

Aiken City Council MinutesWORK SESSIONJanuary 23, 2006

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

Others Present: Roger LeDuc, Gary Smith, Bill Huggins, Ed Evans, Larry Morris, Glenn Parker, Sandra Korbelik, Sara Ridout, Tony Baughman of the Aiken Standard, and about 26 citizens.

Mayor Cavanaugh called the meeting to order at 6:44 P.M. He stated Council had two items to discuss in the worksession—Open Space/Green Space Plan and holding an Emergency Preparedness Meeting.

OPEN SPACE/GREEN SPACE PLANOpen SpaceGreen SpaceOne Cents Sales Tax

Mr. LeDuc stated that at the last meeting Council discussed forming a committee that would look at underground wiring in the historic and downtown areas. He said Council approved setting up a committee, and staff is asking the various organizations to appoint a representative for the committee, and they will be meeting and setting up a policy for Council's consideration at a later date. Mr. LeDuc stated another item approved by the voters in the 2004 One Cents Sales Tax Referendum involved \$1 million for the construction of parks and the acquisition of land for greenways and open space. The referendum question was stated in a manner to allow the city to purchase property and make any necessary improvements for residents to use the space. He stated the city has already received several letters from individuals stating they had land that they would like to sell the city for open space/green space. Mr. LeDuc stated several years ago a plan was put together by the South Carolina Palmetto Conservation Foundation. He said the city would like to take that plan to the next level and start identifying what areas the city should acquire for open space/green space and set a policy that can be used to evaluate what properties Council should be considering. He said Ed Evans, our Planning Director, was asked to implement a plan of action for Council's review. The approved Comprehensive Plan, under Goal 7, calls for the acquisition of open space/green space by the city. Ed Evans recommends the establishment of a committee overseen by the Planning Commission. The committee, appointed by City Council, would be chaired by a member of the Planning Commission, along with representatives from the Park Commission, Environmental Committee, Aiken County Open Land Trust, Recreation Commission and three citizens with knowledge of open space and conservation issues.

In 2003 the City had a plan prepared by the Palmetto Conservation Foundation as a framework towards building an open space network. The committee could use this as their foundation and build on it to select and rank target areas for open space. We would ask the committee to develop recommendations on implementation issues such as ways to acquire or control open space. Once a plan has been developed, it would then come back to the Planning Commission for final approval and on to Council for final adoption.

Councilwoman Vaughters suggested a representative from the Historic Aiken Foundation serve on the committee.

After discussion it was the general consensus of Council that the proposal suggested by staff be approved by Council for the formation of a committee to make a recommendation to Council, and that a member of the Historic Aiken Foundation be added to the list to be on the committee.

Mr. LeDuc stated after the members from the various boards are appointed, he would give the information to Council so Council could appoint two citizens.

EMERGENCY PREPAREDNESS MEETING

Mr. LeDuc stated that every few years Council is asked to meet with staff at our Emergency Operations Center to go over our roles in any emergency. We would like Council to set aside Monday, March 6, at 6 P.M. for approximately one hour to meet at our EOC Center. At that time, we will walk through the roles of Council and staff during any emergency that could arise in our city. Fortunately, over the past 20 years we have never had to ask Council to be involved in an emergency operation procedure. However, there have been a couple of times when staff has met to deal with some issues like the ice storm a couple of years ago. We feel with a new member of Council, Don Wells, that this is a good time to go over the procedures in case an emergency does occur.

Councilmembers agreed to meet on March 6, 2006, at 6 P.M. for the Emergency Preparedness meeting.

HORIZONS

Mr. LeDuc reminded Council of Aiken's Horizons meeting on Friday, February 3, and Saturday, February 4, 2006, at Rye Patch.

NATIONAL LEAGUE OF CITIES

Charlotte, NC
Municipal Cup

Mayor Cavanaugh read a letter of commendation for Larry Morris and Nica Loving for the display and presentation on the city's Municipal Cup Award presentation at the National League of Cities meeting in Charlotte, NC

Aiken City Council MinutesREGULAR MEETING

January 23, 2006

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

Others Present: Roger LeDuc, Gary Smith, Bill Huggins, Glenn Parker, Richard Pearce, Ed Evans, Anita Lilly, Pete Frommer, Larry Morris, Sara Ridout, Tony Baughman of the Aiken Standard, and about 59 citizens.

Mayor Cavanaugh called the meeting to order at 7:01 P.M. Councilwoman Price 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. Councilwoman Clyburn moved, seconded by Councilman Sprawls and unanimously approved, that the agenda be approved as submitted.

MINUTES

The minutes of the work session and regular meeting of January 9, 2006, were considered for approval. Councilwoman Price moved that the minutes be approved as submitted. The motion was seconded by Councilman Wells and unanimously approved.

BOARDS AND COMMISSIONS

Appointments
Lattimore, Anne
Arts Commission.

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

Mr. LeDuc stated that there are 6 pending appointments to boards and committees of the city, and 1 appointment is presented for Council's consideration.

Councilwoman Vaughters has recommended that Anne Lattimore be appointed to the Arts Commission, with the term to expire April 11, 2007. If appointed Ms. Lattimore would fill the unexpired term of Doug Rabold, who has resigned.

Councilwoman Vaughters moved, seconded by Councilwoman Clyburn and unanimously approved, that Anne Lattimore be appointed to the Arts Commission replacing Doug Rabold with the term to expire April 11, 2007.

Councilman Wells stated he would like to recommend that Scott Raines be appointed to the Arts Commission to replace Gwen Schwallie, who has resigned.

Councilwoman Clyburn stated she would like to make a recommendation that Kim Anderson be considered for the Assistant City Judge position, filling the position vacated by the resignation of Reginald Simmons.

Council then discussed how the appointment was made for Judge and Assistant Judge, asking if the positions were advertised. Mr. LeDuc responded that in the past, Council had not advertised the positions, but staff could do that if Council wishes. In the past Councilmembers have suggested someone and Council has made the appointment. After discussion, it was felt that the appointment would not be made until after Horizons, since one of the discussions would be on the court system and some possible changes in the court that Council may want to consider.

WOODSIDE PLANTATION – ORDINANCE 01232006

Concept Plan
The Village at Woodside
Silver Bluff Development Company
Revised Plan
Silver Bluff Road
Richardson's Lake Road
TPN 107-13-01-001
TPN 00-135.0-01-077 (old)
Woodside Phase III

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to revise the Concept Plan for The Village at Woodside.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING THE CONCEPT PLAN FOR PROPERTY LOCATED IN WOODSIDE PLANTATION, PHASE III AND OWNED BY SILVER BLUFF DEVELOPMENT, INC.

Mr. LeDuc stated the Silver Bluff Development Company is requesting approval for revisions to the Concept Plan for The Village at Woodside. The property was annexed and the Concept Plan approved in June, 2001, and revised for the commercial portion in June, 2004.

The new Concept Plan is far more detailed than the plan approved in 2004. The square footage of floor area would stay the same, but there are major changes in the amount devoted for the various uses. However, the intensity is no greater. Since the intensity of

the development has not changed, an updated traffic study was not required. The new plan places residential units over retail or office space throughout the commercial area. The new plan also shows attached residential units just south of the commercial area, in what was shown as offices. However, the proposed plan would still limit the number of residential units outside the gate to the approved 237. The open space adjacent to the northern property line is significantly larger than what was previously shown, and therefore Condition No. 10 in the 2001 approval is not required. He said the green space had been concentrated in two open areas a little larger than a soccer field that could be used for open sports play, equestrian events or concerts or musical events. Otherwise, all previous conditions on the annexation and Concept Plans approved in 2001 and 2004 would still apply. The Plan also shows a village equestrian park in the center of the commercial area, instead of offices and the assisted living facility. The open space along Silver Bluff Road will have an equestrian theme, and an equestrian trail system will be added. When the plan was originally proposed in 2001 and revised in 2004, the plan showed a traffic light to be installed at Richardson's Lake Road and the entrance to The Village. The developer has committed that if the Highway Department would approve a roundabout, they would contribute towards it. The developer presented several elevations for the project, and a concept plan has been presented for review.

The Planning Commission unanimously approved the Woodside Concept Plan at their December meeting with three conditions:

1. That the previous conditions on the annexation and Concept Plan approval of 2001 and 2004 would apply, except for Item 10 on the 2001 approval.
2. That a roundabout on Silver Bluff Road and Richardson's Lake Road at the entrance to The Village is encouraged and, if approved, the developer would pay an amount towards the construction at least equivalent to the amount that would be paid for a traffic signal, and right of way would be contributed.
3. The elevations of the proposed building be submitted to staff for approval.

The public hearing was held.

Mr. Pat Cunning, of Silver Bluff Development, stated he had reviewed the plan in depth at the last meeting. He stated Silver Bluff Development would be contributing \$40,000 or whatever the traffic signal would cost. He stated if a roundabout is installed at Richardson's Lake Road and Silver Bluff, he would suggest that the \$40,000 be used by the City to do landscaping with live oaks, or whatever is chosen, on Silver Bluff Road. He said if Silver Bluff Development contributes \$40,000 to the roundabout, he was not sure the City would be getting a fair share from the State. He said he would rather the money go to the City to be used for landscaping in the area of the median.

Mr. Cunning stated he would answer any questions. He stated he felt the revised plan is a better plan than the old plan. He pointed out the architects are also present with him. It was pointed out there would be 69% green space. The square footage remains the same as the old plan. The revised plan is more of a village concept than the original plan.

Councilman Wells stated he was very pleased with the concept plan for The Village. He said, however, he was concerned about the roundabout on Silver Bluff Road. He pointed out Silver Bluff Road is a highway with a speed limit of about 45 mph. He was concerned about people not being accustomed to a roundabout in the area and their being warned that there is a roundabout, and that they need to slow down. He said with a traffic signal, there is a warning that they are coming to a traffic signal.

Mr. Cunning stated he would do whatever is decided. He pointed out most developers want a traffic signal, as they want people to stop. He suggested that the State study the area, and if a roundabout is a safety issue, the roundabout not be installed.

Councilman Smith asked if elevations had been prepared at this time. Mr. Cunning stated the full plans have not been prepared. He said they do have pictures of things they like, but no detailed plans have been presented at this time.

Councilwoman Vaughters pointed out that condition 3 is that elevations of proposed buildings be submitted to staff.

Mr. Cunning stated elevations would have to be submitted before a building permit is issued. He also stated there was a comment from an adjacent property owner regarding additional landscaping, and he has agreed to do the additional landscaping with the type of landscaping recommended by Ed Evans of the Planning Department.

Mr. LeDuc stated if Council is going to ask that the roundabout be encouraged, which is presently a condition in the ordinance, Council may want to add to the language that "the developer would help pay for landscaping along Silver Bluff Road or construction in an amount equal to the cost." He said to allow some flexibility this language could be added to condition 3.

Mayor Cavanaugh stated he was concerned about the word "encourage." He stated it would be up to the Highway Department to determine if it will be allowed. He said his concern is that the street is a highway, and many people travel this road everyday. He said this would not be like the East Gate Drive roundabout where traffic enters very slowly.

Councilman Smith stated the Highway Department had already been asked for alternative designs which include a roundabout. He suggested that Council wait to see what the Highway Department recommends. He stated he also had some concerns about a roundabout. He said he had seen places where there is a warning light some distance from a roundabout. He said he felt a roundabout has the possibility of making the intersection safer than it is now. He said the decision would be up to the traffic experts.

After discussion Council decided the word "encourage" should be changed to "be considered" in condition 2.

Councilwoman Price asked about the number of units. It was pointed out that the number of units outside the gate will be no more than 237, while the total number of units is 299 for the project.

Mr. Michael Thomas, 168 Hunting Hills Drive, stated there were not enough handouts for the citizens to see what the plan is. He asked if commercial property would be below all the 237 residential units. It was pointed out that only in the center area would commercial be below residential units. Mr. Cunning showed Mr. Thomas a copy of the plan and answered his questions concerning the plan.

Mr. Gerald McLane, 179 Hunting Hills Drive, asked about the buffer zone and if the buffer zone had been extended to the property owners on Hunting Hills Drive. Mr. Pat Cunning gave him a copy of the plan and stated the reason the buffer was not extended on the Hunting Hills side is because the plan calls for residential units along that area. The reason the buffer was extended on the other side is that there were two 35,000 square foot office buildings in the area which backed up to residential units. He stated they did not plan to touch the buffer zone, but would add landscaping in the corner area. He said the buffer zone would be 50 feet.

Councilwoman Vaughters asked if Council should add the word "untouched" for the 50 foot buffer condition which was in the 2001 plan.

Mr. Martin Buckley, Two Notch Road, expressed concern about there not being enough handouts for the agenda items. He felt the agenda should be readily accessible for the citizens and that possibly a copy could be placed in the library for citizens to review. He felt the citizens should be able to see the information before Council votes on the matters. He also expressed concern about the wording not being sufficient for a citizen to know what the item concerns.

It was explained to Mr. Buckley that a complete agenda is in the Clerk's Office and is available to the public for review and a copy of any item of interest can be made for the

citizens. It was pointed out it is difficult to know how many copies of handouts to make for a meeting. It was also pointed out that the agenda listing is on the web site, and if a citizen will call the City Manager's Office the personnel will be glad to answer any questions regarding the agenda and make a copy for them if they desire. It was pointed out that the agenda is not ready until Thursday before the meeting, and City Council does not get their agenda until Thursday afternoon. Council suggested that possibly the entire agenda could be on the internet so a citizen could download what they wished to print.

Stan Weisner, 4075 Woodside Plantation Drive, was concerned about the gate into Woodside from The Village. Mr. Cuning stated there would be security fencing and a guard gate for security.

Mr. LeDuc pointed out a discrepancy in the wording in Ordinance 06142004 under Condition 7)b. There shall be a 50' buffer along the southern boundary of Tract C. He pointed out Tract C is the area that borders the property off Hunting Hill. He said Council could amend that condition to state an "untouched buffer."

Councilman Smith moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass on second and final reading an ordinance to revise the Concept Plan for The Village at Woodside, with the wording in Condition 2 being changed from "encouraged" to "be considered", the money from the developer being used at the city's discretion for the roundabout or landscaping in the area, and the word "untouched" be added in the condition regarding the 50 foot buffer with the ordinance becoming effective immediately

PURCHASING – ORDINANCE 01232006A

Procurement

Appeals

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to revise the city's procurement regulations.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING ARTICLE VI OF THE AIKEN CITY CODE TO MODIFY THE CITY'S PROCUREMENT CODE AND PROVIDE FOR A CONTESTED BID APPEAL PROCESS, AND MAKE OTHER CORRECTIONS.

Mr. LeDuc stated over the past year we have had a few instances where vendors have questioned the decision made by staff concerning bid awards. Although we were able to resolve each of these situations, we feel our procurement code needs to be amended to better address these appeals. The proposed ordinance allows for such appeals and resolutions which follows the State Procurement Code.

The appeals procedure will allow a protest to be reviewed by the department director and staff. If they still want a further review, it would then be investigated by the purchasing agent, who is currently our Assistant City Manager. If he could not settle the dispute, it would then be turned over to the City Manager for a final decision. In addition to this appeal process, we have also added one additional criterion for awarding contracts to winning bidders. Currently the ordinance states that the contract should be awarded to the lowest responsible bidder, but in making this determination, price is not always the only issue. There are currently nine other criterion that can be considered by staff in making their review. We are recommending a tenth criteria based on past performance by the bidder. If the bidder has failed to perform prior contracts to our satisfaction, or owes the city money, this would be an additional reason for excluding them from a winning bid.

The public hearing was held and no one spoke.

Councilwoman Vaughters asked if the ordinance addressed advertising and how bids are advertised. She also asked about preference to vendors located within the city if the bid is no more than 5% higher than the lowest bid, provided the difference between the two

bids is no greater than \$2,000. She pointed out that a business within the city has more expenses, such as a license, taxes, etc. She wondered if the \$2,000 difference in bid was a reason city vendors may not receive the 5% preference bid.

Mr. Huggins, Assistant City Manager and Purchasing Agent, stated products or services assumed to be above \$10,000 in value require a formal sealed bid process. In those cases, notifications are sent to vendors on a list and advertised in the local newspaper. In the range of \$5,000 to \$10,000 a written quotation is required, but the department acquiring the bid would obtain at least three written quotes from vendors. He said the city is currently trying to establish a vendors list through the internet.

Mr. Huggins stated the 5% preference has rarely been used.

Mayor Cavanaugh stated the matter of 5% preference had been discussed by Council in the past, and Council wanted to give some advantage to the local vendors, but at the same time Council has a duty to the taxpayers to try to get a quality product at the best price. He said there is a balance, and at the time discussed, 5% seemed to be a satisfactory amount.

Councilwoman Vaughters stated the 5% preference is fine, but she did not feel there should be a \$2,000 limit. She asked if this matter could be discussed at Horizons.

Councilwoman Price asked if there had been many protests. Mr. LeDuc responded that there had been about two last year. Councilwoman Price pointed out that Council approves bids that come before Council and pointed out that in looking at the process for someone who disagrees with the bid award, the process involves dealing with the Department Head, Purchasing Agent and the City Manager. She wondered if there should be another alternative to come before City Council.

Mr. LeDuc stated since he had been City Manager, no bid appeals have come before him, as they have all been handled on the department level.

Mayor Cavanaugh stated the appeal process before Council could be discussed at Horizons, also.

Councilman Wells moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass on second and final reading an ordinance to revise the procurement code and to add a section concerning an appeal process, and that the ordinance become effective immediately.

SUMMIT BUSINESS PARK – ORDINANCE 01232006B

Fields Development

Rutland Drive

Business Court

Quit Claim Deed

Deed

Federal Express

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance for a quit claim deed for a cul de sac in Summit Business Park.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO QUIT CLAIM ANY RIGHT, TITLE AND INTEREST IN A PORTION OF BUSINESS COURT TO ADJOINING LANDOWNERS MBDQ, INC.

Mr. LeDuc stated in the late 1990's the City of Aiken partnered with Fields Development to create Summit Business Center off of Rutland Drive. The original development included a street called Business Court, which was a cul de sac with two lots at the end. When the City of Aiken negotiated with Federal Express to locate a Distribution Center

at the site, they bought the two lots and the cul de sac was eliminated and incorporated into the development, and the street entered directly into their parking lot.

The plat was modified at that time, but unfortunately, a corrected plat for this street was never properly recorded at the RMC Office. Instead, the plat at the RMC shows the cul de sac still remains. To correct this, City Council needs to approve a quit claim deed to the owners of Lots 2 and 4, MBDQ Inc., a Maryland corporation for the cul de sac portion of Business Court. This ordinance and quit claim deed will rectify the situation, and the proper plat will then be recorded at the RMC Office.

The public hearing was held and no one spoke.

Councilwoman Price moved, seconded by Councilman Smith and unanimously approved, that Council pass on second and final reading an ordinance to correct the record plat concerning the Business Court cul de sac in the Summit Business Park, and that the ordinance become effective immediately.

CAPITAL PROJECTS – ORDINANCE 01232006C

One Cents Sales Tax

Capital Sales Tax Projects

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to amend the ordinance authorizing the borrowing of funds for certain Capital Sales Tax Projects.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE AIKEN CORPORATION TO BORROW \$250,000.00 FROM THE CITY OF AIKEN'S FUNDS FOR THE PURPOSE OF FUNDING THE CONSTRUCTION OF NEW HOUSING IN TOOLE HILL AS WELL AS NORTHSIDE RESIDENCE RENOVATION.

Mr. LeDuc stated that at the November 14, 2005, City Council meeting, Council approved the lending of \$250,000 to Aiken Corporation for housing projects. \$170,000 would be used for new construction in Toole Hill, which Council would lend at 0% interest and \$80,000, for renovation of homes throughout the northside, which would be at an interest equivalent to what the City would have received for investment of the money. Aiken Corporation was planning on using the \$80,000 for continuation of their loan program to assist builders and developers to renovate older homes.

In a letter from Aiken Corporation Wade Brodie is asking that the City remove the interest rate requirements from the \$80,000. He states that at approximately 4.8% interest rate, it would reduce the incentive for builders and developers to use this program. He also points out that Aiken Corporation has been funding the shortfalls on the new home programs in Toole Hill as bills come in from builders. They have been paying for this using their funds at no interest for the city projects. They would like City Council to apply the same fairness in the use of this funding. If City Council wants to fund this money at 0% interest to Aiken Corporation, we can make up the shortfall through our annual 111 Northside Revitalization Budget and pay back this interest through one of our line item accounts. We should start receiving funds from the One Cents Sales Tax in the summer of 2006 and be able to pay back this account within 24 months after we start receiving this money.

Mr. LeDuc stated that at the last meeting, Wade Brodie from the Aiken Corporation requested that language be placed in the ordinance concerning the pay back of this loan. The ordinance now states that the indebtedness shall be due and payable within two years of the date of the City Manager's written demand for payment as addressed by City Council.

The public hearing was held and no one spoke.

Councilwoman Price moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass on second and final reading the ordinance, as amended, regarding the borrowing of funds for some Capital Sales Tax Projects at no interest to the Aiken Corporation.

Councilwoman Price pointed out there was a great article in the Aiken Standard on Sunday regarding Toole Hill and the revitalization of the area.

ANNEXATION – ORDINANCE

Chukker Creek Road
Hollow Creek Preserve LLC Inc.
FPA, Inc.
Concept Plan
Equestrian Community
TPN 124-09-01-002
Monahan, Ron
Randall, Mike

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to annex 114.77 acres of property at the end of Chukker Creek Road

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 114.77 ACRES OF LAND, MORE OR LESS, OWNED BY FPA, INC. AND HOLLOW CREEK PRESERVE, LLC AND LOCATED AT THE END OF CHUKKER CREEK ROAD AND TO ZONE THE SAME PLANNED RESIDENTIAL (PR).

Mr. LeDuc stated the owners of a 114.77 acre tract at the end of Chukker Creek Road are requesting annexation under the Planned Residential zoning. They intend to develop an equestrian community with approximately four miles of riding trails and a central barn and pasture linking all the lots through a trail system. A maximum of 270 dwelling units would be scattered throughout the site. Under the PR regulations, a maximum of 8 units per acre is allowed, and a minimum of 20% open space is required. Based on the acreage, 734 units could be allowed, and the plans show 28.8% open space. The PR zone permits greater flexibility and creativity on the developer's part. However, Council can request any degree of detail concerning the plan, including types of dwelling units and covenants for the development. Mr. LeDuc stated looking at the overall tract of property, it goes all the way from Anderson Pond Road up to the end of Chukker Creek. He said this could all be developed as an intense residential area. He said the plans for a majority of the property on the southern half will be large farms.

The Planning Commission denied the request on a 5 to 2 vote, with some of the members asking for more detail concerning the concept plans and buffers bordering Woodside. He stated typically no details are required for any details on dwelling units in residential complexes because most of the time the houses are built by individuals, not the developer. The following conditions were proposed by the Planning Commission, along with some of the amendments discussed by the Planning Commission members. These conditions include:

1. that the discrepancy regarding ownership of the 10.37 acre tract be clarified for the first reading of the annexation ordinance by City Council;
2. that the number of dwelling units would be limited to no more than 270 and that the open space plan would consist of a minimum of 28.8% or 33 acres;
3. that the development comply with the concept plan submitted and there be a note added to the plans that the project would comply with the provisions of the Planned Residential Zone at 4.2.6;
4. that a dead-end road would be allowed to exceed 1,000 feet on the condition that there be an emergency crash gate from Woodside Plantation prior to issuance of any building permits, if required by the Director of Public Safety;

5. that there be a 10 foot deep vegetative buffer along the perimeter of the site adjacent to the equestrian trails unless waived by the Planning Director, in order to protect existing trees or vegetation;
6. that the open space connecting the eastern most road to the perimeter buffer be designated as a possible future road connection in the event that the property to the east is developed;
7. that the attached single-family residential buildings not be required to comply with the tree preservation provisions of the Zoning Ordinance if they are scattered throughout the development with no building containing attached units next to any other building with attached units. However, all other attached single-family buildings would comply with the proposed Tree Preservation provisions.
8. that the entrance be approved as shown without a landscaped median at the entrance, as required by the Land Development Regulations, as long as trees are planted along both sides of the entrance road for a distance of at least 200 feet;
9. that the conditions of approval be shown on the Concept Plan;
10. that only pleasure stables be allowed as defined in the Zoning Ordinance; and
11. that the applicant execute an agreement listing the conditions of approval, and that the agreement be recorded by the City at the RMC Office within 90 days of approval by City Council.

Mr. LeDuc pointed out a more detailed concept plan had been presented for Council's review.

Mayor Cavanaugh stated he understood some people were present who wished to speak regarding this annexation. He stated for the public to speak on first reading Council needed to suspend the rules.

Councilman Smith moved, seconded by Councilwoman Clyburn and unanimously approved, that the rules be suspended and the citizens be allowed to speak on first reading of the proposed annexation.

Mayor Cavanaugh asked that Ron Monahan, the developer, give an overview of the plans for the proposed annexation and development.

Mr. Ron Monahan, 836 University Avenue, Boulder, Colorado, stated he had lived in Colorado for 16 years. He said, however, he has ties in Aiken and has an older sister who has lived in Aiken for 20 years. He said Mike Randall, his planner, is also present to answer any questions. He stated he had some overhead slides for the audience to see. He stated that recently the Aiken Standard reported that Aiken is the number 1 horse community in South Carolina. He said he hoped to help keep it number 1. He said he has submitted a concept plan for an equestrian community of which he was sure Aiken would be proud. He said within the past few months, the owners of land extending from Chukker Creek to Anderson Pond Road have started planning a new network of riding trails of nearly 20 miles in length. He said several owners of property in the area have agreed to link trails in the area. He said they will build a trail system, and this has only been in the works for a few months. He said there will be over 20 miles of new equestrian trails in Aiken. He said he started his plan with 350 acres and nine miles of trails. He said the network now encompasses over 1000 acres of adjoining land and the trails have more than doubled in length. He said this past weekend 30 acres were added to the total.

Mr. Monahan stated also many smaller property owners in the Chukker Creek Farms neighborhood have expressed interest in being involved with the trail system, and some are proposing to provide an easement across their property to provide access to the trails for their neighbors. He said he would be having meetings with the owners. He said the neighborhood support had been great.

Mr. Monahan said if Council approves this for second reading this would be beginning the process of building the greenbelt desired by Aiken. He said Council's leadership would encourage the participation of many other landowners.

He said annexation of this property and approval of the concept plan proposal is a gateway to this trail network. He said this will provide a first class development of stables, paddocks, riding facilities, trails and homes of which Aiken will be proud. He said at the Planning Commission it was stated that this is a great plan and something that Aiken needs. He said for over a year he and Herb Witter, a local contractor, have discussed the necessity for superior quality homes, and plans of proposed homes have been presented to Council. He said he was prepared to answer questions on the proposed development. He presented a handout which listed key points of the development's covenants and restrictions and traffic impacts. On a slide, they pointed out the location of the property and stated access to the property would be on Chukker Creek Road. He said the plan would include an outdoor arena, a stable, and supporting buildings with a parking area, pastures and paddocks, a club house, and a lake. There would be riding trails around the perimeter. He said they have proposed doubling the buffer, which includes the riding trails. He said there would be a 50 foot perimeter around the property.

Mr. Monahan showed a drawing of the area proposed to be annexed. He said he did not have a tree plan at this stage. He also showed a drawing of how his property fits into the larger picture for the area. He said in his proposed annexation he has a little over 4 miles of trails on the property, and there are a couple of points of access to the southern properties. He said the idea is to build a trail system and link a trail system. He said it had gone beyond his expectations with the neighbors who have joined. He said again, he had been working with Herb Witter, a local contractor, regarding homes for a special place like this proposal. He said there would be a range of different shapes and sizes and range of prices. He said he would expect prices to start in the low \$200,000 for homes in the area. He said a person could buy an 8,000 square foot lot, and out the back door there would be 30 acres of land to look at. He said the person does not have to buy a 5 to 10 acre farm to have the advantage of the amenities of the area.

Councilwoman Vaughters asked about the condition regard the Tree Ordinance for the area.

Mr. Monahan stated the Tree Ordinance was not a problem for him. He said the trees out there are so beautiful that they would move roads to save specimen trees.

Mr. Mike Randall, 934 Buffalo Court, Longmont, Colorado, stated he had discussed in detail all the conditions of approval with the Planning Department. He said it was not their intention that they be forgiven any requirement of the City of Aiken. He said there would be no apartments on the property, but there would be some attached, homeowner occupied, single family homes with yards. He said it is a matter of lifestyle, with some attached. He said some call them patio homes. He said there was a concern that the tree ordinance could potentially come into effect on these lots because they are considered attached. He said they do not have that concern. He said he had talked with planning that the conditions be modified so they are not forgiven any of the requirements. He said they did not request it. He said it was a good idea because the point was that they would be able to apply the same rules for single family development on the small attached clusters. He said they have no indication in their planning efforts that it will be a difficulty. He said should the occasion arise where it is difficult because of the number of trees or whatever, then they would go forward with whatever the process is to adequately address the concerns for a variance. Should it become necessary to modify the design, then the design will be modified to save the trees. He said Mr. Monahan had been very clear about his instructions to save every possible tree. He said the property was 80% trees. The soft pines are all gone, but there is still significant growth around the perimeters, throughout the development and around the lake. He said he would encourage that condition 7 be removed from the ordinance.

Mr. Randall pointed out that the conditions were to be on the concept plan, and that has been done on the map given to Council.

Councilwoman Price asked about the development creating additional traffic on Chukker Creek Road and access connecting to Silver Bluff Road to help resolve that problem. She said with the development of 270 homes businesses usually develop.

Mr. Randall stated they had met with the Chukker Creek Road residents on several occasions. He said there is no support for a connector road in the area. He said in recent conversations with the County, they were led to believe that Anderson Pond Road and Chime Bell Road are possible future alternatives for the connector road. He said his understanding is that Chukker Road bypass has not been an issue of recent concern or discussion. He said there is no longer any ongoing discussion of a roadway coming to the Chukker Creek Farm area. He said still the need for a southern bypass to get from Whiskey over to Silver Bluff seems to be a necessity that most of the public agencies are well aware of. He pointed out there are currently no plans for any commercial development in the area on Chukker Creek. He stated there is commercial development on Whiskey Road and on Silver Bluff Road.

Councilman Smith stated he served on the Whiskey Road-Silver Bluff Committee, and he could say that Chukker Creek Road was one of the options that was considered. However, the end result was that the primary road chosen was Glenwood, down south, to connect with Anderson Pond Road.

Mayor Cavanaugh stated Anderson Pond Road was the road which he felt is needed to connect Whiskey with Silver Bluff. One reason is money. He stated there was money available that the County put in the One Cents Sales tax for the road.

Mr. Randall stated the horse trail network that is being proposed would be private funding, not public funding, but would be the efforts of the private landowners in the area cooperating. He said this was an opportunity for very little public cost to initiate something that could be a very wonderful legacy of use.

Councilman Wells stated he felt this was a great development and commended the developer for the density for the development. He pointed out over 700 homes could be placed on the property, but he is proposing to develop with about 270 homes, with a lot of green space and open space. He said one concern of his is the buffer between the homes on Pleasant Colony and Woodside and the proposed development. He said he understands there is a horse trail in the area. He also asked how many horses would be kept in the stables.

Mr. Monahan stated the proposal is for a 50 foot buffer, with the first 25 feet being an untouched buffer with vegetation, unless it is supplemented with plantings where it is thin. He pointed out there are some very good specimen trees, even along the perimeter. The next 25 feet would be a horse trail, which would meander some but not into the 25 feet upside Woodside. He pointed out Woodside already has a buffer on their side, so there would be an additional 25 foot buffer adjacent to their buffer. He also pointed out a wooden fence has been erected.

Councilwoman Clyburn pointed out there is one way in to the property, with that being Chukker Creek Road. She also asked about how horses and trailers get to the property.

Mr. Monahan stated the horses would come in by trailer, but the horses would live on the property, so they would not be going back and forth. He stated there will be covenants on the property, and there would be places off site to store trailers. He said if there is a demand the need will be met. He said also there will be six large horse properties south of this proposed development, which will be accessible on Anderson Pond Road. He said these would be equestrian business farms. He said trailers could possibly be stored in this area and then ride the horses to this development. He said they have asked for stables for 30 horses, but have also asked that, if the market demands, it that this number be adjusted to 50 horses.

Bernadette Clayton stated she had been a part of the project since its inception. She said she currently lives at 239 Weaver Road in Johnston. She said with an area such as this, with a big barn, there is generally designated parking and a limited amount of parking for trailers. There would not be trailers parked all along the road. Within the development behind the barn there is a parking area which would accommodate many of the horse trailers.

Mr. Larry Byars, 522 Powderhouse Road, stated his horses live on property he owns on Chukker Creek. He said he rides in the area requesting annexation, as well as in the area where the trails are proposed. He said he is very familiar with the area and has a fondness in his heart for the country. He said he is a realist and he recognizes that development in such a wonderful area is inevitable. He said with the people who live in the area having an opportunity to work with the developer on the vision for this property and still have the opportunity to ride on the property in the future is a synergism that does not exist very frequently in the area of development. He said two normally competing factions had come together and by working together had found a solution that protects the interest of both parties. He said he feels this development would give Aiken a model similar to a network in Tryon, North Carolina.

Ms. Judy Miller, 103 East Pleasant Colony Drive, stated she represented the residents of East Pleasant Colony Drive before the Planning Commission. She said the residents do not object to the development. She said, however, they are concerned about the buffer and the plantings that will be done along the perimeter between the development and East Pleasant Colony Drive. She said they had asked that undisturbed plantings be in the buffer. She pointed out there are very few trees in this area. She said the wooden fence that is about 6 feet high does not extend along the entire perimeter. She said Woodside has begun to put up some berms and some plantings in the area. She said they are asking that Mr. Monahan plant undisturbed trees along at least the 50 foot buffer. She said unless that is done there is nothing to protect the residents from the horse traffic. Another concern is the entrance coming in from Chukker Creek where the horse farms will be is very close to the property lines and there will be very little protection there. She said they are asking that trees be planted, not just some vegetation, as they feel this is critical to the property on Mr. Monahan's side as well as the value of the properties on East Pleasant Colony.

Mr. Monahan stated he was in agreement to plant more trees in that area and that he and Mr. Cunning will be working together on the planting in that area.

Ms. Noel Johnson, 1945 Chukker Creek Road, stated her property directly adjoins the proposed development. She said they were assured when they bought their property that the adjoining property would never be developed. She stated, however, the proposed development would fit in with the neighborhood, and she would much rather see this development and horses coming down the road than the by-pass coming through the area and the property destroyed. She felt the proposed development would be a good development for the area and did not object to the development. She pointed out the developer had met with the area property owners, and they had worked together on the vision for the project.

Mr. Dacre Stoker, 331 Kershaw Street, stated he felt this proposed development was a very interesting development and would be an asset to Aiken. He said he was before Council to discuss the buffer. He said he felt it was very important to not call a buffer untouched. He said if a buffer is not touched there could be very serious problems during an ice or wind storm, diseased trees, etc. He said a proper definition should be established for "untouched" buffers, what trees have to stay, what can or cannot go in the buffer, and the objective for the buffer.

Ms. Godson, 108 Century Lane, stated she is in favor of the proposed development. She said she was glad the connector road would not be going through Chukker Creek Road.

Mr. Robert Campbell, 123 Pleasant Colony, stated he was not opposed to the development. He said they had gotten use to the idea that the property will be developed. He said at the Planning Commission the feeling was that there was not enough information. He said they wanted to be sure that controls were in place as to what happens in the development.

Mayor Cavanaugh stated the zoning would be Planned Residential which means there will be more authority and controls over what is developed than in some other zones. He said if there were any changes to the plans, the developer would have to come back to Council for approval.

Mr. LeDuc pointed out that condition 5 in the ordinance currently states that there will be a 10 foot deep vegetative buffer along the perimeter of the site adjacent to the equestrian trails. He said this would be of most concern to Pleasant Colony. He stated that in the 50 foot buffer, the city is only asking that in 10 feet that there be a deep vegetative buffer. He said Council could increase that to a 25 foot deep vegetative buffer with all vegetation remaining and additional vegetation added as required by the Planning Director. He said Council could require a 25 foot deep vegetative buffer, along with another 25 foot trail in the 50 foot buffer. He said Council may want to change condition 5.

Mr. Campbell stated he felt uncomfortable that there was not more detail in the package. He said the Planning Commission's opinion was that the development looked good, but there was not enough details. He asked why would Council not follow the Planning Commission's recommendation and ask him to come back and provide details.

Mayor Cavanaugh stated previously Council has not required as much detail as being required now, except for commercial development. He said now Council has the type of homes to be built. He said Council has more details than they have ever had before. He said he felt the plan was a good plan. He pointed out there is time between the Planning Commission meeting and Council meeting, and sometimes more information is received during that time.

Mr. Monahan pointed out there would be a Homeowner's Association, and they would control how their development looks as well.

Councilwoman Price pointed out that Council had a lot more information than they have many times on first reading. She stated based on what she has seen it is obvious to her that the developer wants to have a quality development in this area.

Councilwoman Vaughters pointed out that the Planned Residential zone is new and the zone was created because Council was disappointed in some developments. She said Council was hoping that the Planned Residential would take care of some problems which occurred in the past. She pointed out that at this time there are no requirements for elevations, so she was not surprised when Mr. Monahan did not have that at the Planning Commission meeting.

Councilwoman Clyburn pointed out this is first reading of the ordinance. She pointed out more information had been received since the Planning Commission meeting, and the questions which have been raised probably will be answered by second reading. She said she felt the development looked good, and it seems to meet the needs of the people that are living in the area. She said if the matter regarding the buffer can be worked out this will help satisfy some residents.

Council then reviewed again condition 5 regarding the buffer. Mr. LeDuc stated he believed Council had agreed to wording that "there be a 25 foot deep undisturbed vegetative buffer with additional vegetation added as required by the Planning Director, along with an additional 25 feet to be used as a riding trail along the perimeter of the property."

Mr. Michael Sullivan, 1205 Two Notch Road, appeared before Council and suggested that Council may want to consider a formula for determining and justifying a decision as to the number of various things allowed in a development such as density, etc. rather than Council having to arbitrarily making a decision. The formula would be used to determine the economic impact on the community caused by the development.

Mayor Cavanaugh stated he would like to defer this matter to another meeting. It is an interesting question, but is something that would take a long time to discuss.

Mr. Dan Johnson stated he lives at the end of Chukker Creek Road. His concern was a connector road. He pointed out condition 6 which mentions a possible future road connection in the event the property to the east is developed. He was concerned about an increase in traffic if such a road is opened.

Mr. LeDuc stated this has been a requirement that Council has made in all developments. They have asked that such a road be designated in case someone in the future wants to develop adjacent property, so there would be access between developments. He said this does not mention a connector to Silver Bluff Road. He said this only means connectivity between properties.

Mr. Mike Randall pointed out that the condition was a staff condition, not a developer request. He stated the idea for the condition is that should the properties along the eastern boundary ever develop that Mr. Monahan would permit a connection between this development and the new development. He said this would probably be no more than a block of road.

Councilman Sprawls stated in looking at the development, he was concerned about emergency response time for emergency vehicles. It was pointed out that there are plans for another Public Safety Station on the south side. It was pointed out that to go through Woodside, the guards have to be called so it would be quicker to go down Whiskey Road to respond to an emergency. Mr. LeDuc stated the city would probably be constructing another Public Safety Station in 2007 on the southside.

Councilwoman Clyburn moved, seconded by Councilwoman Price and unanimously approved, that Council pass on first reading the ordinance to approve annexation of property at the end of Chukker Creek Road to be zoned Planned Residential with the amendments discussed, including amending condition 5 regarding the buffer and deleting conditions 1 and 7, and that second reading and public hearing be set for the next regular meeting.

Mr. LeDuc stated the changes include deleting condition 1 as this has already been met. Condition 5 was amended to state that "there be a 25 foot deep undisturbed vegetative buffer with additional vegetation added as required by the Planning Director, along with an additional 25 feet to be used as a riding trail along the perimeter of the property." Also, condition 7 is to be deleted.

ZONING ORDINANCE AMENDMENT – ORDINANCE

Planned Residential

Planned Commercial

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to amend the Zoning Ordinance regarding Planned Residential and Planned Commercial Zones.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING THE CITY OF AIKEN ZONING ORDINANCE REGARDING PLANNED COMMERCIAL PROJECTS AND PLANNED RESIDENTIAL DEVELOPMENTS.

Mr. LeDuc stated last year City Council and the Planning Commission approved the Planned Residential (PR) and Planned Commercial (PC) zones. After reviewing several items that have come up concerning these zones, the Planning Commission is recommending an amendment to give more discretion to the Planning Director in approving certain minor insignificant changes to an approved Concept Plan without full review by the Planning Commission and City Council. The proposed changes involve Section 4.2.6 of the Planned Residential and 4.3.8 of the Planned Commercial and the elimination of 6.2.16e.

Over the past year, this issue has come before City Council on several occasions concerning concept plan revisions for Woodside. Most of the cases involved streets that needed to be moved to better serve the residential areas that were being planned. As the Planning Commission reviewed this issue, they decided to give more discretion to the Director to approve the concept plan as long as it did not increase the density or change the character of the development. However, City Council at their November 28, 2005,

meeting decided that they wanted to continue reviewing changes to PC and PR properties unless it involved a street change. Therefore we are revising the language approved by the Planning Commission to honor the request by City Council.

For Council's consideration, we are recommending that only the wording "the location or dimension of a street" would be removed from both the Planned Residential and Planned Commercial zones.

Councilman Sprawls moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass on first reading an ordinance to amend the Zoning Ordinance regarding the Planned Residential and Planned Commercial Zones and that second reading and public hearing be set for the next regular meeting.

ANNEXATION – ORDINANCE

Caw Caw 11
Williams, Donald
Williams, Sarah
Gem Lakes

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to annex 11 Caw Caw Court in Gem Lakes.

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 .97 ACRES OF LAND, MORE OR LESS, OWNED BY DONALD AND SARAH WILLIAMS AND LOCATED AT 11 CAW CAW COURT AND TO ZONE THE SAME RESIDENTIAL SINGLE-FAMILY (RS-15).

Mr. LeDuc stated that the owners of a .97 acre lot in Gem Lakes are requesting annexation of their property at 11 Caw Caw Court. Most of the Gem Lakes property owners annexed into the city on November 28, 2005. Donald and Sarah Williams recently purchased the property and were at the November meeting, and thought they were part of the annexation petition. Since they attended that meeting and thought they were part of the process, we have allowed this application to be accepted and processed. Several other property owners have called from Gem Lakes since that time asking about annexation. They have all been told that we will accept their annexation as a group some time later this year instead of dealing with them on an individual basis. However, because of the unusual situation involved with the Williams we are addressing this annexation at this time.

The Planning Commission reviewed the annexation and unanimously recommended its approval.

Councilwoman Vaughters asked why not consider the other requests at this time also. Mr. LeDuc pointed out the city must pay for advertising each request. He said each request costs money for advertising and takes staff time going through the process. He also pointed out property annexed early in the year is tax free for more than a year. He pointed out property must be in the city as of January 1 to be taxed that year.

Councilman Smith moved, seconded by Councilwoman Price and unanimously approved, that Council pass on first reading an ordinance to annex property at 11 Caw Caw Court as RS-15 and that second reading and public hearing be set for the next regular meeting of Council.

BUILDING CODES – ORDINANCE

International Property Maintenance Code 2003
Maintenance Code

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to adopt the 2003 International Property Maintenance Code.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE ADOPTING THE 2003 INTERNATIONAL PROPERTY MAINTENANCE CODE AND CLARIFYING SECTION 10-8, AIKEN CITY CODE, REGARDING COMMERCIAL PROPERTY MAINTENANCE ENFORCEMENT.

Mr. LeDuc stated that in 2000 City Council adopted the International Property Maintenance Code which is used throughout the state for all new buildings and any improvements. The International Property Maintenance Code has been amended resulting in the version designated as the 2003 International Property Maintenance Code. While adopting this new 2003 version we have also made revisions to Section 10-8 of the Aiken City Code amending this section as necessary.

Councilman Smith moved, seconded by Mayor Cavanaugh and unanimously approved, that Council pass on first reading an ordinance to adopt the 2003 International Property Maintenance Code and amend the Aiken City Code Section 10-8 and that second reading and public hearing be held at the next regularly scheduled meeting.

TAXES – ORDINANCE

Delinquent Taxes
Tax Sale

Mayor Cavanaugh stated an ordinance had been prepared for first reading to amend Chapter 38 of the City Code regarding delinquent taxes.

Mr. LeDuc read the title of the ordinance

AN ORDINANCE AMENDING CHAPTER 38, ARTICLE II OF THE CITY CODE OF AIKEN, SOUTH CAROLINA REGARDING DELINQUENT TAXES.

Mr. LeDuc stated that Chapter 38 of the City Code, Section 2, involves Delinquent Taxes and the procedures for collecting them in the City of Aiken. Currently we work with the County in the collection of taxes and use these procedures to execute a yearly tax sale. Several administrative changes in the Code are necessary due to changes in state laws, the County tax sale procedures, location of the tax sales, along with staff changes in the Finance Department.

Councilwoman Price moved, seconded by Councilman Wells and unanimously approved, that Council pass on first reading an ordinance to amend Chapter 38 of the City Code regarding administrative changes to the delinquent tax section, and that second reading and public hearing be set for the next regular meeting.

RESOLUTION

Purchase Property
Edgewood
Northside Revitalization
Davis, Joseph E.
Saluda Avenue
TPN 120-18-13-004
TPN 30-067.0-02-009 (old)

Mayor Cavanaugh stated Council needed to consider approval of purchasing property in Edgewood.

Mr. LeDuc read the title of the resolution.

A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED IN THE CITY OF AIKEN ON SALUDA AVENUE.

Mr. LeDuc stated as part of our Northside Revitalization efforts City Council has authorized staff to begin the purchase of property for the renewal of the Edgewood area.

At this meeting staff would like Council's approval to purchase property from Joseph E. Davis along Saluda Avenue. This property would be combined with several lots previously purchased from the Palmers which will allow us to build three to four new homes on this vacant property. The purchase price for this triangular lot identified as Lot 119 would be \$7,800.

Councilman Smith asked how long Mr. Davis had owned this property and how much he had paid for the property.

Mr. LeDuc stated he probably had not owned the property very long, because Mabel Dobson had owned the property. Ms. Dobson appeared before Council some time ago regarding the property which had been sold at a tax sale, and she was requesting Council to eliminate some of the fees. The request was not approved by Council.

Councilwoman Vaughters stated she felt staff should look up information on property being purchased and get the size of the lot as well as when it sold last and the amount it sold for. She pointed out this information is a public record. She felt this information would give Council a better idea of what to pay for the property. She stated there has to be a limit as to how much money the city is willing to pay for a piece of property. She said without this information she sees this as a real lack of a business procedure on the part of the city, not knowing the information when it is easily available.

In response to a question by Mayor Cavanaugh regarding the proposed price of houses to be built on the property, Mr. LeDuc stated the city planned to get about three or four lots out of this property. He said staff had discussed raising the price of lots from \$10,000 to \$12,000 or \$15,000. He pointed out the value of property on the northside had gone up from 20% to 100% in the last three years since the city has been making improvements on the northside. He said previously the city had been able to get some lots for \$5,000. He said staff could provide this information if Council wants this information.

Councilwoman Clyburn stated the city had bought a lot of property in the past, and this information had never been requested. She wondered why it was being requested at this time. She pointed out the city knew a couple of years ago when the city started cleaning up the neighborhoods and buying property that the cost of purchasing property would increase. She pointed out the city had some difficulty in purchasing property in Toole Hill because people were holding out for more money.

Mayor Cavanaugh stated he had no problem with getting the information. He pointed out, however, it would not make a difference what the previous owner paid for the property if the city can develop the property and break even or make some money on the property. He pointed out the Asheton Oaks development.

Councilman Wells moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the resolution to purchase a triangular lot from Joseph E. Davis in the Edgewood neighborhood for \$7,800.

RESOLUTION

Purchase of Property
Northside Revitalization
Edgewood
Holland, James Hallie
TPN 120-18-16-006
Sumter Street NE 513
Vance, Alfred E. Jr.
Vance, Yoursalinda
Kershaw Street NE 508
TPN 120-18-15-012
Davis, Fayroal Sr
TPN 104-16-21-001 (portion of)
Hampton Avenue
McCormick Street

Mayor Cavanaugh stated a resolution had been prepared to approve the purchase of property on the Northside.

Mr. LeDuc read the title of the resolution

A RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN REAL ESTATE LOCATED IN THE CITY OF AIKEN.

Mr. LeDuc stated a major goal of City Council is to improve housing conditions on the north side. For the past couple of years, Council has authorized the purchase of property in Camellia Trailer Park, Toole Hill and Edgewood. This has helped us in our revitalization efforts and to help eliminate some of these troubled areas. We have an opportunity to purchase three more pieces of property, two in Edgewood and one at the corner of Hampton and McCormick.

The third property we recommend to purchase is vacant land at the corner of Hampton and McCormick for \$18,000. This property is adjacent to the apartments at 719 Hampton Avenue, which we purchased last July. By purchasing this vacant property, we will be able to continue our clean up on Hampton Avenue and further enhance the property we have already acquired. The property is within one block of Toole Hill which the city is currently working on. Staff felt there was good value for \$18,000 to buy this corner lot, which will give the city about 50% more property with the other property already purchased.

The two properties in Edgewood contain single family homes, one which will be torn down at 508 Kershaw Street NE for \$12,000, and the other at 513 Sumter Street NE, which will be evaluated once the city acquires the property for \$30,000. The house on Kershaw Street is a block house and in bad condition. The other house on Sumter Street is marginal and the house needs to be evaluated to see if the house can be renovated or if it will have to be torn down. He said what happens depends on whether the city subdivides the block once the properties have been acquired. He pointed out lot lines were moved in Toole Hill to make sure the lots were the right size to fit the houses to be constructed. He said the same thing may happen in Edgewood as the city accumulates property. He said the house at 513 Sumter Street looks okay on the outside, but it needs to be evaluated. He said the house may be torn down, so the question may be is it worth \$30,000.

Mr. LeDuc stated to purchase the three properties would be \$60,000.

Councilman Smith stated purchase of property is a contract issue, so he would like to move that Council go into executive session to discuss the contract. Mayor Cavanaugh seconded the motion and called for a vote on the motion. In favor of the motion was Mayor Cavanaugh and Councilmembers Smith and Vaughters. Mayor Cavanaugh stated there was not a majority vote to go into executive session.

Councilwoman Clyburn asked the reason for the executive session.

Councilman Smith stated he was concerned about the purchase of the property at 513 Sumter Street NE for \$30,000. He pointed out staff was not very clear about the use of the house and property. He said he would like to go into executive session as he had questions about the ownership of the property. He pointed out his concern was that the price seems too high and then he was concerned that a member of the Planning Commission owns the property. He said he wanted to discuss the circumstances around the property in executive session.

Mayor Cavanaugh stated he had some concerns about the cost of the property and the use of the property. He said his concern was not what a previous owner paid or who the previous owner was. He said his concern was what the return would be for the city on its investment.

After discussion Councilmembers voted unanimously to go into executive session. Council went into executive session at 10:08 P.M. to discuss the contract.

After discussion Councilman Smith moved, seconded by Councilman Sprawls and unanimously approved, that Council end the executive session. Council came out of executive session at 10:16 P.M.

Mayor Cavanaugh stated Council went into executive session and discussed the price for the lot at 513 Sumter Street NE for \$30,000. He said Council did not make any decisions, but just had a general discussion about the price of the lot.

Mayor Cavanaugh stated Council needed to decide whether to continue the matter for further information or to make a decision to purchase the property.

Mr. LeDuc stated the city had not had the property appraised because of the cost for an appraisal. He said one of the problems staff is having is that citizens have heard that the city will not condemn property to obtain it. When they know that is not going to happen and staff tries to purchase property, it is difficult to negotiate a price. He said this has caused prices to increase. He said he felt he had been guided by Council that staff look at the overall good as to what the city was trying to do on the northside. In that case sometimes you have to pay more to get some of the property. He said the city faced this in the Toole Hill area. He said staff needs guidance from Council as to what they would like to see as far as properties and what they are willing to pay for property.

Council then discussed whether the city should spend money on an appraisal for each property considered for purchase.

Councilman Smith stated he was in real estate for about 12 years. He said one has to be firm about buying property at a fair price. He said the greater good argument comes in to play sometimes. He said the city had a real plan for Toole Hill and knew what properties they needed. He said he felt the city paid too much for some of those properties also. He said he felt the cost for an appraisal would be worth the cost if the city receives an objective appraisal so the city can negotiate from a basis. He felt the appraisal should come along with the proposal to purchase the property.

Councilwoman Clyburn stated she felt some people would be concerned if the city buys the house at 513 Sumter Street NE for \$30,000 and then tears it down, as the house looks solid from the outside. She felt possibly the house could be renovated and saved. She said she did not know where one could find a house on the south, west, or east side of town for \$30,000. In response to a statement by Councilman Smith that the property was purchased for \$12,000 two years ago, Councilwoman Clyburn pointed out the house had been renovated.

Councilwoman Vaughters stated she agreed with Councilwoman Clyburn, but she felt the evaluation should be made before the property is purchased. She stated she did not think anything could be built that would fit there any better. She said, however, if the city pays \$30,000 for the lot and tears the house down, she felt that was too much money. She said if the house can be used that makes a difference in the value of the property.

Council continued to discuss the matter of the cost of the property at 513 Sumter Street NE at length. The discussion centered around the matter of the city paying more for the lot than it might be worth or appraised for and the condition of the house. It was felt the condition of the house should be evaluated before the property is purchased. There was also discussion on whether the city should obtain an appraisal on each property purchased. Some Councilmembers felt an appraisal would be a waste of money and that appraisals had not been obtained on previous purchases.

Mr. LeDuc pointed out that the staff will be bringing other properties to Council for purchase, so Council can act on each one individually, as there may be some properties where there is no question whereas on others Council may wish to have an appraisal or further evaluation. He pointed out that this particular property on Sumter Street is a rental house, so an appointment would have to be made to evaluate the house. He stated the city was interested in rental houses in the area rather than those owned by individuals, unless the individuals wanted to sell their property. He said they were looking at rentals so the property could go from rental to homeownership. He said they had solicited everyone in the Edgewood area and had not had a lot of success. He said the good success in Edgewood is that there are a number of houses being renovated by individuals. He said they know the city is trying to upgrade the neighborhoods, so individuals are buying properties and fixing up houses on their own and adding value to the area.

Councilwoman Price pointed out some of the problems in Toole Hill in purchasing property. She pointed out some properties were key properties in the area and the city needed those properties to be able to do the plan for the area.

Councilwoman Clyburn pointed out that the city had corrected drainage in the area so now people feel differently about the area. At one time they wanted to get out of the area because of the water problem. She said the improvement automatically drives up the value of the property in the area.

Councilwoman Vaughters stated her concern was whether the house would remain on the property or if it would be torn down. She felt \$30,000 was too much to pay for the property if the house was going to be torn down. She felt the house should be evaluated before the city buys it so they will know if the house will have to be torn down.

Councilman Wells stated how much someone paid for a piece of property sometime in the past sometimes does not gauge the actual value of the property today. He said improvements may have been made to the house or improvements in the area such as the drainage improvements. He said if the city can purchase the property, renovate the house and sell it for a profit, it would be a good investment for the city.

After much discussion it was the general consensus of Council that the property at 513 Sumter Street SE may be worth \$30,000 if the house is to remain on the property and be renovated. It was felt the house needed to be evaluated to see if it could be saved before purchasing the property for \$30,000.

Mr. Bill Clyburn pointed out that the price of properties had been increasing in the area. He said he did not want the process to slow down the city's revitalization program for the northside. He pointed out the city's program had been a win-win situation, and he did not want the program to be slowed down. He said he did not think that \$30,000 was too much to pay for property that the city needs to develop its plan. He said he did not like the image that because the property is located on the northside that it is not worth that much. He said he felt the city should continue with its program and purchase the property for the program.

Mayor Cavanaugh stated he felt Council should be good stewards of the citizens' money so Council needed to look at all aspects of the situation.

Councilwoman Clyburn stated she felt to require an appraisal on all properties bought now that the city is in the Edgewood area would be sending a bad message because it has not been done for other areas.

Councilwoman Vaughters stated the city has not bought a lot of property in the past. She stated the city is learning about the process as properties are bought as to how the purchases should be handled. She said it is not a discriminatory matter, but learning how to handle buying the property. She said it is getting to the point where property prices are skyrocketing and Council needs to be sure the city is not the reason. She said she did not want it to be an area where people cannot live, but wanted prices to be fair. She felt the key to this particular property is whether the house is usable or not.

Ms. Leasa Segura pointed out that Council needed to look at the whole area and what they want to do in the area. She said if the city purchases scattered lots they may not be able to carry out the plan for the area. She said it is very hard to sell houses when there is inappropriate behavior going on next door to the house for sale.

Councilman Sprawls pointed out that the City is the problem. He said the City is the reason the value of the property is going up, but that was the goal originally—to improve the property and get the value of the property to increase.

Mayor Cavanaugh stated no one had told him whether the house would have to be torn down or not. He said if the house can be used, then Council needs to know how much it would cost to renovate the house and if it could be sold so the city does not lose money. He said it is an unknown for \$30,000. He said he felt someone should be able to tell Council the condition of the house. He said if the house is not in good shape, can the price be negotiated. He said if the city buys the property, it would be on the basis that the city can renovate it and increase the value of the house and improve the community.

Councilwoman Clyburn stated she felt the house was solid and that it was worth \$30,000. She stated the lot is a nice flat lot that would be easy to landscape.

Mr. LeDuc stated he did not personally feel that an appraisal was necessary on the property. He said in the past the houses bought were to be torn down so that information was not necessary. He said in this case probably the house may not be torn down. He said at this time he could not say whether to keep the house, how much it would cost to renovate it, and if the city could sell the house plus renovation and get their money back. He said staff could get more information for Council by the next meeting.

Mr. Robert Stack pointed out that several people had bought houses in that area to renovate and sell them for a profit. He said he had bought property in the Schofield area and did not pay as much as the city would be paying for the lots in Edgewood.

Councilwoman Vaughters then asked the size of the other two lots being considered for purchase.

Mr. LeDuc stated he did not know the size of the lots, but planned to use the property at the corner of Hampton and McCormick in conjunction with the adjacent property that the city purchased. He said the city did plan to tear the block house down on the lot at 508 Kershaw Street NE. He said in the future staff would have the size of the lots to be purchased.

Councilwoman Price moved, seconded by Councilman Sprawls and unanimously approved, that Council approve the purchase of the lots at 508 Kershaw Street NE for \$12,000 and the property at the corner of Hampton and McCormick for \$18,000, but that the house at 513 Sumter Street NE for \$30,000 be evaluated before purchase of the property, and if the house can be renovated and used rather than torn down and the city get its investment from the property that the property be purchased. If the house has to be torn down, then Council needs to discuss the matter further before purchasing the property.

Mr. LeDuc stated in the future staff would try to have the size of the lots to be purchased, the previous purchase price, the condition of any building on the property and whether the city plans to keep the building or tear it down.

Mr. LeDuc stated he would give a report to Council on what staff finds out about the house at 513 Sumter Street NE.

GRANT

Public Safety Department

Equipment

Laptop Computers

Computers

Patrol Cars

Mayor Cavanaugh stated Council needed to approve acceptance of a grant from the Department of Justice.

Mr. LeDuc stated yearly the Department of Justice grants funds to the Public Safety Department for needed equipment. This year's amount is for \$14,282 with no matching funds required. The Department would like to use this money to purchase laptop computers for officers on patrol to use to complete incident reports while in the field, for warrant, suspect picture, and stolen car information, as well as several files concerning criminal statistical data. The new laptops will allow our officers to work more efficiently by allowing them to have current information in the patrol cars at their fingertips which in turn allows them to spend more time out on the street patrolling instead of in the office filing reports.

The city's current budget has allotted funding for 10 additional laptops. With this grant we should be able to furnish 20 laptops for our officers to use while on patrol.

Councilman Sprawls moved, seconded by Councilwoman Clyburn and unanimously approved that Council accept a grant for \$14,282 from the Department of Justice from the Block Grant Program to purchase laptops for Public Safety Officers.

HOUSING

Crosland Park

Northside

Councilwoman Clyburn stated she was concerned about the increase in cost of housing on the northside and the increase in taxes on property. She was concerned that people presently living in the area may not be able to continue to live in their area with the increase in taxes. She said the city does need to be cognizant of the fact that the city might be pricing houses so high that we would be eliminating moderate to low income housing in the city. She said most of the people who can't afford the increase are moving to Crosland Park or wherever they can find rentals. She said this is an issue the city needs to consider. She pointed out private ventures are renovating homes and selling them for high prices in the same neighborhood of people who have \$40,000 to \$50,000 homes. She said this is becoming a problem for some people.

It was pointed out this does become a problem. It is doing things to improve the community, but it does push people out who cannot afford to continue to live there with the increase in property values. Mr. LeDuc pointed out one of the things the city is doing in Toole Hill is that one-third of the property will be rentals. Those will be subsidized and people will be able to get into a brand new home at a decent rental price. Also, the people buying the homes are getting a low interest home loan with a discounted price on the home. This is creating homeownership of homes that they would never be able to buy except for the special programs.

Mr. Bill Clyburn again expressed concern about housing for persons who cannot afford them. He said he felt we are obligated to help those who need homes. He encouraged the city to continue its program of upgrading the housing on the northside. He also pointed out that the state legislature is working on eliminating property taxes so people will not be paying taxes on their homes.

ADJOURNMENT

There being no further business, the meeting adjourned at 11.16 P.M.



Sara B. Ridout
City Clerk