

Aiken City Council Minutes

March 28, 1994

EXECUTIVE SESSION

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

Others Present: Steve Thompson, Frances Thomas, Jim Holly, and Sara Ridout.

Mayor Cavanaugh stated Council needed to go into executive session to discuss a contract matter. Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that Council go into executive session to discuss a contract matter. Council went into executive session at 6:35 P.M.

After discussion, Councilwoman Papouchado moved, seconded by Mayor Cavanaugh and unanimously approved, that Council adjourn the executive session. The executive session adjourned at 7:20 P.M. Council then held a pre-Council discussion of agenda items.

REGULAR SESSION

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

Others Present: Steve Thompson, Jim Holly, Frances Thomas, Barbara Hamilton, Stanley Quarles, Roger LeDuc, Ed Evans, Carrol Busbee, Sara Ridout, Kimberly Bryson and Anna Majzlik, of the Youth Advisory Commission, Phillip Lord of the Aiken Standard, Rolanda Hatcher of the Augusta Chronicle, and 105 citizens.

Mayor Cavanaugh called the meeting to order at 7:40 P.M. Councilwoman Price led in prayer which was followed by the pledge of allegiance to the flag.

The minutes of the regular meeting of March 14, 1994, were considered for approval. Councilwoman Clyburn moved that the minutes be approved as written. The motion was seconded by Councilwoman Papouchado and unanimously approved.

RECOGNITION

German Exchange Students
Exchange Students
Aiken High School
South Aiken High School

Mayor Cavanaugh stated that both Aiken High and South Aiken High Schools had exchange students from Germany in Aiken at this time. He said the students wanted to attend a Council meeting and were present at this meeting. Mayor Cavanaugh recognized the teachers, Art Lader of Aiken High School and Julie McCrum of South Aiken High School. The German students from Aiken High School were from Forsheim, Germany, and the students from South Aiken High School were from Osterode, Germany. Mayor Cavanaugh also recognized the coordinators and host families for the students.

Mr. Karlheinz Slessa from Forsheim, Germany addressed Council, thanking the families, the schools, the city and Council for their hospitality. He presented a plaque to Council from Forsheim, Germany.

Mayor Cavanaugh presented the book "The Many Faces of Aiken" by Will Cole to the groups from Forsheim and from Osterode, Germany, and also presented friendly citations from the Public Safety Department for each German exchange student.

COMMERCIAL PROPERTY MAINTENANCE ORDINANCE 032894

Commercial Property
Maintenance
Abandoned Buildings
Appearance of Buildings

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing of an ordinance regulating commercial property maintenance.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO BE KNOWN AS THE COMMERCIAL PROPERTY MAINTENANCE ORDINANCE AMENDING CHAPTER 6 OF THE AIKEN CITY CODE SO AS TO ADD PROVISIONS REGULATING THE MAINTENANCE AND APPEARANCE OF THE EXTERIOR OF COMMERCIAL PREMISES.

Mr. Thompson stated that at the 1994 session of Horizons, Council discussed the problem of maintenance of commercial structures. He said the city had had a difficult time enforcing building codes against commercial properties. The Building Code requirements do not really address commercial structures in a clear manner. At Horizons Council expressed a goal of adopting commercial maintenance controls.

In the proposed ordinance all commercial property must be kept free of nuisances, hazards, and unsanitary conditions. Nuisances include refuse, weeds, broken glass, building materials, and poor maintenance. Enforcement of the ordinance would be through the building inspectors under the Department of Public Safety.

Mr. Thompson stated the proposed ordinance would give the city an opportunity to work with the businesses and to enforce the maintenance standards in the city. He stated members of Council had commented about the appearance of some former gas stations along Richland Avenue and the appearance and maintenance problems at these sites. He said the city is presently working with the owners to try to improve these areas.

The public hearing was held and no one spoke.

Councilman Radford moved, seconded by Councilwoman Papouchado and unanimously approved, that Council pass the ordinance regulating commercial property maintenance on second and final reading to become effective immediately.

WOODSIDE PLANTATION

Phase I
Master Plan
Conceptual Plan
Assisted Living Facility
Retirement Facility
Silver Bluff Road

Mayor Cavanaugh stated a request had been received from Woodside Development to amend the conceptual master plan for Phase I of Woodside Plantation.

Mr. Thompson stated the proposed amendment to the master plan would allow a 100-unit assisted living facility in place of the present guest house now included in the master plan for Phase I of Woodside Plantation which is zoned Planned Unit Development.

Planned Unit Development (PUD) facilities must have a master plan, and any changes are to be approved by City Council. The tract submitted for this change is the 5.58 acre tract approved for a guest house. The tract has been subdivided to allow 1.58 acres of the tract to be used for the guest house, and the remaining 4 acres are proposed to be used for a 100-unit assisted living facility.

The Planning Commission reviewed the request and recommended approval on the condition that the maximum number of trees be planted in the two strips of land on either side of the proposed entrance to the site and that the entrance be from Woodside Executive Office Park instead of Silver Bluff Road if feasible. The distance to the nearest curb cut is further than 400 feet in each direction and the curb cut on Silver Bluff Road does not appear to pose a traffic problem.

Councilman Anaclerio stated he was concerned about traffic on Silver Bluff Road and wondered if access should be denied on Silver Bluff and require the entrance to be through Woodside Executive Park.

Mr. John Easterling, Vice President of Pulliam Investment Company, was present representing the investors. Mr. Easterling stated the Planning Commission had mentioned access through Woodside Executive Park. He said he had contacted the owners of the Woodside Executive Park and got a negative reaction. He said he also talked with the architect and land planners in Columbia who talked with DHEC which has to approve and license the facility. DHEC had

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concerns about the entrance through the Woodside Executive Park as far as traffic through the area and also the safety factor with ambulances going through the Park area. He said it was basically determined that to have the entrance through Woodside Executive Park was not a viable option.

Council discussed traffic in the area along Silver Bluff Road and allowing additional cuts into Silver Bluff Road. They also discussed acceleration and deceleration lanes and whether turn lanes should be required.

Mr. Easterling pointed out he felt turn lanes would be a function of the Department of Transportation or the city as the developer did not own the road. He said they would certainly welcome turn lanes but the developer had no plans to provide turn lanes. Mr. Easterling stated the proposed project would have about 15 to 17 employees. He pointed out the project is not a high traffic facility and most of the occupants of the facility will not have a car.

Councilman Anaclerio moved, seconded by Councilman Perry and unanimously approved, that the master plan for Woodside Plantation Phase I be approved to allow 4 acres to be used for a 100-unit assisted living facility as recommended by the Planning Commission with the condition that the maximum number of trees be planted in the two strips of land on either side of the proposed entrance off Silver Bluff Road and that turn lanes off Silver Bluff Road not be required at this time since there should not be much traffic from the facility.

CONDITIONAL USE

Seeby, Lorraine C.
1210 Lee Lane SW
Apartment
Tax Parcel No. 30-017-06-007

Mayor Cavanaugh stated the city had received a request from Ms. Lorraine C. Seeby for a conditional use for an apartment at 1210 Lee Lane SW.

Mr. Thompson stated that in November, 1993, Council approved a request from Ms. Lorraine C. Seeby to allow the house on her property at 1210 Lee Lane to be converted into two apartment units. Ms. Seeby would also like to convert a shed on the back of the property to an apartment, giving a total of three apartments on the site. The property is zoned Neighborhood Business and the immediate area includes single family residential, apartments, and commercial uses.

The Planning Commission reviewed the request and recommended approval on the condition that the owner provide four off-street parking spaces with the approval of the Public Safety Department on the layout of the spaces.

A public hearing was held on the request and no one spoke.

Councilwoman Papouchado moved, seconded by Councilman Anaclerio and unanimously approved, that a conditional use for an apartment in the shed at the rear of 1210 Lee Lane be allowed.

STREET NAME

Martin Luther King Jr.
Memorial Highway
S.C. Highway 19
Brotherhood for Opportunity, Leadership & Development
BOLD Organization

Mayor Cavanaugh stated a request had been received for the renaming of S.C. Highway 19 to Martin Luther King Jr. Memorial Highway.

Mr. Thompson stated City Council had received a request from the Brotherhood for Opportunity, Leadership and Development (BOLD) in November 1993, asking that the city rename Hampton Avenue to Martin Luther King Jr. Boulevard. City Council received the request and referred the request to the Planning Commission. The Planning Commission reviewed the request and in January, 1994, recommended to Council that Hampton Avenue from Vaucluse Road through the end of Camellia Street be renamed to Martin Luther King Avenue. The renaming of Hampton Avenue was not granted by City Council, and the BOLD Organization resubmitted the request to the Planning Commission and asked that S.C. Highway 19 be designated as a Memorial Highway for Dr. Martin Luther King, Jr. Highway 19 through the City of Aiken is Laurens Street and Whiskey

Road. The request was that the memorial highway be an overlay and that the overlay extend from I-20 all the way down to New Ellenton. The overlay would be similar to the present memorial overlay for Jefferson Davis along Highway 1 through South Carolina. The Planning Commission reviewed the request and did not provide a recommendation to City Council as a memorial designation.

Mr. Thompson stated the request to the Planning Commission for S.C. 19 to be designated as a memorial highway would not require renaming of the existing streets, but instead would serve as an overlay. The route within the city limits would follow Laurens Street and Whiskey Road. Any memorial designation would follow the route of the roadway designated. Since the request was to provide a memorial designation throughout the length of S.C. 19, the request would have to be submitted to the State Department of Transportation since S.C. 19 is a state highway and much of the highway is outside the city limits of Aiken.

Mr. Lester Smalls, President of BOLD, appeared before Council to explain his request. He said there were objections to the renaming of Hampton Avenue to MLK so an alternative was being submitted. He said he felt Dr. King would not want to remove someone else's name from a street in order for it to be renamed for him, but he felt Dr. King would approve of an overlay of a street with his name on a few signs along the way and a couple of statues or markers along the route. He said he felt the present proposal would be something that everyone could live with. He said if there were no issues with renaming S.C. 19 from I-20 to Hampton Avenue to MKL or the portion of the road from the city limits on the South side to New Ellenton, the BOLD Organization would like to have S.C. 19 renamed outside the city limits to MLK. The portion of S.C. 19 within the city limits would be a memorial overlay. Mr. Smalls stated he would like to see the community build a monument at Hampton Avenue for MLK.

Councilman Anaclerio stated if S.C. 19 on the south side of Aiken were renamed to MLK what would happen if some of the area was annexed to the city. He pointed out S.C. 19 inside the City of Aiken is known as Whiskey Road.

Mr. Smalls stated he felt the request could be flexible. He stated S.C. 19 could be established MLK Boulevard as a memorial overlay and if any area is not controversial that portion could be renamed MLK. He said petitions had been sent to all agencies involved regarding the request that S.C. 19 be designated as MLK. He said he felt the designation could be made as meaningful as the citizens and Council would like with participation in erecting a monument or any signs for the designation. He said he felt the County and the State would agree to signs on the Interstate for S.C. 19 to be designated as MLK and possibly a sign from the Savannah River Site on 19 designating MLK.

Council pointed out the City of Aiken has no authority outside the City of Aiken to designate or rename streets or highways.

Mayor Cavanaugh stated he personally had no problem with designation of S.C. 19 as a memorial highway with some type of marker at Hampton and Laurens. He said, however, Council has no authority to make any designation outside the city limits.

Mr. Smalls stated he was asking Council to endorse the project and make a decision on the area within the city limits as a memorial designation. He said he felt Council's positive designation would influence the other agencies to make a favorable decision. He said he was not asking that any street names within the city be changed. He said he would like to see an additional sign such as S.C. 19, MLK Boulevard if possible. He said he had seen double street signs in some cities with the original street name and then a sign for the memorial designation. He said he was very flexible and would accept what Council felt they could grant.

Councilman Anaclerio stated he was not in favor of any changing of street names within the city or the addition of signs designating MLK Boulevard within the city along the proposed route. He stated he supported the proposal for the memorial highway like the Jefferson Davis highway, but he was not in favor of two signs for a street.

Mayor Cavanaugh stated he was not opposed to a sign at each end of the city designating MLK Boulevard and possibly a marker in the middle of the city.

Mr. Smalls stated he was trying to get all the agencies involved to participate in the project and to have an ample memorial to Dr. Martin Luther King.

Councilwoman Clyburn pointed out to Mr. Smalls that she felt he was not asking for anything other than an endorsement of the project to be able to go to the County and the State. She also pointed out she felt the project would be a very long process going through the County as it would require 66% of the property owners agreeing to the name change to be able to change the name.

Mayor Cavanaugh pointed out he felt the request was more than an endorsement as Mr. Smalls was asking for some type of monument or marker similar to the Jefferson Davis memorial.

Council discussed the request at length.

Councilwoman Price moved that the BOLD Organization request be granted for designating S.C. 19 through the City of Aiken as Dr. Martin Luther King, Jr. Memorial Highway as an overlay and that there be no changes in the street name signs or any additional signs erected designating the street Martin Luther King, Jr. Highway. The motion was seconded by Councilwoman Clyburn.

After discussion, Councilwoman Price stated her intent was that the city would not change or make any additional street signs, but possibly the Department of Transportation would erect a sign at I-20 and S.C. 19 designating the highway as Dr. Martin Luther King, Jr. Memorial Highway. She also stated her motion did not include approval of any monuments or statues as she felt this would be a separate project.

Mr. Smalls stated he would like for the city to consider a marker or monument to designate the highway MLK like the Jefferson Davis marker. He said a marker could be a community effort, but he would like for the city to at least endorse erection of a monument.

Councilwoman Papouchado pointed out that statues or monuments would come under consideration by the Park Commission and the Planning Commission.

Mr. Tony Carr pointed out the monument for Jefferson Davis Highway and other monuments at courthouses that have anything to do with the Confederacy were erected by private funds.

Councilwoman Price stated she had made the motion to designate the portion of S.C. 19 within the city limits as MLK Memorial Highway, but she felt this was selling the project short.

Mr. Smalls stated he felt the project could be built on with community involvement and that it could be a good memorial for Dr. King. He said Council did not grant renaming of Hampton Avenue which is what a lot of people wanted. He said he was trying to suggest something which everyone could live with.

Mr. Richard Johnson stated his question was that if Council approved the request and the other agencies such as the County and the State deny the request for the memorial designation, what happens to the project.

Mayor Cavanaugh stated he felt that even if the other agencies did not approve the designation, but the designation of MLK was approved by City Council that S.C. 19 would be MLK Memorial Highway within the City of Aiken without any signs.

Councilwoman Clyburn stated she still was not clear what will happen. She stated possibly there will be a sign on the interstate if the State and if the County approve it. There may be a monument if there can be private funding and if the Park Commission and if the Planning Commission allow it. She felt the only thing Council would be doing would be an endorsement. She said since no signs would be changed there may be a memorial designation in thought only. She said she was not sure everyone who is behind the project understands that actually Council will only be endorsing the project.

Councilman Radford stated he agreed with Councilwoman Clyburn that if Council includes an endorsement for signs at the Interstate that Council would be voting on something over which they have no jurisdiction.

Councilman Anaclerio stated his understanding is that the City would be establishing an overlay for S.C. 19 through the City of Aiken as the Martin Luther King, Jr. Memorial Highway without any sign changes.

Councilman Perry stated he did not feel the request accomplishes anything. He said a lot of suggestions had been made to honor Dr. King. He felt there could be something better to honor Dr. King than an overlay with no signs. He said he would not go along with any request to change Whiskey Road to anything else.

Mayor Cavanaugh pointed out Mr. Smalls had made a request and would like signs and a monument, but had stated he would accept what Council felt they could approve.

Council asked that Councilwoman Price restate her motion.

Councilwoman Price stated her motion was that the City of Aiken honor Dr. Martin Luther King by designating the portion of S.C. 19 through the City of Aiken as Dr. Martin Luther King, Jr. Memorial Highway and that there be no name changes or additional signs erected. She stated the motion did not include a memorial or marker as this could be dealt with later.

The question arose that if a portion of Whiskey Road outside the city was renamed MLK what would happen if the area were annexed to the city.

Mr. Holly stated if an area were annexed where Whiskey Road had been changed it could be changed when it is annexed into the City.

Mr. E. G. Smith appeared before Council. He asked for a clarification on the matter. He said his understanding from the discussion was that any portion of S.C. 19 outside the City of Aiken would be dealt with by the State or the County. He pointed out that the request was for an overlay for S.C. 19 as MLK Memorial Highway. He stated in Augusta and other places streets may have two signs with one sign being a memorial for a particular person. He said if no overlay signs could be erected then Council would only be agreeing to a symbolic designation.

Council pointed out the proposed motion was that there be no change in signs either renaming or adding signs for the memorial designation of MLK for S.C. 19.

Mayor Cavanaugh called for a vote on the motion that Dr. Martin Luther King be honored by designating that portion of S.C. 19 which runs through the City of Aiken as Dr. Martin Luther King, Jr. Memorial Highway as an overlay designation and that there be no renaming of the street or additional signs erected for the designation nor any monuments or markers approved at this time. Those in favor of the motion were: Mayor Cavanaugh, Councilmembers Anaclerio, Clyburn and Price. Opposing the motion were Councilmembers Papouchado, Perry and Radford. The motion passed by a vote of 4 in favor and 3 opposed.

BIDS

Sewer Lines
Beaulieu Plant
U. S. 1 North
Industrial Park
Airport
Sanitary Sewer

Mayor Cavanaugh stated bids had been received for furnishing sewer pipe for the sewer project for the Beaulieu Plant.

Mr. Thompson stated as part of the sewer project serving the new Beaulieu Plant, the city is in the process of upgrading and increasing the capacity of the sewer lines through the Verenes Industrial Park. Bids have been received for the purchase of materials for the project. The staff is recommending acceptance of the low bid of \$44,177.05 from WaterPro, Inc.

Mr. Thompson stated the sewer line from the Beaulieu site will channel through the present pipes in the Verenes Industrial Park and the sewer lines need to be upgraded to accept the volume of sewer. The State Development Board has provided funds for the upgrade. The city has asked for bids on the material separate from the labor to keep the cost for the project as low as possible.

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The bids received were as follows:

<u>Company</u>	<u>Bid</u>
Pomona Supply Company	\$22,802.64
Pump & Lighting	47,969.98
Pipeline Supply Co.	48,566.50
WaterPro	44,177.05
Southern Meter & Supply	47,273.38
Cities Supply	48,470.16

The bid of Pomona Supply was incomplete and included only the 12 inch PVC pipe. WaterPro was the lowest responsive bid. WaterPro is from Sumter, S.C. Mr. Thompson stated the bids will be submitted through the State Community Development Block Grant process for approval by the State since funds are coming from the State for this upgrade.

Councilman Radford moved, seconded by Councilwoman Papouchado and unanimously approved, that Council accept the bid of WaterPro for sewer pipe materials in the amount of \$44,177.05.

POWDERHOUSE TOWNHOUSES

Utilities

Powderhouse Road

Water

Sewer

Tax Parcel No. 00-157-01-137

Mayor Cavanaugh stated a request had been received for city water for the Powder House Townhouses.

Mr. Thompson stated Gerald Waters, of Country Home Builders, is requesting utility services to the Powder House Townhouses, a 13-lot townhouse residential development on Powderhouse Road.

The Planning Commission reviewed the request and recommended approval with the following conditions:

1. that an annexation agreement be executed;
2. that the owners provide a copy of the recorded deed; and
3. that the comments of the City Engineer be satisfactorily addressed.

Mr. Thompson stated the owners have provided a copy of the recorded deed. The City Engineer's comments have been regarding sewer and storm water problems on the site. The owners have indicated that they would be able to resolve the problems noted. Mr. Thompson stated Council may wish to approve extension of water and sewer services to the site to eliminate the need to review the project again if sewer service becomes available to the site.

Councilwoman Price moved, seconded by Mayor Cavanaugh and unanimously approved, that Council approve the request for utility services (water and sewer) to the Powder House Townhouses on Powderhouse Road subject to the conditions recommended by the Planning Commission.

BEAVER CREEK

Section 4

Utilities

Silver Bluff Road

Glenwood Drive

Tax Parcel No. 00-109-01-020

Mayor Cavanaugh stated the city had received a request for utilities for Section 4 of Beaver Creek Subdivision.

Mr. Thompson stated the city had received a request from Beaver Creek Development Company, Inc. for extension of city utilities for Section 4 of Beaver Creek Subdivision.

The first three sections of Beaver Creek were approved prior to the city's requirement for an annexation agreement, but Section 4 is beyond the area initially approved. The Planning Commission recommended that an annexation agreement be required.

The proposed subdivision includes a road approximately 1300 feet long, ending in a cul-de-sac. This exceeds the 1,000 foot limit of the Subdivision Regulations of the city. Beaver Dam Lane does intersect with Beaver Creek Lane, but the developer is unable to move Beaver Dam Lane closer to the cul-de-sac. Beaver Dam Lane also intersects with Glenwood Drive, but to keep the possibility of cross traffic between Beaver Creek Lane and Glenwood Drive, Beaver Dam Lane needs to be at the present location. The Planning Commission reviewed this and felt the present layout of the streets really eliminated the possibility of avoiding the 1300 foot cul-de-sac and does recommend that the city waive the 1,000 foot limit for a deadend street. The Planning Commission has recommended approval of the request with the following conditions:

1. that an annexation agreement be executed;
2. that City Council waive the 1,000 foot limit for a dead-end street for Beaver Creek Lane west of Beaver Dam Lane;
3. that the owner submit a copy of the recorded deed; and
4. that there be no access to Glenwood Drive from the lots that front on both Beaver Creek Lane and Glenwood Drive.

Councilwoman Clyburn moved, seconded by Councilman Perry, and unanimously approved, that Council approve the extension of utilities to serve Beaver Creek Section 4 with the conditions as recommended by the Planning Commission.

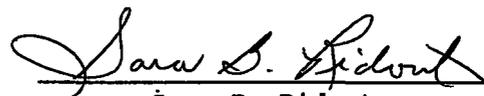
EXECUTIVE SESSION

Mayor Cavanaugh stated Council needed to go into executive session to discuss a contract matter. Councilwoman Papouchado moved, seconded by Councilman Anaclerio and unanimously approved, that Council go into executive session to discuss a contract matter. Council went into executive session at 9:15 P.M.

After discussion Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved that the executive session adjourn. The executive session adjourned at 9:25 P.M.

ADJOURNMENT

There being no further business, Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that the meeting adjourn. The meeting adjourned at 9:30 P.M.


Sara B. Ridout
City Clerk