell Allen, and veterans of the Spanish-American War, World War I, World War II, the Korean War, and the Vietnam War.

The Planning Commission at their June 13, 2006, meeting unanimously recommended the approval of designating Pine Lawn Cemetery to the Aiken Historic Register as a Landmark.

He said with this designation there is the possibility of obtaining grants for further work on the cemetery. He said the city had set aside \$170,000 for landscaping, fencing, and some internal road work on the cemetery.

For City Council consideration, this is second reading and public hearing of an ordinance to designate the Pine Lawn Cemetery to the Aiken Historic Register with Landmark status.

The public hearing was held.

Ms. Coleen Reed, 207 Brandon Road, asked that Council approve the ordinance to designate the cemetery with Landmark status. She pointed out there were some groups that had worked together on the application to make work on the cemetery possible. The groups included the Aiken Visionary, the Schofield Community Association and the Northside Heritage Preservation Foundation. She pointed out that Andrew Chandler, the Architectural Historian from the State Historic Preservation Office, approved the preliminary information form and recommended that work continue to nominate the property to the National Historic Register. She pointed out also that the proper name of the cemetery is Pine Lawn Memorial Gardens with the common name being Pine Lawn Cemetery.

Mr. James Holland, President of Pine Lawn Memorial Gardens, asked that Council support the request for Landmark status for the cemetery. He said the ultimate goal is for the cemetery to be on the National Historic Register. He said it is felt this is a site that has historical significance to Aiken and the African-American community. He said they would like to see it preserved for posterity.

Councilwoman Clyburn moved, seconded by Councilman Wells and unanimously approved, that Council pass on second and final reading an ordinance to designate the Pine Lawn Memorial Gardens to the Aiken Historic Register as a historic site with Landmark status.

#### ANNEXATION – ORDINANCE 07102006A

Richland Avenue West 3612

Johnson, Jamie

TPN 087-19-08-002

Car Wash

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to annex property at 3612 Richland Avenue, West.

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 0.63 ACRES OF LAND, MORE OR LESS, OWNED BY JAMIE JOHNSON, AND TO ZONE THE SAME GENERAL BUSINESS (GB).

Mr. LeDuc stated the owner of a .63 acre lot at 3612 Richland Avenue W. is requesting annexation under the General Business zone. This site is currently occupied by a single-family residence and the purchaser would like to develop the site as a car wash and is interested in the city's utilities. The proposed GB zoning is compatible with adjacent properties and the lot is adjacent to Richland Avenue, which is inside the city limits.

Mr. LeDuc stated that staff recommends that a connecting driveway be platted between the subject property and the driveway into the motel to the east to keep some of the traffic off Richland Avenue. Although we cannot force the motel to cooperate in creating this driveway, we feel the easement on the car wash side for a future connection should be included.

The Planning Commission voted unanimously to approve the annexation of this property with the following conditions:

1. that no curb cut be allowed from Richland Avenue;
2. that the property owner not prepare a traffic study if restrictive covenants are recorded at the RMC Office permanently limiting the total number of new vehicle trips by all uses on the site to no more than 2,000 per day;
3. that the developer of the subject property stub out a vehicular connection to the property line adjacent to the motel driveway;
4. that the annexation not take place until the property is purchased by the contract purchaser, and they sign an agreement with the City listing any conditions and that the agreement be recorded at the RMC Office prior to the annexation taking effect.
5. that all new wiring to the site would be underground; and
6. that all conditions be met by December 31, 2006, or this agreement would become void.

Mr. LeDuc stated currently there is an unpaved street called Keith adjacent to this property. If the road can be paved the owner is asking that the entrance be off Keith Street which already has an entrance into Richland Avenue so there would not be a curb cut into Richland Avenue.

For City Council consideration, this is second reading and public hearing of an ordinance to annex property at 3612 Richland Avenue W. under the General Business (GB) zone.

The public hearing was held and no one spoke.

Councilman Smith asked how the number of vehicle trips to be no more than 2,000 per day would be monitored.

Mr. LeDuc stated currently the developer is planning to put a car wash on the property that would have very few trips per day. If something else, such as a fast food restaurant is to be built, when the building permit is applied for the city would be asking that a traffic study be done. He pointed out that once the property is zoned General Business anything allowed in the GB zone could be built on the property.

Councilman Sprawls moved, seconded by Mayor Cavanaugh and unanimously approved, that Council pass on second and final reading an ordinance to annex property at 3612 Richland Avenue W. under the General Business (GB) zone.

ANNEXATION – ORDINANCE 07102006B

Two Notch Road 1714  
Sellers, Thomas  
Sellers, Evelyn  
Virginia Acres Subdivision  
TPN 122-05-23-001  
Pine Log Road East

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to annex property at 1714 Two Notch Road SE and zone it RS-10 Residential Single-Family.

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 0.27 ACRES OF LAND, MORE OR LESS, OWNED BY THOMAS AND EVELYN SELLERS AND LOCATED AT 1714 TWO NOTCH ROAD, SE AND TO ZONE THE SAME RESIDENTIAL SINGLE-FAMILY (RS-10).

Mr. LeDuc stated the property owner, Thomas and Evelyn Sellers, at 1714 Two Notch Road would like to annex their .27 acre lot. A single-family home currently occupies this site and is contiguous to the city through the Virginia Acres complex. The applicant is seeking sanitary sewer for their property. The proposed RS-10 zoning is compatible with the adjacent RS-10 and RS-8 zoning in the area and the lot exceeds the minimum standards for the RS-10 zone.

The Planning Commission at their June 13, 2006, meeting unanimously approved this property for annexation.

For City Council consideration, this is second reading and public hearing of an ordinance to annex property at 1714 Two Notch Road under the RS-10 zoning.

The public hearing was held and no one spoke.

Councilwoman Clyburn moved, seconded by Councilman Sprawls and unanimously approved, that Council pass on second and final reading an ordinance to annex property at 1714 Two Notch Road under the RS-10 zoning.

ANNEXATION – ORDINANCE

Wildhaven Drive  
Banks Mill Road  
Water  
Sewer  
Metro Homesites, LLC  
Crowell, John  
TPN 138-05-02-005

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to annex property off of Wildhaven Drive east of Banks Mill Road.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY OWNED BY METRO HOMESITES, LLC AND TO ZONE THE SAME PLANNED RESIDENTIAL (PR).

Mr. LeDuc stated last month City Council asked that we continue the annexation of a 7.54 acre tract on the north side of Wildhaven Drive to be occupied by attached single family dwelling units. The City had previously approved the provision of water and sewer to this land in 2000 with the proviso that when the property became contiguous the City had the right to ask them to annex to the city. Regardless of whether we annex them

or not they will still receive City water and sewer, but could develop the property under County specifications.

We delayed this annexation last month so our Planning Director could meet with the developer to review the new standards that the Planning Commission is revising concerning attached single-family homes. They met on June 20, 2006, and the developer has agreed to meet most of the new specifications that are being discussed, but have not been approved by either the Planning Commission or City Council. The provisions they will meet include the driveways and many of the design standards for the buildings, open space and all of the landscaping provisions. They have not agreed to design changes for the buildings which would vary the façade and roof line. The proposed regulations ask that there be a variance in the distance that the front of the homes is from the street rather than all in a straight row and that there not be more than three in a row. Since it is not required that the developer meet these proposed provisions staff feels he is making a good faith effort and we bring this back to City Council for consideration.

Under the original proposal there are four conditions that have to be met. These conditions include:

1. that City Council approve the elevations of the multi-family residential building units;
2. that the revised concept plan address the conditions on the approval be submitted as determined by the Planning Director;
3. that prior to issuance of the Certificate of Occupancy for any new homes a left hand turn lane on Banks Mill Road into Wildhaven would be required, plus two separate turn lanes from the approach of Wildhaven Drive to Banks Mill Road. Each of the road improvements would be in accordance with the approved Traffic Study and other Highway standards; and
4. that any conditions placed on the annexation be recorded at the RMC Office.

For City Council consideration, this is first reading of an ordinance to annex Tract A north of Wildhaven Drive into the City of Aiken under the PR Planned Residential Zone. Upon City Council consideration, a second reading and public hearing will be held at the next meeting scheduled for August 14, 2006.

Councilwoman Clyburn moved, seconded by Mayor Cavanaugh, that Council pass on first reading the ordinance for annexation of Tract A north of Wildhaven Drive into the city under the PR Planned Residential zone with the conditions reviewed and that second reading and public hearing be set for the next regular meeting of Council.

Mayor Cavanaugh stated he appreciated the developer working with the city in trying to meet some of the proposed conditions for attached housing.

Councilwoman Vaughters asked that the developer speak regarding the proposed regulations that he would not comply with.

Mr. John Crowell, of Metro Homesites, stated they could not meet the street layout and off-street parking, variation in roofline, roof pitch, and the design standards for buildings proposed in the new attached housing regulations. He stated to comply with those standards would increase the cost of the housing significantly and price them out of the range of the targeted market. He stated he could have different setbacks from the street for clusters of units to avoid a long straight line of front facades. He said he was trying to provide affordable housing for residents. He said the housing he is proposing is very similar to those behind the Aiken Mall. He said in looking at the neighborhood behind the Mall there are only three for sale signs, one of which has been sold. He said based on his research he felt there is a demand for this type housing and the proposed regulations would make the housing more expensive. He said his cluster of homes would be a maximum of four units with 15 feet between clusters. He said he does plan to meet the proposed landscape requirements. He showed Council a proposed landscape plan around the whole project. He stated he did not have plans at this time for landscaping for each individual house. He stated he could do the roof pitch at 6:12 but not the 7:12.

July 10, 2006

Council continued to discuss at length the proposed housing with Mr. Crowell and the proposed regulations for attached housing.

Councilwoman Clyburn asked if the façade for the individual units in the clusters could be made to look individually and possibly be different colors. She asked that at second reading if there could be more information on how the housing would look. She stated she would like for the units to be somewhat different so that don't all look exactly alike.

Mr. Crowell stated he did not know if he could vary the colors in the individual units within a cluster, but could vary the colors from cluster to cluster. He said the housing would basically look alike in order to provide affordable basic housing. He stated he was going to try to provide the housing for about \$100,000. He said to try to meet some of the proposed regulations would add a significant increase to the price.

Councilwoman Vaughters stated she had heard a lot of complaints about the look of the housing behind the Mall. She stated she hoped Mr. Crowell could make money and have a better looking project than the one behind the Mall. She said she felt it was important that the city try to get the housing to be attractive.

Councilman Wells pointed out the City had already agreed to provide water and sewer to the property. He said the project would be built whether it is inside the city or not. He said it could be built in the County with less regulations than the developer is proposing to do inside the city. He said he thanks Mr. Crowell for trying to meet some of the guidelines. He said he felt the 15 feet between the four units would be an improvement, as well as the varying of the set back for the clusters would be an improvement over the housing behind the Mall.

Council asked that Mr. Crowell have some drawings available by the next Council meeting as to how a four unit cluster may look.

Mayor Cavanaugh called for a vote on the motion to pass the ordinance on first reading to annex Tract A north of Wildhaven Drive under the PR Planned Residential Zone, and that second reading and public hearing be set for the next regular meeting of Council to be held on August 14, 2006. The motion passed unanimously.

#### NEIGHBORHOOD ACTION GRANT PROGRAM

Subdivisions

Grants

Guidelines

Entrance Improvements

Irrigation System

Signs

CDBG Funds

Community Development Block Grant Funds

Neighborhood Action Grant

Mayor Cavanaugh stated Council needed to discuss proposed guidelines for Neighborhood Action Grants.

Mr. LeDuc stated last month City Council discussed the possibility of a Neighborhood Action Grant Program. At that meeting Council asked staff to define low to moderate income neighborhoods where a maximum grant of \$1,500 could be used for improvements to an entrance to a subdivision.

Proposed guidelines were provided for Council to consider. He stated this all stems from the \$1,200 grant that Council gave to Dunbarton Oaks for a water tap to irrigate the islands on Boardman Road. In the proposed guidelines neighborhoods having 45% or more of the residents with a low to moderate income based on the 2000 Census Tract would be eligible. A map showing the various Census Tracts was provided to Council. The map basically shows that all the areas north of Richland Avenue would fit within that category. The only surprising area is the two tracts south of Richland Avenue and west of Whiskey Road. Those two could be eliminated if Council desires, and we would just



include the areas north of Richland Avenue as being eligible for this program. He said he felt the map displays well the low to moderate income neighborhoods that could be considered for a grant.

Mr. LeDuc pointed out Item 3 of the proposed guidelines: "Groups may receive up to \$1,500 over a five year period or up to \$2,500 if city grant is matched dollar per dollar. Grant funds may be received as a lump sum for one project or disbursed in smaller amounts for various projects." He pointed out in Item 2, 45% was used as the threshold for those eligible for a grant, meaning that a neighborhood with 45% or higher of its residents with low to moderate income could receive a grant for the neighborhood for a project. He pointed out Dunbarton Oaks which precipitated this discussion regarding grants for neighborhoods, would not be eligible under the proposed guidelines. He stated once the City has a set of guidelines to use, it is much easier for staff and for Council to determine if an area meets the criteria for a grant. He stated presently there are 13 established Neighborhood Associations registered with the City. He said there are other associations, but only 13 currently are registered with the City. Associations must have a president, vice president, secretary-treasurer and must meet on a regular basis. The City staff works with the association. He said the associations are primarily on the northside.

Council then discussed the proposed guidelines at length.

Councilwoman Vaughters stated when the first request was made, she felt it was a good idea to give a limited amount of money to almost any neighborhood that was interested in improving the looks of their neighborhood. She stated she was not thinking of the grant being an ongoing project, but felt it was a one time thing. She felt the max should be \$1,200 one time, and it would have to be a certified neighborhood association that works with the city. She felt that all residents pay taxes, and this would be giving something back to a neighborhood. She felt the grant should apply to all neighborhoods. She felt, however, there should be some criteria for what is considered a neighborhood association. She felt if the association wanted to do something for their neighborhood that cost more than the \$1,200 then they would have to provide the additional funds.

Councilman Wells stated he agreed with Councilwoman Vaughters. He thought the whole idea behind putting together the program was not necessarily to help low income areas because he thought there was already money in place to assist them if they qualify financially. He said it was his understanding that this would be a grant to help existing, older neighborhoods, to possibly bring their entrance way up to date with a \$1,200 to \$1,500 grant. He said he would like for a grant, however, to be only for a legal neighborhood association registered with the City. He felt there were several older neighborhoods where people had lived for some time and paid taxes over the years and are now on fixed incomes and in order to upgrade the entranceway to the neighborhood a grant would help them to better their neighborhood and the city.

Councilwoman Clyburn stated she agreed with Councilmembers Vaughters and Wells. She was concerned that the grants might take away funds from the CDBG funds. She stated she realized there were some older neighborhoods. She asked if there was a way to do something to include the older neighborhoods that don't meet income guidelines, but not using CDBG funds, but use General Fund monies.

Mr. LeDuc stated if Item 2 of the guidelines was eliminated then Woodside, Stratford Hall, etc. would be able to apply for the grants. He said unless the grants are tied to some guidelines, then Council could not discriminate against one neighborhood versus another. Item 2 states "This grant is designed for low and moderate income neighborhoods only, which shall be defined as neighborhoods having 45% or more of low and moderate income citizens based on the 2000 Census tract. It is the City's discretion to utilize CDBG funds if they are available for income eligible neighborhoods."

Mayor Cavanaugh stated he felt there should be a limited amount of money allotted for such grants. He felt a grant should be based on need; that the City could not just be giving money away. He felt a grant should be on a formula for matching funds, not necessarily 100%, and should be a one time grant.

Councilman Smith stated he felt the City had a program that had worked for several years using the Community Development Block Grant funds, which had criteria. He said Council made an exception for a good purpose at the time. He felt the City should continue using the criteria previously used for CDBG funds. He said Council might consider a separate program for those neighborhoods that don't meet the low income criteria if Council wants to give grants to older neighborhoods.

Councilwoman Clyburn stated she did not feel that new developments should be eligible for funds to help with signs or landscaping of their entranceways. She stated older neighborhoods may need some help, but she did not feel that funds should be available for blanket groups. She said if newer neighborhoods are to be eligible then perhaps Council should scrap the whole thing, because she did not feel that was what Council wanted to do. She felt the city truly wanted to help the neighborhood associations that need help, not neighborhood associations that want to take advantage of the funds because they are a taxpaying group. She felt if leaving out Item 2 of the guidelines would open up funds for all areas then leave guideline 2 in the regulations and give funds to the groups as is presently being done under CDBG funds. She said, however, she did feel there were other groups that should be able to get some help. She said perhaps Council could have some discretionary funds for such groups and Council could consider other requests. She pointed out the proposed regulations do clear up some questions about the amount of grants and how often a group could get a grant.

Councilman Smith stated if Council wanted to help others then perhaps the requests should come to Council on an individual basis.

Mayor Cavanaugh suggested that the City could apply the 45% regulation to the whole city and have another fund of money to use in addition to the CDBG funds if there are requests for grants.

Mr. LeDuc stated the reason Council had not been receiving requests for grants was that staff had been following past policy that funds were not available for such projects. He said, however, when Dunbarton Oaks came to Council and funds were granted, other neighborhoods started asking for the same thing. He said he did feel that partnering and matching funds makes a better plan as the neighborhoods are buying into the project.

Councilwoman Vaughters stated that Dunbarton Oaks had a plan and modest proposal for help in their older neighborhood. She said the plan seemed sensible and Council granted funds. She said she did not see why Council could not continue that.

Mayor Cavanaugh stated he felt the city needed firm guidelines that are clear as far as a grant for a neighborhood rather than having each neighborhood coming to Council asking for funds. He pointed out the money is taxpayers' money. He said if there are guidelines then staff has a policy to follow when requests are received.

Councilman Smith stated he could support the proposed guidelines as written so Council and staff would have guidelines to follow as far as requests for grants.

Councilwoman Clyburn moved, seconded by Councilman Smith, that Council approve the guidelines suggested by staff and the Community Development Committee for policy for requests received for grants from neighborhood associations for neighborhood projects. The motion was approved by a majority vote. The vote was 5 in favor with Councilwoman Vaughters opposed to the motion.

#### COMPREHENSIVE PLAN

Northside Comprehensive Plan

Consultant

McBride Dale Clarion

Mayor Cavanaugh stated Council needed to consider approval of selection of a consultant for the Northside Comprehensive Plan.

Mr. LeDuc stated earlier this year City Council asked staff to recruit a consultant who would prepare a Comprehensive Plan for the area north of the city up to I-20. A Request for Qualifications was published this spring and six firms submitted a proposal. Three firms were then asked to come to Aiken for an interview by a selection committee composed of James Holland, Chair of the Task Force, Ed Evans, Sandra Korbelik, and Rachel d'Entremont. These interviews were conducted during late June. The selection committee individually evaluated the three proposals submitted using a series of weighted factors.

The three firms interviewed include: McBride Dale Clarion from Cincinnati, Ohio; Jerry Weitz & Associates of Alpharetta, Georgia; and Woolpert Inc., Charlotte, NC. If negotiations with the firm selected from the committee is unsuccessful, negotiations would be held with each succeeding firm until an acceptable agreement is reached.

Mr. LeDuc pointed out the project will be a year and a half to two year process. He stated the area to be considered is as large or larger than the existing City of Aiken and will involve a lot of time on the part of the committee and the consultants. He said after interviewing the firms and evaluating them, the recommendation from the selection committee is as follows: McBride Dale Clarion from Cincinnati, Ohio; Jerry Weitz & Associates of Alpharetta, Georgia; and Woolpert, Inc., Charlotte, NC, in that order. He pointed out with the point system used the number one recommendation was McBride Dale Clarion with Jerry Weitz & Associates second. He pointed out McBride Dale Clarion was the firm that had some input in the Strategic Plan process for Aiken County along with another firm and is very familiar with Aiken. He said he would like to get a recommendation from Council so staff can move forward with the selection of the consultant and get the committee organized. He pointed out the cost is typically a maximum fee, since the project could not be on an hourly basis but is based on the amount of work anticipated. He stated the city does not have a price, as this would be part of the negotiation process with the consultant. He stated the area covered is the city's utility area and is the triangular area going to I-20 on the north, SC 19 on the west, Highway 1 on the east, and all the way down to the city limits.

Mr. Evans, Planning Director, stated the consultants all gave an approximate fee of about \$150,000 for the project.

Councilwoman Vaughters had several questions regarding the consultants, the scope of the project, and the criteria for selection of a firm for the study.

Council discussed the recommendation and what would be involved in the study for the plan for the northside. It was pointed out that the Comprehensive Plan which was done a few years ago for the southside was an update of the Plan, but this study would be a new plan. It was pointed out that the consultant will provide a policy statement about what should happen in the study area, how it should grow, and will include maps showing where growth should take place, where residential and commercial should be, and where roads should go.

Mr. Evans reviewed for Council the criteria for consideration of the consulting firm for the study. In response to a question regarding the firm being from Ohio and the other firms being closer to Aiken, Mr. Evans stated McBride has an office in Chapel Hill, North Carolina, and much of the work would be done from that office. He said staff will negotiate with the firm selected by Council and if negotiations cannot be worked out, then staff will talk to the next firm on the list.

After much discussion, it was the general consensus of Council that the firm of McBride Dale Clarion was the firm to negotiate with for the Northside Comprehensive Plan study.

Councilwoman Clyburn moved, seconded by Councilman Smith and unanimously approved, that Council approve staff negotiating with McBride Dale Clarion as the firm for the Northside Comprehensive Plan study.

AIKEN TRAINING TRACKBarnsDemolitionTwo Notch RoadDebrisPublic Works Department

Mayor Cavanaugh stated Council needed to consider a request from the Aiken Training Track regarding demolition of barns on the track property.

Mr. LeDuc stated Bernadette Clayton was present representing the Aiken Training Track. He pointed out that several barns at the Training Track are in very poor condition and need to be demolished. He stated that the Design Review Board had given approval for the demolition of the old barns at the Track. He said the Training Track is asking for assistance from the City of Aiken for removal of the debris from the demolition of the barns.

Ms. Bernadette Clayton, Treasurer of the Aiken Training Track, stated the Track received approval from the Design Review Board for demolition of the barns at the Aiken Training Track. She stated they would like to move as quickly as possible in getting the barns torn down and the new barns built. The fall training season begins on October 1. She stated their big concern is the hauling away of debris and getting it removed in a timely fashion. She asked for help from the City in getting debris moved. She pointed out that the Thoroughbred Industry provides a great deal of support for the city and a monetary benefit to the city. She stated Aiken is Thoroughbred Country, and they wanted to make sure they could continue to provide a facility that will continue to encourage horses coming to town. She stated three barns would be demolished and the walking shed would be moved.

Mr. LeDuc stated this is an unusual situation. He pointed out the Aiken Training Track is not owned by a private individual, but is more of a cooperative situation. He said for the Training Track to work effectively they need 250 horse stalls. Over the past several years the number of horses that have been coming to Aiken is staying the same or declining somewhat. Because of the shape of the barns at the Track, not a lot of new horse owners want to bring their horses to Aiken. He said the Track is at the time that something needs to be done soon to encourage new owners to come to Aiken. He said they want to get barns up quickly so they will have new stalls for the fall season. They have asked the City to help with hauling away the debris. He said currently the City has an agreement with the County that the debris from homes demolished under the Demo 200 Program is accepted at the landfill for free. He said the County has not charged the city for the debris from the few commercial buildings that has been taken to the landfill. He said the City may have to pay several thousand dollars for the debris to be accepted at the landfill in the worst scenario. Under the best scenario the City would incur the fuel expense for transportation from the Training Track to the landfill.

Ms. Clayton stated the function of the organization is to maintain the track for horses, and it is not a profit organization. She stated the track operates off the track user fees paid for each thoroughbred that uses the facility. Ms. Clayton stated the track had had two fee increases in the last few years and had increased the fee this year in preparation for the building of the barns.

Mayor Cavanaugh stated he felt Council needed to take into consideration how important the equestrian community is to the Aiken area as a whole. He said millions of dollars are brought into Aiken through the equestrian community. He said he felt the City should support the equestrian community as much as possible. He pointed out if the track does not get new stalls, they won't have horses and this will affect the equestrian community.

Mr. LeDuc stated if Council approves the city removing the debris other projects will have to be delayed a few days. He said the City would have to schedule the removal of the debris around whenever the barns are demolished and work with the Track.

Councilwoman Clyburn pointed out the organization is a not-for-profit organization and serves an important industry in Aiken and felt the City should work with the organization.

Councilwoman Clyburn moved, seconded by Mayor Cavanaugh and unanimously approved, that Council approve the City providing help to the Training Track to remove debris to the landfill from the demolition of three barns on the Training Track property.

### RESOLUTION

Congressional Delegation

Funding

Transportation Needs

Connector Road

Whiskey Road

Silver Bluff Road

Powderhouse Road

Bypass

SC 118

Pine Log Road

SC 19

Mr. LeDuc stated one of Council's goals for fiscal year 2006-07 was to try to obtain funding from the Federal Government to help with numerous transportation projects in Aiken. He said the city is seeking help for five projects. These projects include:

Connector roadway from Whiskey Road (SC 19) to Silver Bluff Road  
Connector roadway from Whiskey Road (SC 19) to Powderhouse  
Widening of the Aiken Bypass (SC 118) from US 1 to Pine Log Road (SC 302)

Widening of SC 19 from SC 118 to Interstate 20  
Improvements to Whiskey Road (SC 19)

Mr. LeDuc stated he had met with the person the city is working with in Washington to try to get funds. He felt the first step would be to send a resolution to the US Senators and the entire Congressional Delegation from South Carolina. He said the city would also be sending other letters from individuals to Washington asking for funding for these transportation needs. He said these letters would be calling attention to the city's transportation needs. He said he was asking Council to pass a resolution asking the South Carolina Congressional Delegation and the South Carolina State Legislative Delegation to provide funding for these five roadway projects.

Councilman Smith moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass the resolution asking for financial assistance for transportation needs in Aiken.

### SUBDIVISIONS

Posting

Thompson, Jane Page

Mr. LeDuc stated that Jane Page Thompson sent some information to the City in May regarding subdivision of property. Her request was that any time property is to be subdivided that it be posted. He stated the Design Review Board or Council would have to decide if posting of subdivisions is what they would like to have done. Ms. Thompson was particularly concerned about the Horse District, Historic District, and Downtown area where some of the larger properties such as an acre or a half acre could be subdivided and built on.

Mr. Gary Smith provided a memo to Council regarding the request basically saying legally a subdivision cannot go before Council or the Design Review Board. Subdivisions could go before the Planning Commission. Back in the 1990's the Planning Commission asked that subdivisions not come before the Planning Commission any

longer because it was a perfunctory matter. If the subdivision met the front footage and size for a lot, legally they could not deny the subdivision.

Ms. Thompson sent another e-mail to the city and asked if subdivisions cannot be denied if they meet the requirements that they at least be posted so the neighbors would be aware of the subdivision, and perhaps the neighbors could talk to the property owner and possibly get them to reconsider the subdivision.

Mr. LeDuc stated he understood from Mr. Gary Smith that the city could post the subdivision thirty days before the Planning Director signs off on the subdivision if Council desires.

Mr. Gary Smith stated he did not see a problem with the posting, but was asking why do it since it would probably open up the process for political pressure. He pointed out presently the Planning Director follows the guidelines to be sure the requested subdivision meets the parameters set by the Zoning Ordinance, and if it does the Planning Director is obligated to approve the subdivision.

Mr. LeDuc stated it would not change the approval process, but would allow people to be aware of the actions that are taking place around them.

Councilwoman Vaughters stated Council might want to consider having the subdivisions go before the Planning Commission again. She felt the building going on in the downtown area in the last couple of years is unprecedented as far as pressure to put as much as possible on as little land as possible because the land is so valuable. She stated perhaps Council needed to rethink the process for subdivisions in the Zoning Ordinance. She pointed out if perhaps neighbors are aware of what is happening in their area, they could talk to the property owner and they might reconsider. She stated this is very important to keeping Aiken's beautiful areas.

Mr. Gary Smith pointed out that changing the approval process will not help. The Zoning Ordinance would also have to be changed to create a new minimum lot size, etc. He said there would have to be new guidelines set for subdivisions. He said presently state law prohibits the city from denying a subdivision that is larger than five acres, such as not approving the subdivision of a lot unless the subdivision resulted in ten acre lots. He pointed out for areas smaller than five acres the city could consider the subdivision, but the Zoning Ordinance would have to be modified for minimum lot size, etc. He said if the property is posted for a subdivision, the neighbors may know about it, but there still may not be anything anyone can do about it if it meets the Zoning Ordinance requirements.

Mr. LeDuc pointed out that any changes in the Zoning Ordinance regarding subdivisions would apply to all lots anywhere in the city. He stated if the property is posted for a subdivision it would only be for information for the neighbors as there would not be a public hearing and it would be approved if it were a legal subdivision.

Mr. Evans stated the problem he sees with posting of the property for thirty days is that it would delay the time for the developer.

Mr. Mark Thompson stated he was concerned about the matter. He stated he was in the process of developing the No. 10 Downing property with 5 units. He said the process had been very long and any further delays would be a problem. He said his concern was the process changing while he is in the process of a development. He said he was aware that he needs to have approval of the Design Review Board for the project. He said he wants his project to be nice and different and will follow the guidelines. He said posting the property for 30 days would be another step and delay in the process.

Mr. Mark Graham, Southern Partners, stated he remembers when the Planning Commission considered subdivisions. He said one of the things that was happening was that it would take a tremendous amount of their time, and yet they would end up basically having to approve the subdivision anyway. He said unless the Zoning Ordinance is changed it was felt the time of the Planning Commission could be better spent considering other matters.

Councilman Smith stated he had looked at other cities around the United States. He felt the City of Aiken would have to rethink some of the current zoning of properties and rezone properties and he felt this would be a terrific battle.

Councilwoman Vaughters again stated she felt the subdivision should be posted and then the neighbors would know what is going to happen in their neighborhood and they could talk to the developer and perhaps work out something.

Councilman Wells stated he felt by posting subdivisions the city would be creating a lot of animosity among people and there is no way to do anything about it. He said people would probably come before Council asking that something be done about it and Council would not be able to do anything if it meets the requirements.

Mr. John Crowell stated in Richmond County the plans are presented to the Planning Commission and to City Council. He said the subdivision gets placed on a consent agenda and they vote on several subdivisions at one time. He said, however, the staff has to do more work in getting the package together for the Planning Commission and City Council for something that gets voted on in a matter of a few minutes. He said if the subdivision meets the requirements this adds another step to getting the subdivision approved and slows down the process. He said the current process allows the developer to proceed if the requirements are met. He encouraged Council to keep subdivisions under the current process.

Councilwoman Vaughters stated she felt it was very important to let people know what is going on in their neighborhoods. She said she did not understand how that could be a bad thing.

Mr. LeDuc stated Council had several options. He said the city could continue to process subdivisions as they are currently doing. Subdivisions could be posted and the city continue the process of the Planning Director approving subdivisions after a certain number of days. Or, subdivisions could go before the Planning Commission for approval.

Councilwoman Clyburn stated it would make sense to post the subdivision if there is recourse for the neighbors. However, if someone is just subdividing a lot which is legal and meets regulations and has to be approved, posting the property would not do much for the situation. She said she certainly would like to know about a subdivision in her neighborhood. She said she was not sure the best way to handle the matter if there is no recourse for the neighbors.

Mayor Cavanaugh stated he could see homeowners wanting to know what is going on in their neighborhood. He said with the posting, however, he was sure some of the people would come to City Council asking Council to do something about the situation. He said he felt if Council is serious about the matter the Zoning Ordinance needed to be changed.

Mr. Wade Brodie, 422 York Street SE, stated he felt Council would be making a mistake to post a subdivision. He stated he felt posting would be creating additional controversy and the citizens would come to Council asking that something be done. He felt posting a subdivision would be slowing the commercial process for the posting period and would mean nothing, since it would have to be approved if it met regulations. He said the only way to change the situation would be to change the Zoning Ordinance.

Council continued to discuss the matter at length.

Mr. LeDuc stated if Council wants to change the process and amend the Zoning Ordinance he felt that would be a matter for the Planning Commission Action Agenda. He said if Council wants to just consider posting at this time that could be done until the matter can be considered further. He said if Council wants subdivisions posted, it would be good to consider some defined area so the Planning Department would not be spending all their time posting properties. He said if Council is concerned about the

Historic area or areas under the Design Review Board, that would give a defined area to post properties. He said this could be tried for a few months to see how it would work.

Councilwoman Clyburn was concerned about property rights and further regulations.

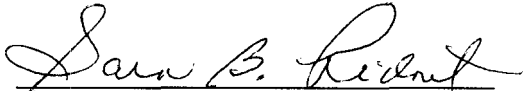
Mr. LeDuc pointed out the present process takes two to five days for the Planning Director approval.

It was the general consensus of Council that they would like to know if a subdivision was going to happen next door to them or in their neighborhood.

Mr. LeDuc stated there had been a lot of discussion and a lot of thoughts expressed on this matter. He pointed out Council cannot make a decision on the matter at this meeting. He said the matter needs to go to the Planning Commission for their discussion and recommendation. He said he could ask the Planning Commission to discuss the matter. He suggested that Council allow the Planning Commission to give input on the issue and then the matter would come back to Council. If the Planning Commission feels posting would be a good idea so the neighbors would know about the subdivision, the recommendation could come to Council in an ordinance form with a public hearing being held on the change. He said according to state regulations the matter needed to be considered by the Planning Commission. He said this had been brought up on several occasions, and he wanted to get a sense from Council as to what direction to take. He said the matter will be considered by the Planning Commission at a meeting later this summer with a recommendation to Council.

#### ADJOURNMENT

There being no further business, the meeting adjourned at 9:27 P.M.

  
Sara B. Ridout  
City Clerk