

Aiken City Council MinutesJanuary 10, 2005WORK SESSION

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

Others Present: Roger LeDuc, Gary Smith, Bill Huggins, Larry Morris, Richard Pearce, Sara Ridout, Philip Lord of the Aiken Standard, Krista Zilizi of the Augusta Chronicle, and about 6 citizens.

Mayor Cavanaugh called the meeting to order at 6:19 P.M. He stated Council had two items to discuss in the worksession.

DEMOLITIONHayne Avenue 417Bryant, DarrenIncentiveDebrisDowntownDevelopment

Mr. LeDuc stated Darren Bryant, who has been improving houses in the Chesterfield Street area, recently purchased the Design House at 417 Hayne Avenue. He plans to subdivide the building and land into three separate properties. This would consist of a two-story retail/residential, a one-story retail and the development of the rear lot as residential units. The current unused storage space on the second floor would be converted into apartments similar to those in other areas downtown. On the rear lot he would like to remove the existing ramp to provide space for a walkway to the two commercial buildings on the front and room to build a multi-story residential unit similar to what Senator Ryberg is building along side of him. He intends for the residential units to be similar in architectural style to those adjoining his units. Mr. Bryant is asking the City for assistance to transport and landfill the construction debris from this ramp. We estimate that the City can complete this in one to two days at less than \$3,000. Next month at our annual Horizons Retreat we will discuss several alternatives that would provide incentives for new development in the downtown area, reuse of empty buildings, development on the Northside, and a façade program for downtown properties. However, Mr. Bryant would like to move forward with his project at this time and is seeking the City's assistance with this work. We estimate the City will recover its costs within a one year period from new taxes generated from this development. There are sufficient funds in our Development Incentive reserves for this work.

Mr. Darren Bryant appeared before Council and reviewed his proposed project at 417 Hayne Avenue. He said he proposes to divide the property into three separate parcels. He said presently the tax assessed value of the building is \$152,000. He felt by the time he separates the property into two separate buildings and constructs the development on the back that the property should be worth in the \$1 to \$1.25 million range. He pointed out his development would be a substantial increase in the tax base for the property. He said he would like to start on the development as soon as possible. He said he would like to hire the same architect used by Greg Ryberg so the two buildings would be in keeping with each other. He said he would have 3 or possibly 4 units with the height being approximately the same as Senator Ryberg's. He said he had done a lot of work in the Chesterfield Street area renovating houses. He said he plans to start renovating the old Larry Day building on Pendleton Street soon.

Councilwoman Vaughters asked about the parking and roadway shown on the drawing. Mr. Bryant responded that Mr. Ryberg was working with the Department of Transportation on the redesign of the street area. He said he felt there would be more green space and landscaping in the area. Council continued to discuss the proposed

project and the buildings proposed. Mr. Bryant stated removing the ramp would create a common area for all three properties. He said the area would be an easement and access for all three properties.

After discussion the general consensus of Council was that the City would provide assistance in the removal of the debris from the ramp and hauling of the material to the landfill, which will take city crews about 1 to 2 days, with the cost being about \$3,000.

Mr. Gary Smith, City Attorney, pointed out that Councilman Cuning had left the Council Room and had not been involved in the discussion because Region's Bank, Councilman Cuning's employer, may be involved in helping to finance the project. Councilman Cuning has filed a "Potential Conflict of Interest Statement" with the City Clerk and recused him from discussion regarding the matter.

### TRASH

Policy  
Yard Trash  
Roll Cart  
Debris

Mr. LeDuc stated last fall City Council discussed possible changes to our new trash ordinance. Council decided at that time to remove all limits on the amount of yard waste that could be placed at the curb. Council also stated that we would allow pickup of bagged or boxed material at the curb, and the City would provide a list of private haulers that could pick up the non-yard waste material. Council also stated that the City should continue informing the citizens of the new regulations for the next several months. In July the City was tagging about 100 piles a day. In September we were tagging between 25 to 35 illegal piles a day. Once the citizens were told about the changes only 3 or 4 piles daily did not get cleaned up or separated within a 2 day period, at which time the City returned to remove the piles. Since that time the number of tagged piles has been reduced to 5 to 10 a day, and only a few piles are not being cleaned up by the residents. He said only 1 to 2 individuals are not complying with the new regulations. We believe that the public education concerning the ordinance has worked, and that the vast majority of our citizens are now abiding by these new rules. Staff is recommending that beginning February 1, 2005, that any pile that contains non-yard waste material would be red X'd and a door hanger left at the residence. If the same residence puts out a second pile that is not allowed by ordinance, we will send them a certified letter concerning the pile. Any illegal piles placed at the residence after sending the certified letter will automatically result in the resident being charged the fee as per the ordinance. Unfortunately, we have found a few residents that almost weekly put out piles containing yard waste material and have ignored all of our educational information and warnings. We feel that through this three step process we can eliminate the few bad piles that are not being taken care of by the residents. In addition, Council had approved in the roll cart ordinance that we institute a \$5 charge for returning any cans to the backyards. Following the same procedure, staff recommends that starting February 1, 2005, the City institute this \$5 return charge.

Mr. LeDuc pointed out the door hanger that is used to notify people of illegal piles. He pointed out the tag lists the fees that would be charged if the city removes the illegal piles. He said the fees for pick up of illegal piles are double the fees for scheduled pickups.

Councilman Cuning pointed out Council had made the changes mentioned. Staff is just asking Council's approval to enforce the ordinance regulations. He pointed out what good is the ordinance if it is not enforced.

It was pointed out under the new regulations, eventually all residents will have a roll cart for their garbage. If city personnel have to go to the backyard for roll cart pickup, there will be an additional \$5 charge per month for garbage pickup, unless they are physically unable to take the cart to the street and have made arrangements with the city for the backyard pickup.

Mr. Larry Morris, Public Works Director, was present to answer questions. Mr. Morris pointed out that if bagged material is put with the trash, leaves and limbs, the resident will get a red X because that is a mixed pile. He said bags or boxes placed next to the garbage roll cart will be picked up with the garbage. Council then discussed vegetative material and what it covers. Discussion also included work done by contractors. It was pointed out contractors must take away trash they created or limbs that they have cut. Mr. Morris stated if citizens have questions about pickup of items or materials they should call the office, and the staff will try to explain the best way to get rid of the material at the least cost to the citizen.

Council pointed out some changes they felt needed to be made on the door tag.

Mr. Morris stated the procedure on the \$5 fee for failure to return the roll cart to the backyard would be one warning. He stated it would cost the city more than \$5 to give a second warning and to send a certified letter, considering personnel time. He said the plan is to give one warning on failure to return the roll cart to the backyard and then place the service fee on the water bill if the cart is left a second time.

After discussion the general consensus of Council was that staff start enforcement of the penalties of the ordinance for trash pickup and the roll cart service as suggested.

The worksession ended at 6:59 P.M.

#### Aiken City Council Minutes

#### REGULAR MEETING

January 10, 2005

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

Others Present: Roger LeDuc, Gary Smith, Bill Huggins, Larry Morris, Ed Evans, Glenn Parker, Anita Lilly, Richard Pearce, Sara Ridout, Philip Lord of the Aiken Standard, Krista Zilizi of the Augusta Chronicle, and about 15 citizens.

Mayor Cavanaugh called the meeting to order at 7:06 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. Councilman Sprawls stated he would like to make an addition to the agenda. Councilman Sprawls moved that the ordinance to amend the Zoning Ordinance regarding beauty salons in the LP zone which was denied at the December 13, 2004, meeting be added to the January 24, 2005, agenda for additional consideration. He asked that the matter be placed on this agenda for discussion for consideration to place on the next agenda. Councilmembers questioned how this matter could be placed back on the agenda since the matter had been considered and denied. Councilmembers pointed out they could be spending all their time considering matters over and over if Councilmembers keep bringing matters back. Mr. Gary Smith, City Attorney, stated that under Council's rules and procedures in the City Code, certain motions are allowed by Council. He stated Paragraph 6.L deals with motions to reconsider. He said motions to reconsider may only be taken up at the meeting at which the matter is under consideration. The paragraph further states "that nothing in the subsection should be construed to prevent the original matter from being placed on the agenda for a subsequent meeting if requested by at least three Councilmembers." He said if two Councilmembers join with Councilman Sprawls' motion then it would be appropriate to place the matter on the next agenda. Councilman Cuning seconded the motion.

Mayor Cavanaugh stated he was asking for additions or deletions to this agenda. He asked if other Councilmembers were in favor of adding the matter to this agenda for