

Aiken City Council Minutes

January 22, 1996

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

Others Present: Steve Thompson, Gary Smith, Frances Thomas, Roger LeDuc, Terry Rhinehart, Ed Evans, Carrol Busbee, Anita Lilly, Stanley Quarles, Andy Anderson, Sara Ridout, Chasiti Kirkland of the Aiken Standard, Chandra McLean, of the Augusta Chronicle, and 41 citizens.

Mayor Cavanaugh called the meeting to order at 7:30 P.M. Mayor Cavanaugh led in prayer which was followed by the pledge of allegiance to the flag.

The minutes of the meeting of January 8, 1996, were considered for approval. Councilwoman Papouchado moved that the minutes be approved as written. The motion was seconded by Councilman Radford and unanimously approved.

PRESENTATION

Students of the Month  
Youth Advisory Commission  
Youth of the Month  
Scott, Precious  
Bell, Diane

Mayor Cavanaugh stated that for several months the Youth Advisory Commission has discussed the need to recognize the contributions of outstanding students in Aiken. The students have put together a recognition program to recognize one student each month from Aiken High and South Aiken High schools.

Kevin Heaton, Chairman of Youth Advisory Commission, explained to Council how the process works in choosing a student of the month. He said the Youth Commission had been working with Council to have an award set up to award students who are doing good things in and out of school as well as holding positions in school clubs, maintaining good grades, being involved in sports and other activities in the community and who are trying to make a difference within the community and the school. Mr. Heaton stated Precious Scott, a senior, was chosen as the Student of the Month from Aiken High School. Ms. Scott is involved in the DECCA Club, works within the community, and maintains good grades. The other student chosen is Diane Bell from South Aiken High School. Mr. Heaton congratulated the girls for being chosen Students of the Month for January, 1996. He also thanked the police officers who are working in the schools and submitting names of students to be submitted to the Youth Advisory Commission for consideration as Student of the Month.

Mayor Cavanaugh presented certificates to each of the students and congratulated them on being selected for this honor.

PRESENTATION

Sheetz, Owen  
Planning Commission

Mayor Cavanaugh stated Council wanted to recognize Owen Sheetz for his contributions to the community. He stated Mr. Sheetz had served on the Planning Commission for five years, including service as Chairman of the Planning Commission. During the term of Mr. Sheetz the Planning Commission and the city have faced many substantial and significant issues, including changes to the Sign Ordinance to allow signs and banners in Aiken that were not previously permitted, changes to the Landscape and Tree Ordinance, and adopted an approach of involving businesses formally in the review process for ordinance changes. He said Mr. Sheetz had welcomed and encouraged the changes and had always been very supportive of the city in the discussions.

Mayor Cavanaugh presented a Certificate of Service to Mr. Sheetz and thanked him for his dedicated service to the city through the Planning Commission from September 10, 1990, to December 1, 1995.

JIMBO'S ORDINANCE 012296

105 Richland Avenue E.  
Banker's First  
Quit Claim Deed  
Southeastern Technology Center (STC)  
Environmental Study  
Remediation

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing on an ordinance to authorize payment to Bankers First for transfer of property at 105 Richland Avenue, East, and to authorize acceptance of a quit claim deed.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE TO AUTHORIZE THE MAYOR OF THE CITY OF AIKEN TO ACCEPT QUIT-CLAIM DEEDS FROM MR. JAMES E. LEVERETT, SR., AND JIM LEVERETT, INC., CONVEYING TITLE TO THE PROPERTY IN THE CITY OF AIKEN AT 105 RICHLAND AVENUE, EAST, FORMERLY KNOWN AS JIMBO'S GAS 'N GOODIES, ALSO IDENTIFIED AS AIKEN COUNTY TAX MAP PARCEL NUMBER 30-047-02-008 TO THE CITY OF AIKEN AND TO AUTHORIZE THE MAYOR TO EXECUTE A TRANSACTION IN WHICH THE CITY OF AIKEN WOULD PAY \$15,000 TO BANKERS FIRST OF AUGUSTA, GEORGIA, IN EXCHANGE FOR BANKERS FIRST SURRENDERING ALL INTERESTS IN THE AFOREMENTIONED PROPERTY.

Mr. Thompson stated Council was aware that the city had been working with the owners and banks involved in the property located at 105 Richland Avenue, East, formerly JimBo's Gas N' Goodies. Frances Thomas has been working with Andy Anderson to move the project forward, and they have recommended that the city work with Bankers First to acquire the property on Richland Avenue. The city would not be specifically buying the property, but instead the ordinance would authorize the payment of \$15,000 to Bankers First of Augusta to satisfy the bank's economic interest in the property. The ordinance would accept title of the property through a quit claim deed from the owner. Council would also need to authorize the Mayor to execute an agreement with Southeastern Technology Center to attempt remediation of the property since there are environmental problems on the property. Mr. Thompson stated the property is not only an eyesore and presents an unattractive entrance to the city, but has also been an environmental problem for a number of years. He stated the city had been working to try to find ways to clean up the property to be more attractive and to clean up the environmental problems on the property. Mr. Thompson stated the work proposed by Southeastern Technology Center for remediation is at no cost to the city. He said the work would be experimental and hopefully a demonstration project to clean up environmental problems on the property.

Mr. Thompson stated that due to ownership complications on the property both Andy Anderson and Gary Smith have researched the title on the property. They believe the action proposed will satisfy outstanding liens on the property. The city has also asked Aiken County to waive the outstanding County taxes on the property.

Mr. Thompson stated clean up of the site is a goal of the city to make the area more attractive and also to return the property to the tax books.

The public hearing was held and no one spoke.

Councilwoman Clyburn commended Andy Anderson for the background and research work he has done for various items for City Council. Councilman Anaclerio and Councilwoman Papouchado also commended Mr. Anderson for his work and other staff members who have shown initiative in solving problems faced by the city.

Mayor Cavanaugh thanked Mr. Anderson for his work on various projects and also thanked Frances Thomas for her work on the JimBo's property. He said he had talked with Ms. Thomas about the problem for about two years. He thanked Ms. Thomas for her diligence in answering his questions each week regarding the property and the progress in getting the area cleaned up.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that the ordinance authorizing the Mayor to accept a quit claim deed from Mr. James B. Leverett, Sr., for the property at 105 Richland Avenue, East, formerly known as JimBo's, authorizing the payment of \$15,000 to Bankers First of Augusta in exchange for the bank's economic interests in the

property, and authorizing the Mayor to execute an agreement with Southeastern Technology Center regarding remediation of property and releasing STC from environmental liability be passed on second and final reading to become effective immediately.

REYNOLDS POND - ORDINANCE 012296A

Peters, Charlie  
Aiken Ventures Park  
Purchase Property  
Industrial Park

Mayor Cavanaugh stated this was the time advertised for the second reading and public hearing of an ordinance for purchase of property on Reynolds Pond Road for an entrance to Aiken Ventures Industrial Park.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE PURCHASE OF APPROXIMATELY 8.74 ACRES OWNED BY CHARLIE J. PETERS AND CAROLYN H. PETERS LOCATED ON REYNOLDS POND ROAD.

Mr. Thompson stated City Council was aware that the city had been moving forward with the opening of additional industrial sites in and around the Aiken Airport. One of the sites is called Aiken Ventures Park which has a great deal of land but the property needs access on to Reynolds Pond Road. The staff has been working with Mr. Charlie Peters, a property owner in the area, to obtain access to the industrial site through Mr. Peters' property. Mr. Peters has agreed to a purchase price of \$4,000 per acre. The property has been appraised at \$3,000 per acre. Mr. Peters has also obtained an appraisal of \$5,500 per acre. The city has gone through the aspects of condemnation proceedings except has suggested a voluntary closing of the property. Mr. Peters lives in Alabama and is not interested in going through condemnation. Mr. Peters is willing to sell the property for \$4,000 per acre. The staff is recommending that Council consider buying the property at a cost of up to \$4,000 per acre. The tract contains 8.74 acres and is located on Reynolds Pond Road.

The public hearing was held and no one spoke.

Councilwoman Papouchado moved, seconded by Councilwoman Price and unanimously approved, that the ordinance be passed on second and final reading for the purchase of 8.74 acres from Mr. Charlie Peters located off Reynolds Pond Road for access to Aiken Ventures Park at a purchase price of up to \$4,000 per acre.

BOARDS AND COMMISSIONS

Appointments

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

Mr. Thompson stated Council had discussed appointments to boards and commissions of the city in the pre-Council session. He said from the discussion he thought Council wanted to delay the appointments until after the Horizons session in February. He said Council had talked about discussing some guidelines for appointments to boards and commissions at Horizons.

Mr. Thompson stated from Council's discussions he understood Council did want to consider an appointment to the Annexation Study Committee at this time.

Annexation Study Committee  
Smith, Jann

Mr. Thompson stated Council had a vacancy on the Annexation Committee. He said Reverend Doug Slaughter had notified the city that he could not accept his appointment to the Annexation Study Committee. The term of Reverend Slaughter will expire on May 20, 1996, and Mr. Thompson stated Council may wish to extend the term for a full three year term to avoid an immediate reconsideration of the appointment.

Councilwoman Papouchado moved, seconded by Councilwoman Price and unanimously approved, that Jann A. Smith, of 193 Dogwood Drive, be appointed to the Annexation Study Committee and that the term be extended when it expires May 20, 1996, for a full three year term to expire May 20, 1999.

HIGHLAND PARK GOLF COURSE - ORDINANCE

Golf Course  
McNair, James  
Highland Park

Mayor Cavanaugh stated Council needed to consider first reading of an ordinance for the owner of Highland Park Country Club to sell four lots from the property.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE OWNER OF HIGHLAND PARK COUNTRY CLUB TO SELL FOUR (4) LOTS FROM THE PROPERTY COMPRISING HIGHLAND PARK COUNTRY CLUB.

Mr. Thompson stated Highland Park Golf Course used to be owned by the city. In 1959 the city sold the property to Mr. James McNair. Mr. McNair and the city have been working together to find ways to further improve the property. Mr. McNair has suggested that if he is allowed to sell off four lots from the Country Club property that it would help him to improve the property and to make it more competitive with other public and private golf courses in the area.

Mr. Thompson stated the city had been working with Mr. James McNair for several months to modify the deed for the Highland Park Country Club. Based on the discussions the proposed ordinance will allow Mr. McNair to sell four lots from the Country Club to help pay for improvements at the golf course.

Mr. Thompson stated Gary Smith, City Attorney, had been working with the attorneys for the McNairs to develop the deed amendments and the ordinance for sale of four lots. Mr. Thompson stated sale of property on the golf course under the present deed requires approval by City Council based on Council's previous ownership of the property. Based on the negotiations, Council will be approving the sale of four lots from the Country Club on the condition that the lots must comply with the Subdivision Regulations, that the lots will include restrictive covenants to make sure that the new homes built on these lots will conform with the other homes in the neighborhood, that the owners will use the income from the sale of this property for improvements to the golf course, and that the owners of the Country Club will sign a release that will prevent the sale of any further lots from the Highland Park Country Club property. The last condition would prevent the sale of further lots, and would preserve Council's intent of keeping this property as open space or as golf course property.

Mr. Thompson stated Council had discussed the proposed ordinance in the work session prior to the Council meeting. Mr. McNair was present and requested that he be allowed to sell four lots on which homes may be built and allowed to sell one lot to a current resident fronting on the golf course in order that the resident may enlarge his lot.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that the ordinance to allow the sale of lots from Highland Park Golf Course be amended to allow the sale of four lots on which homes may be built and that one lot be allowed to be sold as an extension of a present lot not to be built on.

Councilman Anaclerio moved, seconded by Councilwoman Papouchado and unanimously approved, that the ordinance as amended be passed on first reading to allow the sale of four lots on which houses may be built and the sale of one lot as an extension of a present lot from the Highland Park Country Club property with the conditions as discussed and that second reading and public hearing be set for the next regular meeting of Council.

SUBDIVISION REGULATIONS

Reimbursement Program  
Sidewalks

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration to amend the Subdivision Regulations regarding reimbursement for installation of sidewalks.

Mr. Thompson read the title of the ordinance.

AN ORDINANCE AMENDING SECTION 5.1.12 OF THE SUBDIVISION REGULATIONS TO AMEND THE REIMBURSEMENT ALLOWANCE FOR THE INSTALLATION OF CONCRETE CURB AND GUTTER AND TO ADD REIMBURSEMENT FOR THE INSTALLATION OF SIDEWALKS IN THE DEVELOPMENT OF NEW SUBDIVISIONS.

Mr. Thompson stated that last fall Council discussed a request that the city increase the reimbursement rate for concrete curb and gutter installations within subdivisions. Council asked the Planning Commission to review the request. The Planning Commission has recommended that the city maintain the current rate which is \$8 per linear foot for curb and gutter reimbursement and include an incentive for sidewalk construction.

Mr. Thompson stated that under the present reimbursement for concrete curb and gutters, the city reimburses developers at a rate of \$8 per linear foot, with a maximum limit of 100 feet for a residential lot and 300 feet for commercial lots. This program helps the developer to recover the cost of the curb and gutter work. The Planning Commission looked at the request of whether the Subdivision Regulations should be amended to allow reimbursement for sidewalks. The Planning Commission has recommended that the city reimburse developers for the installation of concrete sidewalks of at least 4.5 feet in width, using the same approach as for curb and gutter, with a limit of 100 feet for a residential lot and 300 feet for a commercial lot. The rate for sidewalk reimbursement would be limited to \$1.75 per square foot.

Mr. Thompson pointed out the reimbursement program is intended to serve as a yard stick to measure the developer's investment in utility lines and services within a subdivision. At this time the developer is responsible for all utility installations, and the city accepts ownership of the utility lines after a year of service. Under the proposed ordinance the reimbursement schedule for sidewalks would be placed in the same program as the curb and gutter reimbursement.

Councilwoman Papouchado moved, seconded by Councilman Radford and unanimously approved, that the ordinance be passed on first reading to allow reimbursement for concrete sidewalks in subdivisions and that second reading and public hearing be set for the next regular meeting of Council.

STRATEGIC PLAN

Art

Public Art

Culture & Arts of Aiken, Inc.

Mayor Cavanaugh stated Council needed to consider appointment of Culture & Arts of Aiken, Inc., to represent the City of Aiken as the group responsible for identifying public art in Aiken.

Mr. Thompson stated the Strategic Plan includes a goal to establish an umbrella organization for arts and culture organizations in the Aiken community.

Mr. Thompson stated that under the Strategic Plan volunteers identified the need for an arts corporation that would serve as an umbrella group for culture and arts organizations in Aiken. The Steering Committee for the Strategic Plan appointed a group to move forward with public art projects identified under the Strategic Plan.

Mr. Thompson stated the second part of the goal under the Strategic Plan is that the same group serve as the advisory committee to City Council on public art in Aiken.

Council needs to consider appointment of Culture & Arts of Aiken, Inc., as the group responsible for identifying public art in Aiken.

Mr. Thompson stated the Strategic Plan goals identified by the volunteers and the Steering Committee include the need to identify one group to coordinate with existing arts corporations and to help identify the need and funding for public art. Mr. Thompson stated Will Cole chairs the Culture & Arts of Aiken, Inc., and at the direction of the Steering Committee the group has started the inventory of public art in Aiken, prepared a set of bylaws and a process for moving forward with development of public art in Aiken. The group would also like to start a calendar and newsletter and is asking for several commitments from the city. Specifically the Arts Corporation has asked that the city

assist by serving as the contact point for organizations to report art activities. Out of this central coordinating point, the arts groups and the Recreation Department would maintain a master calendar of arts activities in Aiken. The Arts Corporation has asked that the city assist with development and mailing of the newsletter and calendar for one to two years. Members of the Arts Corporation would in turn actually prepare the newsletters, calendars, and other announcements and information to be distributed to the volunteers. Terry Rhinehart and the Recreation Department staff have been involved in this issue and we believe the Recreation Department can take on these responsibilities for a limited time.

Mr. Thompson stated that Council needed to consider appointment of Culture & Arts of Aiken, Inc., as the group responsible for identifying and bringing forward public art on behalf of the city. The group would serve in many ways similar to the other boards and commissions of the city. Their goal would be to encourage art in the streets and right of ways of Aiken and on private property.

The Strategic Plan also includes the need to identify a process for identifying and funding public art. With this appointment Council would name Culture & Arts of Aiken, Inc. as the group that would represent the city in this process. Initially the committee would like to find sponsors for the first piece of public art and would probably approach City Council about city funding for some later project. All of this is in keeping with the Strategic Plan adopted by the Steering Committee and City Council.

City Council discussed the appointment. The present members of the Culture and Arts of Aiken, Inc., are: Will Cole, Betty Gyles, Thurmond Whatley, Marcia Harris, John Heaton, Helen Marine, Gerald Devitt, Marti Costantino, Jackie Leavens, Pixie Baxter, Jack Benjamin, and June Caskey.

Mr. Thompson stated the Steering Committee had suggested that the Culture and Arts Corporation start with the present members but that it expand and be inclusive of the groups involved in arts promotions and projects within the area. He said the committee had been very active to date. Mr. Thompson stated the Steering Committee is proposing that City Council not make appointments to the committee, but that when the terms expire the committee would make appointments to the committee similar to the GALEF group that has been created to work with education issues. Once the city helps to establish the groups, then they move forward and provide their own appointments as terms expire. He said in many ways the city cuts its ties with the organizations as they become self-supporting and move forward to meet their mission.

Mr. Thompson stated the goals of the committee included a recommendation that the city participate in funding of public art, but not that the city be the only organization or the lead organization in development of public art. He pointed out public art can be controversial. He said his understanding from the committee is that their first project will be a private project. They would expect the city to be involved later with funding of public art.

Mayor Cavanaugh asked if Council would have some approving authority for art on city property. Mr. Thompson responded that Council presently has a system of several groups involved in recommendations to Council for anything that goes in a parkway or right of way. He said both the Planning Commission and the Park Commission presently recommend location of any structures in the parkways. He said anything in the public right of ways would come to City Council for approval.

Councilwoman Price moved, seconded by Councilwoman Papouchado and unanimously approved, that Culture & Arts of Aiken, Inc., be named as the volunteer group to represent the City of Aiken in the selection and funding of public art with the city providing support for the group for a limited time period with calendars and mailouts.

#### ACCOMMODATIONS TAX ADVISORY COMMITTEE

##### Recommendations

Mayor Cavanaugh stated Council needed to consider the recommendations of the Accommodations Tax Advisory Committee for funding requests.

Mr. Thompson stated the Accommodations Tax Advisory Committee had met to review and revise recommendations for funding under the funding cycle of the Accommodations Tax.

Mr. Thompson stated that last fall the Advisory Committee provided several recommendations to Council but did not recommend funding of the commitment for the Aiken 20/20 program. Council discussed this at length and asked that the previous allocation for the Aiken 20/20 program of \$16,000 be used to offset the loss of Accommodations Tax funds during this fiscal year and asked that the Advisory Committee provide at least \$9,000 for the Aiken 20/20 program in the current fiscal year. Council has asked the Tax Advisory Committee to consider incorporating the full \$25,000 commitment by Council to Aiken 20/20 from Accommodations Tax funds in future funding cycles. The Accommodations Tax Committee is recommending that each of the projects recommended for funding in the fall be slightly reduced to reach a compromise on this issue. The Accommodations Advisory Committee recommended the following for funding:

City of Aiken/Aiken 20/20 Project	\$ 9,000
Recreation Department	10,600
Chamber of Commerce	5,000
Steeplechase Association	3,500
Aiken Center for the Arts	6,500
Friends of Hopelands	1,000
Aiken County Historical Museum	1,700
USCA/Josef Hoffman Piano Competition	700
Battle of Aiken Festival	<u>3,000</u>

Total	\$41,000
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Mr. Thompson stated the Advisory Committee had asked for Council's guidance on future funding for the Aiken 20/20 program. Mr. Thompson pointed out the city's commitment is for \$500,000 to be contributed over a four year period with \$100,000 to be taken from the Accommodations Tax revenues, \$200,000 from the General Fund, and \$200,000 from the Utility funds. The Committee's request is whether or not Council intends to continue to draw from these different sources in these amounts. Last July Council approved funding at these levels, and unless Council changes the allocation the Committee will move forward with the assumption that the Accommodations Tax funds will provide \$25,000 for the remaining three years of this program.

Council discussed the recommendations.

Councilwoman Papouchado moved, seconded by Councilman Radford, that Council approve the recommendations for funding by the Accommodations Tax Committee. The motion was approved by a vote of 6 in favor and 1 opposed. Councilwoman Clyburn voted in opposition to the motion because she was opposed to funding for one project on the list.

#### ADJOURNMENT

There being no further business, Council adjourned at 8:05 P.M.



Sara B. Ridout  
City Clerk