

Aiken City Council Minutes

April 11, 1994

EXECUTIVE SESSION

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

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

City Council met in a pre-Council session for discussion of agenda items at 7 P.M. Council discussed adding to the agenda the recommendation from the Airport Advisory Committee for naming of the new road being constructed into the airport business park. They also discussed the proposed streetscape plan and the plans proposed by the Downtown Development Corporation and other recommendations from the mini charettes.

At 7:20 P.M. Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council go into executive session to discuss legal matters.

After discussion Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council adjourn the executive session. The meeting adjourned at 7:35 P.M.

REGULAR MEETING

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

Others Present: Steve Thompson, Jim Holly, Frances Thomas, Anita Lilly, Stanley Quarles, Roger LeDuc, Ed Evans, Carrol Busbee, Terry Rhinehart, Paul A. Anderson, Sara Ridout, Phillip Lord of the Aiken Standard, and 6 citizens.

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

The minutes of the March 28, 1994, meeting were considered for approval. Councilwoman Price moved that the minutes be approved. The motion was seconded by Councilwoman Papouchado and unanimously approved.

RECOGNITIONFinance DepartmentCAFRCertificate of AchievementGovernment Finance Officers AssociationAward

Mayor Cavanaugh stated Council wanted to recognize the Finance Department for qualifying for the Certificate of Achievement for Excellence in Financial Reporting.

Mr. Thompson stated the city had been notified by the Government Finance Officers Association (GFOA) that the city's Comprehensive Annual Financial Report for the fiscal year ending June 30, 1993, does qualify for the Certificate of Achievement for Excellence in Financial Reporting. This is the second year the city has received this certificate. The Certificate is the highest form of recognition in governmental accounting and financial reporting.

Anita Lilly and the Finance Department staff have worked very hard to obtain this certificate. This award is in recognition of the city's accounting and financial reporting services.

Mayor Cavanaugh recognized Ms. Lilly and the Finance Department staff for their hard work in obtaining this Certificate for the city.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council accept the Certificate of Achievement for Excellence

in Financial Reporting and that Anita Lilly and the staff of the Finance Department be thanked for their hard work in obtaining this award and recognition.

TREE CITY USA

Award

Arbor Day Foundation

Mr. Thompson stated the city had again been named a Tree City USA by the National Arbor Day Foundation. This is the city's ninth year for this recognition. The Tree City USA Award reflects the city's commitment to tree care and tree planting. Aiken has placed a strong emphasis for care and replacement of trees.

Council congratulated the Park Commission, Roger LeDuc, Brian Woodward and the other members of the staff who have worked to emphasize tree preservation and protection in Aiken.

Councilwoman Price moved, seconded by Councilwoman Papouchado and unanimously approved, that Council accept the Tree City USA Award and thank the staff for their work in obtaining this recognition.

AIRPORT

Street Name

Aviation Business Park

Air Park Boulevard

Mayor Cavanaugh stated Council needed to consider a name for a roadway going into a new business at the airport.

Mr. Thompson stated Council had approved the location of the first business, Bush Field Aircraft, to serve as an anchor for a new business park at the airport. He said construction of a roadway into the business park has been proposed. The roadway would serve Bush Field Aircraft and would also open up additional acreage at the airport for development. The Airport Advisory Committee has recommended building a roadway into the business park and also naming the road Air Park Boulevard. This roadway is outside the city, and the name of the road will require approval of the County Planning Commission. The name chosen by Council will be submitted to the County Planning Department for approval.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that Council submit the name of Air Park Boulevard to the County Planning Commission as the name to be selected for the new roadway into the business park at the airport.

CUMBERLAND VILLAGE

Retirement Complex

Hitchcock Parkway

S.C. 421

Dibble Road

Marrinson Group

Water

Sewer

Manor Pines Realty Corp.

Mayor Cavanaugh stated Council had received a request for utility services to serve Cumberland Village on Hitchcock Parkway.

Mr. Thompson stated the Planning Commission had reviewed the request from the Marrinson Group for city services for Cumberland Village, a proposed retirement community to be located on a 35-acre tract located east of Highway 421 near the intersection with Hitchcock Parkway.

City Council briefly reviewed the plans for this project in January, and Council agreed to consider a different type of annexation agreement by delaying annexation of the property. City Council tentatively agreed to serve the property with water and sewer, to waive the need for a formal tree survey, and to work with the property owners on the future zoning designation for the property. The city also tentatively agreed to delay annexation for up to three years from the date of the closing on the property.

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Mr. Holly, City Attorney, has been working with the attorneys for the Marrinson Group to develop an annexation agreement. The proposed agreement addresses both the needs of the developer and the recommendations from the Planning Commission.

The Planning Commission's recommendations include the need for buffers and landscaping. The Planning Commission has recommended that the city extend utilities and execute an annexation agreement with the following conditions:

1. that the project be designed to comply with the Planned Unit Development zoning regulations;
2. that an annexation agreement be executed requiring that the subject property be annexed into the city no later than three years from the date of execution;
3. that the only impact fees to be paid at annexation will be the sanitary sewer impact fee in the amount in effect when the annexation agreement is executed;
4. that the project comply with the Tree Protection and Landscaping Ordinance except for a tree survey but that an estimate of the number of inches of trees to be removed must be provided;
5. that an easement for a bicycle path/walkway acceptable to the City be provided to the City at no cost;
6. that a buffer at least 25 feet in width be provided adjacent to the rear of the lots in Westcliff within which existing vegetation will remain and sufficient evergreen vegetation will be provided to form an effective screen as determined by the City Horticulturist;
7. that the project comply with City regulations regarding roads and utilities or other requirements of the City Engineer;
8. that the project comply with the City's sign regulations;
9. that the project comply with requirements of the Department of Public Safety including, but not limited to, building codes and suitable access for emergency vehicles; and
10. that a copy of the recorded deed verifying ownership be provided.

Mr. Thompson stated that Mickey Johnson, Attorney, and Mark Graham, Engineer, were present representing the developers. He said Mr. Holly had spent some time working with the developers of the property.

Mr. Mickey Johnson, Attorney for the developers, stated he would ask Council to consider removal of item number 5 of the Planning Commission requirements to provide utility services. He said number 5 is a requirement for an easement for a bicycle path/walkway acceptable to the city to be provided by the developer to the city at no cost.

Mr. Johnson stated in all the discussions prior to the Planning Commission that he had been involved in as well as Mr. Graham the issue of a bicycle path/walkway had not been discussed. He said in the Mayor's letter dated in January there was mention that it would be nice for the acreage south of the development to be used for some kind of parkway or walkway in the future. He stated an easement for a bicycle path was mentioned at the Planning Commission meeting. He said he would ask that an easement for a bicycle path be deleted as a requirement at this time to secure city services. He said they were asking that the item be deleted for several reasons. He stated the lender for the mortgage on the property would need to know where the proposed easement would be. He said at this time it is not known where such easement may be located and this would be a problem in satisfying the lender. Mr. Johnson stated Mr. Graham had also pointed out that the site is not really conducive to having a bicycle path toward the back of the project as the property is extremely sloped. He said it was felt the best place for bikeway or pathway would be on the sewer easement which runs through the area. He pointed out the developers of the property had no control over the sewer easement as this was not included in property the developers were buying. Mr. Johnson also stated that Mr. Marrinson who is the head of the group felt that a bicycle path may not be good in the area as the proposed

development would have elderly walkers and people in wheelchairs and bicycles would not be real conducive for the project. Mr. Johnson stated considering the reasons pointed out he would ask that Council remove the condition that an easement for a bicycle path/walkway be provided at this time and possibly this could be discussed later when the development becomes more finite and it is known where buildings will be located.

Mr. Johnson stated he and Mr. Holly had worked on a proposed annexation agreement and a copy had been presented to Council for information.

Council briefly discussed the requirement in the proposed annexation agreement that annexation not be required until three years from the date of the closing on the purchase of the property. Mr. Johnson stated three years was not their choice for annexation. He stated, however, if Council requires annexation in three years whether it is based on closing of purchase of the property, the date the annexation agreement is signed, or the date of a grading permit will not make a great deal of difference as the proposed options for annexation will be very close together. He said one option discussed early had been annexation when a Certificate of Occupancy is received and this would make a difference to the developer.

Councilman Anaclerio suggested that if annexation is required three years from the date of closing of purchase of the property that possibly the Planning Commission requirement for an easement for a bicycle pathway could be deleted at this time or changed to state that the possibility of a bicycle path could be explored later.

Mr. Holly pointed out that if Council accepts the proposed annexation agreement, then annexation would be three years from the date of closing on the purchase of the property. If this is acceptable, Council would need to change the recommendation of the Planning Commission to require annexation from the closing of the property rather than the date of execution of the annexation agreement.

Mr. Holly briefly reviewed the proposed annexation agreement. He stated one reference in the proposed annexation agreement to stormwater drainage should be deleted because the property is outside the city and there will be no stormwater drainage facilities provided by the city until after annexation. He also pointed out the proposed annexation agreement waives the tree survey requirement, but the project will be reviewed by the City Horticulturist before a grading permit is issued. He also pointed out a few minor changes to the proposed annexation agreement language regarding landscaping.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that Council approve the request for extension of water and sewer service to Cumberland Village located on Hitchcock Parkway near Dibble Road with the conditions recommended by the Planning Commission, except that condition number 5 requiring an easement for a bicycle path/walkway be provided by the developer, be deleted, that the proposed annexation agreement be approved with the changes requested by the City Attorney being included and taking precedence over any conflict in language of the Planning Commission recommendations, and that annexation be no later than three years from the date of the closing on the purchase of the property.

AIKEN'S MAKIN

Chamber of Commerce
Craft Festival
Parkways
Streets

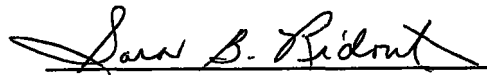
Mayor Cavanaugh stated a request had been received from the Chamber of Commerce for use of the parkways and streets for Aiken's Makin to be held on Friday and Saturday, September 9 and 10, 1994.

Mr. Thompson stated the Chamber has asked for permission to use the parkways and streets for Aiken's Makin again this year on Friday and Saturday, September 9 and 10, 1994. This will be the 17th Aiken's Makin.

Councilwoman Price moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the request of the Chamber of Commerce that the parkways be used for Aiken's Makin on September 9 and 10, 1994.

April 11, 1994ADJOURNMENT

There being no further business, Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that the meeting adjourn. The meeting adjourned at 8:05 P.M.



Sara B. Ridout
City Clerk