

Aiken City Council Minutes

June 29, 2004

WORKSESSION

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

Others Present: Roger LeDuc, Gary Smith, Ed Evans, Bill Huggins, Roger Dyar, Sara Ridout, Philip Lord of the Aiken Standard, Josh Gelinas of the Augusta Chronicle, Channels 6, 12 and 26, and 150 citizens.

Mayor Cavanaugh called the meeting to order at 6:34 P.M and welcomed those present for the hearing. He stated the purpose of the meeting was to discuss and hold a public hearing on a proposed Traffic Impact Ordinance. Mayor Cavanaugh led in prayer, which was followed by the pledge of allegiance to the flag.

TRAFFIC IMPACT ORDINANCETraffic Ordinance

Mayor Cavanaugh stated Council and the staff have spent a lot of time on this issue, and a lot of people have worked diligently in trying to prepare a traffic impact ordinance that would be of value to the community. He said he felt a traffic ordinance is a quality of life issue, and would allow citizens to move around the city without too much congestion. He thanked all those who have worked so hard on the proposed ordinance. He stated there had already been a lot of input from various groups and citizens on the proposed ordinance. He said he felt the important issue is to determine the level of service on the roads that the citizens are willing to live with.

Mr. LeDuc stated the city has been working on a Traffic Impact Ordinance for the last three years. He said a package was sent to the Planning Commission in March for their review. He reviewed some questions which had been raised recently by Councilmembers. One question was what communities in South Carolina have a traffic impact ordinance? He stated Greenville, Spartanburg, Greer, Hilton Head, Mount Pleasant and Lexington County have traffic impact ordinances, and three other communities are currently considering such an ordinance. Another question was could a Traffic Impact Ordinance be on a regional basis, such as for Whiskey Road, but not for York Street on the northside. He said possibly it could be done that way, but a much better approach would be looking at the level of service of the roads and deciding what level would have to have a traffic study. The Level of Service is the current capacity of the road to handle traffic and the amount of traffic on the roadway. Another question was does the S. C. Highway Department require traffic studies? He said the Highway Department may require a traffic study based on certain criteria or certain thresholds. He pointed out that some developments are not on state highway roads. He reviewed several developments and the results of traffic studies for the areas. He stated the studies give Council tools to determine what improvements will be needed.

Mr. LeDuc stated another question has been how far from the development should the analysis be taken into account? The current recommendation in the ordinance is ¼ mile and ½ mile and also states the analysis should be looking at the traffic at 5 years and 10 years from the time the improvement is to be made. He said these are areas that Council needs to look at to determine what distance and time they wish the analysis to include. He said Council will have to make some decisions in looking at the Traffic Impact Ordinance to determine what needs to be modified, changed, added or deleted. He said Mr. Roger Dyar, the city's on-call Traffic Engineer, has been asked to look at the various projects being developed in the city as to the traffic needs and concerns. Mr. Dyar is the author of the proposed ordinance for Council's consideration.

Mr. Roger Dyar reviewed the basic elements of the Traffic Impact Ordinance and showed some slides. Mr. Dyar stated he first became involved in 2000 when he was involved with a traffic study of Whiskey Road. One of the recommendations of the study was how

some of the congested areas on Whiskey Road could be prevented in the future by implementing some type of access management plan. Part of the plan would involve a traffic impact ordinance, as well as having a traffic impact fee. He said the first thing he did was an assessment of the traffic flow in the city. He pointed out a map that had been prepared showing the estimated level of service for all the major streets in the city. The study was done in 2002, and the prediction was to 2007. He said the Level of Service is a measure of the quality of traffic flow. He explained the process. He said a street at capacity is carrying 100% of the traffic that it is felt it should practically carry in a day. He stated a base line report has been completed with a written report and maps. He said the next step is to look at specific requirements for impact studies and how they would be used. He said this meeting is another step in the process. The ordinance has been reviewed by many people. There have been some changes. The next step is to look at access management, looking at some programs for better controlling the location and design of access points. He said he had looked at a number of communities in South Carolina and other states to see what they are doing and had picked features of other ordinances that it was felt applied to the City of Aiken, so Aiken's ordinance is unique but has elements from other ordinances. Mr. Dyar then reviewed Type I and Type II Studies. He stated a Type I study is a detailed study looking at traffic flow, the new development and how much traffic it would create and what that means as far as the LOS of the street. A Type II study would have the same level of detail but would look at a larger area. He said the studies are intended to match the volume of traffic and the level of potential problems that might be created by developments of different sizes. He pointed out that presently any development that the expected daily traffic would exceed 100 would have to do some type of study and locations where the Level of Service is already a D or E would have to do a Type II study, where the area of the study would be larger, and look out 10 years into the future, whereas a Type I looks out 5 years. He said the reason a small number was recommended in Type I is because there could be a lot of small developments side by side that individually might not push the road from Level C to D or from D to E, but cumulatively they might. He said there could be smaller developments occurring, but with no traffic study being done and soon the road may be over capacity. With the proposed ordinance the city has the ability to look into the future as the small developments come along and predict what might be happening. He pointed out the proposed ordinance would be administered by the Planning Director, with some developments requiring a traffic impact study as well as a rezoning request. The standards for the content of the studies would be developed and published in a document. He pointed out that a decision to ask for road improvements is based on the study, not on personal opinion. There would be a list of approved consultants, the developer would select a consultant for the study, the city would provide any available information to insure accuracy and to reduce the cost to the developer. The City would review the report. If revisions are necessary that would be up the developer's engineer to make any necessary revisions. The report would need to be signed and sealed by a registered engineer in South Carolina with transportation expertise. The report would be part of the approval process.

Mr. Dyar stated Type I studies would be on streets that have a LOS of A, B, or C. Type II would be required if the street is already a D or E. He pointed out that D is generally the threshold that you don't want to exceed. He said you don't want roads with level E. He then discussed the area of a study and the reasons for ¼ mile and the ½ mile for the studies. He pointed out that generally any two traffic signals that are ¼ mile or closer together ought to be coordinated. He said a development ¼ mile from a signal could affect the operation of the traffic signal. The reason for the ½ mile is that with larger developments the study area needs to be larger. One-half mile in each direction is not a long way when considering big developments. For Type II studies, which are for larger developments, the ordinance recommends looking at the current year to see the existing conditions, when the development will be built out, and then 5 years ahead. If the development is real big then the study needs to look 10 years out. He pointed out the reason for this is that it takes a good 8 to 10 years to get a major road project planned, designed, funded, and built. He said this may seem like a long time, but if it is a major development might cause a major improvement to a roadway it may take up to 10 years to get the road work done.

Mr. Dyar pointed out the proposed ordinance calls for the city to respond within 15 days to review an impact study and respond to the developer. He said this is a short time, but the city wants to be very timely with responses and have a quick turn around to help keep the development process going.

Mr. Dyar stated presently the city is in the process of review and adjustments to the text and content of the ordinance. After adoption of an ordinance by Council the next step is the detailed work such as access management, including driveway location, frontage roads, shared access, etc. to help control access to the streets.

Mr. Dyar stated in summary the bigger the development and the worse the road conditions, the bigger the study area and the more detailed the report needs to be. Every project would get some type of review because of the cumulative effect of the small projects. He pointed out the thresholds and the numbers are subject to review. He stated he felt the staff needed flexibility to administer the ordinance. He said it was difficult to cover every situation.

In response to a question by Councilwoman Clyburn Mr. Dyar explained how the capacity of a road is determined. He also explained how the traffic ordinance would affect school expansions or hospitals.

Council then briefly discussed the requirement and the reason for a study for developments with 100 trips per day.

Council then held the hearing for public input from those present. Mayor Cavanaugh pointed out that 31 people had signed up to speak. He asked that those speaking try to limit their comments to a couple of minutes.

Mr. Bill Inman, 10 Normandy Lane, Chairman of the Board of the Aiken Chamber of Commerce, thanked Council for giving those present the opportunity to express their opinions regarding the proposed ordinance. He stated they do have concerns with the proposed ordinance.

Mr. Bill Smith, 2441 Wagener Road, President of the Aiken Home Builders Association, stated that in general the association does not oppose a traffic ordinance but does have some concerns about the proposed ordinance. He expressed concern about the city producing traffic data within 5 days and delays for the development. There was concern about the financial burden resulting from the traffic study. He said they feel the financial burden should not be carried by the developer beyond the property lines of the development. Another concern was how the proposed ordinance interacts with the state DOT and DOT's approval of intersection improvements. He said they would like to continue to give input from business people, builders, and developers to further get the ordinance into an acceptable document.

Mr. Bob Stowell, 213 Double Eagle Court, Executive Officer for the Home Builders Association of Aiken County, stated he would like to give an overview and talk about the financial burden for developers. He said the HBA supports continued growth in Aiken and believes that management of that growth preserves the uniqueness of Aiken. He said the HBA believes that the traffic study ordinance can be of value if the numbers and processes within it can be closely examined. He said the HBA believes that the resolution of the current traffic problems, such as Whiskey Road, should be addressed and doable recommendations made prior to creating a financial burden on a new homeowner or business on Whiskey Road. He said the last person arriving in Aiken should not carry the burden for all the homes and businesses that already exist and have escaped any financial responsibility for a road that is near or at capacity. He said the HBA does not support the language of the traffic ordinance that places the financial burden on the residential and commercial builders alone to resolve problems that currently exist and will continue to exist. He said the HBA opposes any attempt to use the traffic impact ordinance as a device to prevent growth in Aiken. He pointed out that the cost for a traffic study and for making the improvements will all be passed along to the new homeowner or new business. He said increased costs for development tend to slow or stop development. He was concerned about the responsibility placed on the

Planning Director for decisions regarding the traffic ordinance. He was concerned about the correct grammar for the ordinance. He pointed out that Aiken had pushed hard to grow with its campaign as an All America City and a retirement spot. He said with that push and the reputation lays the responsibility for every citizen to share the burden of providing the infrastructure that serves the growth and the financial load cannot be placed on one group of people. He asked that Council take more time to consider the ordinance beyond the summer months to deal with an important issue, that the ordinance be rewritten in clear, precise English, that research be done and explanations provided of the proposed numbers in the document, as opposed to being arbitrary or using some national design, that Council carefully examine the impact of such an ordinance on the northside, examine the possibility of focusing the ordinance on Type II studies only for a while and then reconsider Type I based on the city's experience, providing opportunity for developers and builders to become active participants in the finalizing of the ordinance, making the ordinance a win-win for all parties to resolve differences that must be addressed.

Mr. Joe Lewis, 202 Ascot Drive, stated he felt the ordinance was a very important issue for the future of Aiken. He generally commented on the downtown area and the campaigns to shop in Aiken and the difference in the downtown area with the revitalization of the downtown, the parkway improvements with landscaping, becoming an All America City, and building the Citizens Park sports center. He said people did come to Aiken, including shoppers, visitors, tourist, retirees, restaurants, retail chains, etc. Unfortunately, the road system has not kept pace with the growth. He pointed out the City was giving monetary incentives to individuals and businesses as an enticement to annex to the city, and now the issue before Council is a traffic impact ordinance aimed at controlling traffic and reducing growth that many worked for long and tirelessly to obtain. He said people relocating are looking for quality of life, a good educational system, a skilled workforce, quality health care, recreational opportunities and an adequate highway system. He said as a banker much of his business depends upon growth, lending to the small businesses for new buildings and expansion of new ones. He said added costs for a traffic study may make proposed projects no longer feasible. He was concerned about the small business person bearing the cost of the regulations. He felt the proposed traffic impact ordinance would negatively impact the economic development efforts at all levels, making it harder to compete for new industry while placing more of the burden on those we are working to attract. He asked that more thought and study be given to the issue before settling for a short term solution with long term consequences.

Council expressed concern that the city may not be receiving its proportionate share of state funds for road improvements as other cities in South Carolina.

Ms. Carla Cufb, with MAE Enterprises, stated she was present representing Lynn Zody and read a prepared statement from Mr. Zody. Mr. Zody was concerned about the additional regulations and financial burdens on developers as a result of the proposed ordinance. He stated one of the first concerns of developers for site development is traffic count. He said if the traffic isn't there, then the project is not built. He was concerned about regulations which might deter growth and be an obstacle.

Mr. Barry Adams, 30 East Midlothian Court, stated he felt Aiken was a great community to live and raise a family. He said Aiken was great because of the wisdom of Council over the years. He said, however, he was concerned about the proposed traffic impact ordinance and felt that if it is passed in its present form that it will seriously impact the steady accomplishments that Aiken has realized over the past 20 years and will negatively impact what has made Aiken such a progressive and dynamic city. He asked that Council consider the present regulations and amendments to accomplish the safeguards which the city is seeking without imposing additional excessive or redundant regulations which may send the message to businesses both large and small that they are not welcome in Aiken.

Mr. Charlie Weiss, President of the Greater Aiken Chamber of Commerce, 116 Scotch Pine Court, thanked Council for allowing the citizens and businesses to come to Council to express their concerns about the proposed ordinance. He said there were some

significant points regarding the language within the document that need to be addressed prior to being adopted by City Council. He was concerned about discouraging future development in Aiken. He said there is a fine line between a community that is experiencing positive growth and one that is not. He pointed out downtown Aiken and said the city had done an outstanding job in balancing the infrastructure needs to assure adequate services are being provided to all of its citizens. He said if the City of Aiken begins to adopt a no, slow growth philosophy based on peak time traffic congestion of a single one and one-fourth mile stretch of a road the entire economic balance of Aiken could be in jeopardy. He pointed out Aiken had been compared with Mt. Pleasant, Hilton Head and others with similar ordinances, but he pointed out they really have nothing in common with Aiken, as both are surrounded by water. He said with the 2.7% rate of growth in Aiken it will not see the same magnitude of traffic as other areas for many, many years. He said if the ordinance is based on traffic congestion, perhaps the focus should be on the construction of new roads in lieu of stricter ordinances. He asked that the proposed traffic impact ordinance be sent back to the Planning Commission so that they can appoint some of their members, along with some individuals in the development profession, to rewrite the ordinance in accordance to standards that are fairer and more equitable.

Mr. Jim Wetzel, 320 Huntington Court, spoke in favor of the ordinance. He pointed out that more than three years ago the city started working on a traffic ordinance after a study was made which indicated that the traffic at Pine Log and Whiskey Road was at 100% capacity. He pointed out also that the City Manager of Mt. Pleasant, Mac Burdett, came to Aiken and talked about traffic management in Mt. Pleasant. He said an important point was that you deal with traffic problems before they become insurmountable and that you have to learn to say no to developers. He said the Planning Commission had studied the ordinance in depth and had recommended the ordinance to Council. He said the proposed ordinance is not a detriment to the northside, but will probably assist in development of the northside. He pointed out that the speeches made so far ask for delay of the ordinance. He said the ordinance had been in the works for three years. He said the proposed ordinance is a starting point and will help with traffic. He asked that Council pass the ordinance and felt that it would be a benefit to all, including businesses.

Mr. Steve Kisner, 248 Willow Lake Drive, stated he was a residential contractor and developer. He said he felt that Aiken needs a traffic ordinance, however, he was opposed to the proposed ordinance. He pointed out that a few years ago people went to Augusta for shopping, dining and entertainment because Aiken had few shops downtown and no restaurants and very few businesses south of the Mitchell Shopping Center on Whiskey Road. He stated, however, Aiken has had steady quality growth in the 2% to 3% range, but not the 10% to 20% range that some of the cities that have traffic ordinances have had. He said over the years city officials have worked hard to promote Aiken, such as the All America City campaign, the industrial parks, sewer to south Aiken, and recreational facilities. He said it appears that we are now on the verge of halting this concept. He said the proposed ordinance will slow small business development and the cost of a traffic study will stop some small business development. He pointed out taxes have not increased in 16 years, primarily due to growth. If development is slowed, taxes will have to be increased. He felt the ordinance would give the Planning Department even more control over the future of Aiken. He felt there should be balance, as there is a lot of control in the Planning Department. He pointed out that many people's livelihood depend on construction. He stated the retirees who have moved to Aiken have contributed to the traffic problem. He said there is currently a lot of litigation around the country concerning similar traffic ordinances. He said the tendency would be to seek projects in the county and not approach the city. He said, however, the problem with that is that Aiken will still have the traffic, whether the construction is inside the city or in the county. Mr. Kisner stated he didn't see the fairness or the logic in holding property owners, small business people and developers accountable for both current and future problems, as we all contribute to the traffic problem. He said there have to be road improvements with growth and he did feel that professional input is critical in making decisions on the traffic problems. He said he would suggest, however, that a team of local citizens, local business people, city officials and county officials work together to develop a plan for the generation of funds and the implementation of projects for road improvements. He said he would be willing to make a contribution to this effort. He said

it had been stated that the Level of Service is the issue. He said he felt this was important but not the most important issue. He felt the most important issue is how the funds are generated for improvement to the roads.

Councilwoman Vaughters stated if the important issue is how the funds are to be generated for the roads, the lanes or mitigation and the developer is not asked to pay the expenses of the mitigation, who will pay for the expense? She said her concern is about existing small businesses and the expenses they incur. She said she had not seen an effort by the Chamber to do something about business license taxes to mitigate the burden of small business people. She said if the developers do not pay for the impact of the development then who will pay the expenses.

Mr. Kisner stated the big developers are used to coming into communities and paying for road improvements for their benefit so people can get to their business. He said he was concerned about the small business person having to go a half mile down the road putting in improvements, things that he cannot afford to do. He said the small developments have been good for Aiken. He said there had to be some balance with a development based on the impact, not the threshold that's causing the road service to go the next level.

Councilman Cuning expressed concern about the developments staying in the County and not annexing the property to the city. He pointed out much of Whiskey Road is in the County and unless the property is annexed the city cannot control the curb cuts and the traffic.

Mr. Tim Simmons, 516 Marion Street, SE, stated he was in banking, financing small business and medium size businesses and developments. He pointed out that the economic viability of a small business and a new development project is very fragile. He said very little additional expense can make a project not economically feasible. He asked that Council not put an additional burden on small business start ups and new small developments commercial or residential. He said he did feel that traffic studies are needed and an ordinance is needed, but he is concerned about the burden of the expenses for the studies and improvements.

Mr. LeDuc pointed out that currently there is not a regulation or law requiring a traffic impact study, but Council and the Planning Commission have at times asked for a traffic impact study when it is felt a study is needed and mitigation required when improvements are needed. He said the concern he is hearing from those present is about asking the developer to do some mitigation beyond their development. He said another concern is the threshold or level of traffic volume which would require a traffic study. He said this level has not been set at this time so it is important for Council to determine at what level a study is to be required. He pointed out the 100 trips per day is a very low level so Council may want to consider raising that substantially, especially if it is to be tied to some level of service roadway. He pointed out a study would not need to be done on a LOS of an A, B or C, but would need to be done on a D or E. He said two big areas are who is to pay for improvements and at what level is a study required.

Mr. Jimmy Brinkley expressed concern about small businesses and requiring small businesses to pay for improvements. He expressed concern about all the fees currently on small developments in Aiken. He pointed out other small towns are wanting and encouraging developments. He said the Aiken-Augusta highway is developing, and the City of Aiken will get no fees from that development, but will have some traffic problems as a result of this development.

Mr. Robby Bowles, 1006 Hitchcock Drive, stated he wanted to echo the concerns already expressed about the proposed traffic ordinance.

Mr. Tommy Wessinger, 18 Cherry Hill Drive, reviewed the progress made in Aiken with the campaigns to shop in Aiken and expressed concern about the proposed traffic ordinance. He said the ordinance appears to say we don't want you here. He pointed out he had made a big investment in downtown Aiken in building the People's Community Bank and it was difficult to work with the city on the interpretation of the ordinances. He

stated he hoped the proposed ordinance would go to a committee for review. He said one of the worst things that could happen would be for Aiken not to have any growth.

Mr. Dick Dewar, 1006 Bellreive Drive, stated he was a new resident in Aiken and present as a concerned citizen. He said he came from a city where he was involved with a transportation issue as a City Council appointee to a citizen's traffic committee. He said in general he supports traffic impact programs. He said he generally favors such an ordinance in a case where it is clear that a developer is causing traffic issues and the developer should pay for the cost. He said he would not support the ordinance, however, if it requires small businesses to pay for massive improvements on Whiskey Road. He said he felt Council had been given enough information at this meeting to get the concerns of small businesses. He said he did not feel that a traffic impact ordinance would stop growth, but would manage growth. He said, however, it does have to be done in conjunction with the community and Council probably will not please everyone. He said Council does need to try to deal with the traffic issues before they develop.

Mr. Philip Merry, 755 Two Notch Road, also expressed concern about the proposed ordinance and more regulations on businesses. He said he supported the shop Aiken programs and wanted Aiken to continue to grow. He said the real impact of the proposed ordinance is the property owner, the homeowner who is impacted through costs passed down by the developer, and the end users of goods and services who pay more for the goods through costs passed down by the developer. He said this is making the developer the tax collector. He pointed out there are alternate routes that citizens can use other than Whiskey Road. He said he did not support the traffic ordinance in any form. He said he felt a problem was that Aiken had not been growing fast enough. He said it is through growth that these traffic problems could be funded. He suggested also that the City should seek its share of state funds to build new major roads. He pointed out that Council had been hearing from developers and experts in the field and they are opposed to the proposed ordinance.

Mayor Cavanaugh stated he felt Council would not vote for the ordinance in its present form, but felt that there needed to be changes. He said Council did not want to hurt businesses. He said he would support doing away with the study for the 100 trips per day and felt the trips should be a higher range. He said he had heard a lot of people say they support the ordinance, but not the way it is written and if it could be fairer to the small businesses. He said he did feel there should be an ordinance to be used as a planning document. He said he was not opposed to getting more input from the developers. He said if it takes longer he was not opposed to that as the goal is to get something that works and that most people support.

Mr. Robert Girardeau, 207 Englewood Road, stated he was a small business person and that his concerns were about the thresholds being too low and the negative impact of the off site improvements. He said these concerns had already been expressed by other persons.

Mr. Tad Barber, 334 Walker Avenue, stated he wanted to make a couple of points. He stated he was at a Planning Commission meeting and the Commission was asked specifically to put together a committee of about five people so that an ordinance could be put together for Council like what was done for the big box issue. He also pointed out there was a memo from the Chamber that specifically detailed some issues and changes that were recommended. He said he would volunteer for the committee and could help put together an ordinance which he felt would be acceptable to all parties. He said he felt Council could get some real world experience in dealing with the issues from citizens who are concerned about the matter. Mr. Barber pointed out, for example, his development on Whiskey Road. He said the Pine Log and Whiskey Road intersection is probably within ¼ mile from his development which is the minimum distance. He said he will probably have to do a traffic study because he will have more than 100 cars a day and the study would include the intersection. He said after he spends \$8,000 to \$10,000 for a traffic study it may come back that he will have to put a turn lane going east on Pine Log Road and it will cost him \$150,000. He said that would change all the dynamics for his project. He pointed out that he could not get the property for the turn lane since it belongs to McDonald's so he would have to give the City \$150,000. He felt this was

absurd and in his opinion it was a form of extortion. He said the issue was you can't do the improvement, but if you pay me you can get by with it. He said he was concerned that there could be litigation on the mitigation issues. He said his property taxes had not gone down since he moved to Aiken, but the millage rate had stayed the same. He said if he had to contribute another \$5 to \$20 to help with the roads he would be willing to do it, but he did not want to do it with a \$150,000 lump sum at a time. He pointed out Aiken County charges a \$10 fee to everyone who pays taxes on a vehicle. He asked why the City of Aiken couldn't charge a similar type fee to everyone who has a car in the City of Aiken to help with road improvements. Lastly, he pointed out that every time we get gasoline we are paying for new roads, but Aiken is not getting its share for road improvements. He said he felt the proposed ordinance was difficult to understand, as it is a technical document. He said he felt the document should be simple and easy to understand. He stated he always wanted access to be good to and from properties that he develops because he could not get a tenant to take property where there is difficulty with access. He said everyone wants the same objective. He said it is a matter of coming up with a plan that is reasonable in form and easy to understand. He said the fact that the ordinance entails the whole city based on a perceived problem on Whiskey Road has to be dealt with. He said he was not against the traffic ordinance, but just to the form. He said he felt it was better to wait and get the right ordinance than to rush the wrong ordinance through.

Mr. Henry Krippner, 144 Crane Court, stated he was present to support small business. He said his perspective was different from the builders and developers, but he empathized with them. He said the issue was an ordinance to deal with a perceived problem of periodic heavy traffic in one part of town at rush hour. He said he agreed the city needed to be careful to make the right moves to avoid the problems which exist in other cities. He said he was a past Chamber of Commerce leader and had watched small businesses grow and prosper and provide jobs for residents and tax money. He said he believes in supporting local businesses. He said he sees the proposed ordinance as written as a threat to the small business person. He asked that Council be concerned about the small businesses.

Mr. David Allen, 108 Driftwood Circle, stated he did not feel that the answer to the problem is more regulation and taxes. He said putting more taxes and regulations is not the answer. He said he did not own a business, was not a builder or developer. He said until another road is built the traffic is not going away. He said traffic signals and turn lanes would not take care of the problem.

Mr. Richard Alvanos, 3024 Banks Mill Road, stated he felt that after three years of study on a proposed ordinance a better ordinance could have been presented to Council. He pointed out that three years ago a study stated a connector road needed to be built between Whiskey and Silver Bluff Road and that would take care of the traffic problem on Whiskey Road. He said if the connector road had been built the perception of the traffic problem on Whiskey Road would be gone. He pointed out he had had a business on Whiskey Road for 26 years. He said 26 years ago when he left his business and drove across town to Crosland Park it took 12 minutes. He said he has driven this route several times in the last few weeks and presently it takes 15 minutes--three minutes more than 26 years ago. He did not feel this was a traffic problem, but a perception problem. He was concerned about the ordinance and property rights. He said he had purchased property behind Krystal's to build a new store for his business and two tenants. He pointed out he did not bring traffic to this area as the traffic is already in the area. He was concerned that the proposed ordinance would impact him and put him in a Level 2 traffic study. He asked how the study could determine what the impact would be when he doesn't know who the tenants will be. He pointed out he would be within ¼ mile of Whiskey and Pine Log so he knew he would have a problem. He pointed out that after three years the traffic study for a development with 100 trips per day should not be an issue. He said everyone agreed this was absurd and should not be in the ordinance. He said the business people had turned out at this meeting and he hoped Council would take the comments and work on the ordinance. He asked that Council include some business people in studying the ordinance. He said he felt he should not be penalized for road improvements that should have been done over the years. He pointed out that the state would not make road improvements until there is a real problem. He also pointed out that the fees

imposed for various services are taxes and he would prefer that his taxes be raised rather than imposing fees.

Mr. Alan Wood, 806 Oak Place, stated some years ago he worked with a Chamber of Commerce. He said there he learned the responsibility of the Chamber of Commerce to work with the administration in an open forum to try to successfully resolve issues of this nature. He said as a senior citizen he understands that the older you get the harder it is to drive around Aiken with the traffic situation and to get in and out of shopping centers. He said he does commend the principles of the traffic study. He said if Aiken is to continue to attract retirees to Aiken he felt something needed to be done to make driving conditions for the senior citizens easier. He urged Council to support the traffic ordinance as he felt it would have a long term benefit for Aiken.

Mr. Bob Simmons, 112 Pineview Drive, stated he sympathized with both sides. He said he did not like to have more taxes and expenses put on any one, especially businesses. He said, however, at the same time the city did need to think about the quality of life in Aiken. He said some things need to be thought about outside dollars and cents. He said in an effort to improve the quality of life of course Council needs to work with the groups so it will not be burdensome. He said a lot of business persons who have expressed concern seem to be thinking in the immediate and not necessarily in the future. He said a lot of people will be retiring in the next few years and he felt Aiken's population would be increasing even more. He said he finds it difficult to get through Dougherty Road sometimes now and finds an incredible amount of traffic at Pine Log and Silver Bluff at Centre South in the mornings and evenings. He said he did feel that Council and the citizens did need to think about traffic and the possible impact 10 to 15 years from now. He felt some infrastructure should be provided to get around easily. He said he did not know whether the ordinance was good or not, but he did feel the ordinance should be taken seriously because the city does need to take a look at the future of Aiken and the ability to get around easily.

Mr. Wade Brodie, 422 York Street SE, stated there are several issues on which Council needs to make decisions. He congratulated the city on creating growth for the city so they have to discuss traffic issues. He said the issue is fairness. He said he felt it would be unfair to place the burden on future businesses for traffic improvements.

Councilwoman Clyburn stated a lot of comments and thoughts had been expressed at the meeting. She said she agreed that one does have to read the ordinance several times to understand the ordinance. She said perhaps the ordinance could be written a little clearer. She pointed out that the ordinance had been started in 2001, but it had not been an active item, as many other items had been discussed in the meantime. She felt the ordinance should be looked at and changes made that Council has indicated should be changed. She pointed out that some citizens had stated they would be willing to work to make sure that what Council adopts would be agreeable to all parties. She said she did feel that the city and citizens should work together more on this issue.

Councilman Cuning suggested that Councilmembers could each appoint someone to work on the ordinance and Council could meet with them to work out differences. Councilwoman Price agreed with the suggestion that each Councilmember appoint an individual to work on the ordinance. She felt that the ordinance could be worked out in a short time.

Mayor Cavanaugh stated he would like for the ordinance to be a good ordinance and one that a majority of Council and the business people could agree on. He stated even if it took a few months to resolve the issues he felt that would be all right. The majority of Council seemed to think the matter could be worked out in about 60 days.


Mayor Cavanaugh asked that Councilmembers submit their names for citizens to meet with Council on the traffic ordinance to the City Manager.

Mr. LeDuc stated that since many people will be on vacations that Council may want to select a date to meet on the ordinance. After discussion Council set the date for meeting

with the appointees regarding the traffic ordinance as Tuesday, August 3, 2004, at 6:30 P.M.

Council also set the date for discussion of the business license ordinance for Monday, August 23, 2004, at 6:30 P.M.

The meeting adjourned at 10:18 P.M.



Sara B. Ridout
City Clerk