

Aiken City Council Minutes

January 26, 1998

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

Absent: Councilman Perry.

Others Present: Steve Thompson, Bill Huggins, Gary Smith, Roger LeDuc, Anita Lilly, Robert Hardt, Terry Rhinehart, Ed Evans, Sara Ridout, Tom Smith of the Aiken Standard, Sean Lengell of the Augusta Chronicle, and 29 citizens.

Mayor Cavanaugh called the meeting to order at 7:40 P.M. Steve Thompson led in prayer which was followed by the pledge of allegiance to the flag. The minutes of the regular meeting of January 12, 1998, were considered for approval. Councilwoman Papouchado moved that the minutes be approved as written. The motion was seconded by Councilman Radford and unanimously approved.

PRESENTATION

Dedmon, Gail
"All-America City"
Painting
Print
Art
Weeks Center

Mayor Cavanaugh stated Ms. Gail Dedmon would like to make a presentation to the city.

Mr. Thompson stated Gail Dedmon, a local artist, would like to present a framed print of her "All-America City" painting to the city. This print will hang in the lobby of the Weeks Center new addition, along side of her print of Hopeland Gardens, which was previously presented to the city. These are beautiful prints, and this is a very generous contribution from Ms. Dedmon.

Ms. Lisa Hall, of the Recreation Department, presented the "All-America City" print to Council on behalf of Ms. Dedmon who had been called out of town due to a family emergency.

Mayor Cavanaugh thanked Ms. Dedmon on behalf of City Council for the beautiful print that will hang in the Weeks Center.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that Council accept the presentation with much gratitude for her work.

Tennis Trophy
Women's "C" Tennis Team
Recreation Department

Mayor Cavanaugh stated the Women's Tennis Team would like to make a presentation to City Council.

Mr. Thompson stated the Women's "C" Tennis Team at the Weeks Tennis Center won their division in the CSRA Women's Team Tennis Fall League in December. The team members would like to present the trophy to City Council. Ms. Beth Wallick, Captain of the team, is present along with Mark Calvert, Tennis Instructor, to make the presentation.

Mr. Calvert presented the trophy won by the Women's "C" Tennis Team to City Council. He said the trophy was a traveling trophy and would be passed to the team that wins it each year. He also presented a plaque for the Tennis Team.

Outstanding Park Award
Citizens Park
Recreation Department
National Softball Association

Mayor Cavanaugh stated the next presentation was for "Outstanding Park Award."

Mr. Thompson introduced Mr. Jimmy Sutton, State Director for the National Softball Association, to make the presentation for Citizens Park.

Mr. Sutton stated each year the National Softball Association presents approximately 20 national park awards within the United States. Five awards are being presented in the area's four-state region. He said this was the second year in a row that Aiken's Citizens Park has won the award.

Mr. Sutton presented the plaque to Mayor Cavanaugh.

Mayor Cavanaugh thanked Mr. Sutton for the plaque and honor for the award.

RECREATION PROJECTS

Architect
Design Firm
Engineering Firm
Recreation Department
Citizens Park
Tennis Center
Weeks Center
Crosland Park
LS3P Architects
Master Plan

Mayor Cavanaugh stated Council needed to select an architectural and engineering design firm for the proposed recreation projects.

Mr. Thompson stated under the Capital Improvements Program approved by City Council in the current budget, City Council authorized the staff to move forward with the development of plans and construction of the next phase of Citizens Park, development of the new Tennis Center at the Weeks Center, and development of the entrance/neighborhood park at Crosland Park, on York Street.

The staff has been through an extensive review process, and is recommending selection of the firm of LS3P Architects, of Charleston to assist with these projects.

LS3P has proposed a partnership arrangement working with the local firms of Hass & Hilderbrand, Inc. and Dulohery, Weeks, and Gagliano, Inc. on the projects. Each firm brings a great deal of specialized experience to these projects, and both Hass & Hilderbrand and LS3P have given the city quality work in the past.

The competition for these projects was quite intense. We mailed a total of 9 direct invitations, and advertised the project throughout the area. From this process, we received a total of 12 responses, and the interview team discussed the project with 4 firms. The interview team included representatives from both the Recreation and Public Works Departments, and the team recommended selection of LS3P, and the other partners in this project, for this design program.

Each of the three projects under review by the architectural firm has the potential to be an exciting and valuable part of Aiken. The Citizens Park Complex has already been very successful with attracting softball, soccer, and baseball tournaments, and we hope to expand that success in the next phase of this complex. We have the same hopes for the Tennis Complex--we have the potential of attracting tennis tournaments, and offering a much better facility for the extensive tennis leagues in this area. The Crosland Park area gives us the chance to really develop an attractive gateway into Aiken, while we also expand our availability of recreational and park facilities in the area of Crosland Park. At this time, the property near Crosland Park is relatively unattractive, and includes a small playground area. The residents have asked for a basketball facility, and we are hoping to include within this a much more attractive facility, a walking pathway and open space for the use of the residents in this area.

All three of these projects are tremendously important to the different areas of the city, and each meets a different need in Aiken. We have reduced the size of these projects to meet the funding levels approved by City Council.

Mr. Thompson stated the design team is recommending LS3P, Haas & Hilderbrand, and Dulohery, Weeks, and Gagliano, Inc., as the architectural and engineering design firm for the recreation projects.

Mr. Mark L. Baker, of LS3P, stated his firm specializes in recreation planning services and is located in Charleston and reviewed some of the work the firm has done in the Aiken area. Mr. Baker briefly reviewed the conceptual drawings which his firm had done for the park at Crosland Park and for the Weeks Tennis Center which includes redevelopment of the tennis center.

Mr. Baker explained the process for preparing plans. He said the firm would hold public meetings to get input from the citizens and Council. He said the first phase is a master plan concept to get a long term design of the plan. The information is obtained, the master plans drawn, cost estimates prepared, and then a written report is prepared which documents the plan. Then the initial phase of construction is selected, bids received and then actual construction of the first phase of work. Mr. Baker stated there is a fee for the master plan, and then there is a fee for construction documents. The billing is based on a percentage of completion of the project at a rate of 8% to 10% of the construction cost.

Councilman Radford moved, seconded by Councilwoman Price and unanimously approved that Council accept the recommendation of the design team and approve the selection of the firm of LS3P, and the design teams affiliated with this proposal, as the architectural and engineering firm to design the proposed recreation projects.

In the pre-Council session Council discussed the cost to prepare the master plans for the three projects. Councilmembers were concerned about preparing plans for the park at Crosland Park at this time since this project was a low priority on the listing of projects approved by Council. Council felt that the plans might be outdated by the time funding is available for the project and the plan might have to be redrawn. Council discussed whether LS3P would prepare the plans for the three projects as a package or whether the cost could be broken down as far as cost for each project so Council could decide whether it might be advantageous to go ahead and prepare the plans for the park at Crosland Park at this time or wait until a later date. Some Councilmembers felt since the firm would be preparing plans for two other projects it might be cheaper to do the plan at this time since the firm would already be working on projects in Aiken. The LS3P firm is to give Council some estimates as far as cost for designing each of the projects.

BOARDS AND COMMISSIONS

Appointments

Accommodations Tax Advisory Committee

Holley, Forrest

Mayor Cavanaugh stated Council needed to make an appointment to the Accommodations Tax Committee.

Mr. Thompson stated Council has an appointment available to the Accommodations Tax Advisory Committee. The term of Forrest Holley expired on March 25, 1997. The Accommodations Tax Advisory Committee members serve two year terms, and with the late date of this appointment Council may wish to consider appointing Mr. Holley through March 25, 2000. Mr. Holley represents the hotel industry on the Accommodations Committee, and although Mr. Holley is no longer the owner of the Holley Inn, we believe that Mr. Holley would continue to qualify as a representative of the accommodations industry.

Mr. Holley has been recommended by Lessie Price for reappointment.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved that Forrest Holley be reappointed to the Accommodations Tax Advisory Committee with the term to expire March 25, 2000.

REZONING - ORDINANCE 012698

138 Greenwood Street SW
Lee Lane
Seeby, Lorraine
Karapatakis, John K.
Rezoning
Tax Parcel No. 30-017-0-07-001

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to rezone a .3 acre lot located at 138 Greenwood Street SW from R-1 Single Family Residential to R-2 Multi-Family Residential.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING THE ZONING OF REAL ESTATE LOCATED AT 138 GREENWOOD STREET SW, TAX MAP PARCEL NUMBER 30-017.0-07-001 FROM R-1 SINGLE FAMILY RESIDENTIAL TO R-2 MULTI-FAMILY RESIDENTIAL.

Mr. Thompson stated Council has received a request asking the city to rezone a 0.3 acre lot at 138 Greenwood Street SW located at the southeast corner of the intersection of Lee Lane and Greenwood Street. The owners would like to change this from a single family unit, with a detached apartment, to a total of three residential units.

Mr. Thompson stated the Planning Commission has reviewed the request. He said the Planning Commission had noted that this property was rezoned from R-2 Multi-Family Residential to R-1 Single Family Residential in 1992 at the request of several of the property owners in the area. This is the same issue that Council discussed over the years concerning whether or not this corridor should move more to single family residential, or instead stay a mix of multi-family, professional, and single family properties. The intent of the rezoning in 1992 was to reinforce the single family residential character. The Planning Commission voted to recommend against rezoning.

The public hearing was held.

Mayor Cavanaugh stated he supports the rezoning. He said he did not feel that the change would be downgrading the neighborhood. He pointed out this particular property is not on Hayne Avenue so it does not affect the Hayne Avenue corridor. He pointed out Mrs. Seeby has support for the rezoning from other people in the neighborhood. He said he understood from the Planning Commission minutes that there were three people who oppose the rezoning, but they are not property owners in the area at this time.

Mrs. Lorraine Seeby spoke briefly regarding her plans for the house if the property is rezoned. She pointed out she had remodeled another house in the area and created a nice one bedroom apartment complex. She stated she plans to create two apartments in the house and a third apartment in the building in the back of the property. She said she plans to spend about \$15,000 to \$20,000 for the remodeling.

No one spoke in opposition to the rezoning.

Councilwoman Papouchado pointed out the Planning Commission had voted unanimously to recommend denial of the rezoning. She said she had looked back at the question in 1992 regarding rezoning along Hayne Avenue and it also included this area. She pointed out there were citizens at the Planning Commission meeting who were opposed to the rezoning, however they are not present at this meeting.

Mayor Cavanaugh pointed out this area is considered downtown and one of Council's goals has been to get more people living downtown. He said the plans for the property would bring more people in the downtown area. He pointed out no one lives in the house now, and it is becoming run down.

Councilwoman Papouchado stated she felt any transitional area should be looked at very closely.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass on second and final reading the ordinance rezoning

138 Greenwood Street SW from R-1 Single Family Residential to R-2 Multi-Family Residential and that the ordinance become effective immediately.

STREET - ORDINANCE 012698A

- Deed
- Dedication
- Tracewood Place
- Melrose Place Subdivision
- Silver Bluff Road
- Woodside Plantation

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to dedicate Tracewood Place to the city.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ACCEPTING THE DEDICATION OF THE STREET KNOWN AS TRACEWOOD PLACE OWNED BY MELROSE TOWNHOMES PHASE I ASSOCIATION, INC.

Mr. Thompson stated the city does accept ownership of streets within subdivisions after the streets have been installed, and after the city has had adequate time to evaluate the condition and quality of the street. The city has been asked to accept two streets in the Melrose Subdivision which is located off Silver Bluff Road adjacent to Woodside Plantation. The owners have asked the city to accept Tracewood Place. The staff is recommending acceptance of this street into the city's street system.

The Public Works staff has evaluated this street, and is satisfied with the quality of this construction.

The public hearing was held and no one spoke.

Councilman Radford moved, seconded by Councilwoman Papouchado and unanimously approved, that the ordinance accepting dedication of a street known as Tracewood Place in Melrose Subdivision, Section 1, be passed on second and final reading to become effective immediately.

STREET - ORDINANCE 012698B

- Deed
- Dedication
- Merlot Place
- Melrose Subdivision
- Silver Bluff Road

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

Mr. Thompson read the title of the ordinance.

AN ORDINANCE ACCEPTING THE DEDICATION OF THE STREET KNOWN AS MERLOT PLACE OWNED BY MELROSE TOWNHOMES PHASE II ASSOCIATION, INC.

Mr. Thompson stated the homeowners association in Melrose Place Subdivision, Section II, has asked the city to also accept Merlot Place into the city's street system.

The staff has evaluated the quality of construction on Merlot Place and is satisfied that the street was adequately prepared and constructed.

The public hearing was held and no one spoke.

Councilwoman Papouchado moved, seconded by Councilwoman Clyburn and unanimously approved, that the ordinance accepting the dedication of a street known as Merlot Place, owned by Melrose Townhomes Phase II Association, Inc., be passed on second and final reading to become effective immediately.

ZONING ORDINANCE - ORDINANCE

Manufactured Housing
Hidden Haven Subdivision
Silver Bluff Road
R-1M Zoning District

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to amend the Zoning Ordinance regarding manufactured housing.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING THE CITY OF AIKEN ZONING ORDINANCE TO CREATE THE R-1M ZONING DISTRICT.

Mr. Thompson stated the city's Zoning Ordinance restricts and regulates the placement of mobile homes and manufactured housing in Aiken. This has been an issue that has been discussed at length by City Council, and has received a great deal of study by the Planning Commission. The more permanent revisions of the Zoning Ordinance will be developed as the city moves into the update of the Comprehensive Zoning Ordinance, but at this time the Planning Commission has recommended amendments to the Zoning Ordinance to assist residents in the Hidden Haven Subdivision. This has been developed as an amendment to the Zoning Ordinance.

The much larger issue of manufactured home parks and housing throughout Aiken would need to be addressed through the Zoning Ordinance update, but the Planning Commission specifically looked at ways to help residents in Hidden Haven Subdivision to replace and to install manufactured homes in Hidden Haven. The amendment before Council makes it possible for manufactured units to be located on individual lots in single family subdivisions zoned R-1M. At this time there are no R-1M zones, and with this amendment Council would create the possibility of an R-1M zone, subject to submittal and approval by City Council. Under the proposed R-1M zone, the Planning Commission has suggested several standards concerning foundation skirting for the manufactured homes, the use of crawl spaces, placement on the lots, and removal of wheels and towing equipment from the mobile homes. This recommendation is to allow the R-1M zone only for property now within the city limits, and including a minimum of 10 acres. Each lot must include at least 6,000 square feet for the minimum lot width of 80 feet. Setbacks are the same as the R-1 Zone, and the Planning Commission has recommended that R-1M zone residents should have the same ability to request guest houses and pleasure stables as allowed within a R-1 Zone.

Mr. Thompson pointed out the proposed ordinance allows the R-1M zone and the next step is to rezone an area as R-1M. The Hidden Haven area off Silver Bluff Road adjacent to Woodside Plantation wants to be zoned the R-1M zone.

Council discussed the proposed ordinance. Councilman Anaclerio pointed out there was a provision for horses in the R-1M zone. He felt possibly this would not be an appropriate zone for horses because of having enough land area and the person being able to afford to have a horse.

Mr. Ed Evans, Planning Director, pointed out horses are allowed in the other R-1 zones, and this is to be consistent with the other zones.

Mr. Reilly Hammond, representing the Planning Commission, stated the Planning Commission had discussed the matter at length. He pointed out people are choosing these manufactured homes for many reasons as they are nice homes and are much faster to install. He said many times it is not a matter of economics, but other reasons why people choose manufactured homes.

Councilwoman Clyburn was concerned about the proposed zone and expressed concern about there being landscaping for the area. She stated she would not want the zone to become what she has lived near for many years, referring to Camellia Trailer Park.

Mr. Hammond stated the Planning Commission had recommended many restrictions so the area would not become just a trailer park, but would be more restrictive and more like the other residential areas.

Mr. Thompson stated the proposed zone does not create a trailer park, but creates a zone just like the R-1 zones with single family homes on individual lots with guidelines but it does separate the manufactured homes in a special

zone from the other residential areas. He pointed out for an area to be zoned R-1M it must contain 10 acres.

Representative William Clyburn stated he had no problems with the recommendation for the R-1M Manufactured Home zone. He said, however, he was concerned about creating an area similar to the present Camellia Trailer park area. He asked that Council look at the proposal closely so that no area similar to Camellia Trailer Park would be created.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that the ordinance amending the Zoning Ordinance concerning manufactured housing and creating an R-1M zone be passed on first reading and second reading and public hearing be set for the next regular meeting of Council.

BUSINESS LICENSE ORDINANCE - ORDINANCE

License Ordinance

Telecommunications License

Towers

Communications Companies

Wireless Communications

Telephone Communications

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to amend the Business License Ordinance regarding telecommunications businesses.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING SECTION 21.1.(iii) OF THE LICENSE ORDINANCE TO CLARIFY THE LICENSE FEES REQUIRED FROM TELEPHONE TELECOMMUNICATIONS AND OTHER RELATED BUSINESSES.

Mr. Thompson stated in December, City Council discussed both the franchise issue of telecommunications companies and the need to clarify the wording in the Business License Ordinance of the city concerning these same companies. The proposed ordinance is an ordinance clarifying wording of the description of telecommunication companies and businesses.

Wording provided by the Municipal Association and the wording in the city's existing Business License Ordinance were provided for Council's review. The wording is very similar in both documents. The staff has reviewed both and feels that the city's Business License Ordinance can be improved with some changes that will take the best out of both publications. The staff is recommending to City Council that the wording be changed as shown in the proposed ordinance. The proposed ordinance does not increase any rates or fees of the companies providing service within the City of Aiken.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that the ordinance amending the Business License Ordinance clarifying the wording of Section 21.1 of the city's license ordinance regarding telephone, telecommunications, and other businesses providing similar service in the City of Aiken be passed on first reading and that second reading and public hearing be set for the next regular meeting of Council.

CONDITIONAL USE

Church

122 Horry Street NE

Vineyard Christian Fellowship

Mayor Cavanaugh stated a request had been received for location of a church at 122 Horry Street NE.

Mr. Thompson stated City Council has received a request from the Vineyard Christian Fellowship, asking permission from the city to use the building at 122 Horry Street NE as the location of the church offices and worship center. Churches are allowed in any zone, on the condition of approval by City Council. The block including the property is zoned Neighborhood Business, and there is an auto sales business immediately to the south fronting on Richland Avenue. The remainder of the block is primarily residential in nature. The block to the west across Horry Street is also zoned Neighborhood Business, but is occupied by single family dwellings and apartments.

The Planning Commission has reviewed this request and recommends approval to City Council.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that Council approve the request of the Vineyard Christian Fellowship to use the building at 122 Horry Street NE as the location for church offices and worship center as a conditional use.

FEEES - ORDINANCE

Telecommunications Towers

Application Fees

Review Fees

Towers

Mayor Cavanaugh stated Council needed to consider an ordinance adopting an application fee process for telecommunications towers.

Mr. Thompson stated that in 1991 City Council adopted a process to establish fees for the review of annexation, zoning, utility, subdivisions and other applications that are submitted to the city for review. Under the ordinance the City Manager is authorized to establish fees to be charged, and report the fees and any adjustments to City Council. The proposal to Council is for authorization of application fees for telecommunications towers under the same process.

The Telecommunications Tower Ordinance in the Zoning Ordinance specifically requires City Council to set the application fees, but this application is no different from the applications for other submittals. The staff is suggesting that the telecommunications tower fees be included under the same process as the other application submittals. The staff is recommending that the fees for the application be used to help pay an outside firm to help with the technical review of the application. The staff recommends that the city use the firm suggested by the Municipal Association to perform the review for the city. The staff is recommending a \$500 fee for the review.

Council discussed the use of a consultant to help determine the need and location of proposed telecommunications towers when applications are made for towers. Mr. Thompson stated use of the consultant would give Council some independent assistance to help Council reach a decision on requests for location of towers. Mr. Thompson stated he was suggesting that Council use the company which the Municipal Association has recommended.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that the ordinance be passed on first reading authorizing the City Manager to establish the application fee for applications for telecommunications towers, under the same requirements and restrictions as allowed under Ordinance No. 11191A, establishing the process for administrative fees and services and that second reading and public hearing be set for the next regular meeting of Council.

RECORDS RETENTION SCHEDULE

Public Safety Department

Use of Force Reports

Mayor Cavanaugh stated Council needed to consider approval of the records retention schedule for Public Safety Department.

Mr. Thompson stated the South Carolina Department of Archives and History requires that the city adopt retention schedules for records. Periodically the city has to update the Records Retention Schedule for the city. The Department of Public Safety has been working with the South Carolina Department of Archives and History to make sure that the Public Safety records are in compliance with the state's retention schedules, and the staff is suggesting that we add a section under the Records Retention Schedule concerning the Use of Force Report. If an officer is required to use force in the conduct of his or her official duties, then we ask that officer to fill out a "Use of Force Report," for inclusion in the official records concerning the incident. The Department of Archives and History is recommending that these reports be retained for a period of at least five years, and then destroyed.

Councilwoman Papouchado moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve changes to the Records Retention

Schedule for the City of Aiken Public Safety Department to include a five-year retention schedule for the Use of Force Reports.

ADDITIONS TO AGENDA

Mayor Cavanaugh asked for Council's approval to add two items to the agenda which include presentation of "Outstanding Park Award" for Citizens Park and acceptance of an Automated Weather System grant for the airport.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the addition of the two items to the agenda.

GRANT

AWOS

Automated Weather Observation System

Airport

S. C. Aeronautics Commission

Mayor Cavanaugh stated Council needed to consider acceptance of a grant from the Division of Aeronautics for an AWOS at the Airport.

Mr. Thompson stated Council had identified several projects that are high priority for the Aiken Airport. The highest projects include purchase of an Instrument Landing System, an Automated Weather System, and development and construction of a new terminal building. Mr. Thompson stated for the past several months the staff has been working with the Division of Aeronautics, under the South Carolina Department of Commerce, to obtain funding for an Automated Weather Observation System (AWOS). He said the Aeronautics Division has said money will be available. Although the city has not formally received the grant from the Division of Aeronautics, the staff is recommending that City Council approve the acceptance of this grant, in the amount of \$41,000.

The total AWOS system will cost approximately \$82,000, and the State does have funds available to pay for half of this project. The city will submit an application to the Division of Aeronautics for this project, and the next step, if approved by the Division of Aeronautics, will be for the Division of Aeronautics and our consultants, W. K. Dickson, to move forward with the purchase and installation of the AWOS system. We need to know at this time whether or not City Council is ready to move forward with the system. In the past, Council has discussed the need for the AWOS system, and this has been identified as a high priority for the airport. If Council accepts the grant from the Division of Aeronautics, the city will have to match the amount for the purchase of this AWOS, and at this time this is estimated at approximately \$41,000. Funds are available in the Airport Industrial Park holding accounts that have been targeted for this purchase, and if Council approves this purchase, this will be reflected in the budget amendments at the end of the current fiscal year.

Councilman Anaclerio moved, seconded by Councilman Radford and unanimously approved, that Council approve acceptance of a grant from the S. C. Division of Aeronautics for the purchase and installation of an Automated Weather System for the Aiken Municipal Airport.

ADJOURNMENT

There being no further business the meeting adjourned at 8:40 P.M.



Sara B. Ridout
City Clerk