

Aiken City Council Minutes

February 14, 2000

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

Others Present: Roger LeDuc, Gary Smith, Bill Huggins, Pete Frommer, Terry Rhinehart, Larry Morris, Anita Lilly, Stanley Quarles, Richard Pearce, Ed Evans, Sara Ridout, Adam Burton of the Aiken Standard, and about 25 citizens.

Mayor Cavanaugh called the meeting to order at 7:40 P.M. Mayor Cavanaugh led in prayer which was followed by the pledge of allegiance to the flag. The minutes of the regular meeting of January 24, 2000, were considered for approval. Councilwoman Clyburn moved that the minutes be approved as written. The motion was seconded by Councilman Radford and unanimously approved.

PRESENTATIONAiken Choral Society
Resolution

Mayor Cavanaugh stated a resolution had been prepared to designate March 4, 2000, as Aiken Choral Society Day.

Mr. LeDuc stated a resolution had been prepared designating March 4, 2000, as Aiken Choral Society Day. The Choral Society is planning a celebration and fund-raising event for March 4, 2000. This event will celebrate the release of their first commercially available compact disc. The Choral Society is asking that the City of Aiken create a special day that embraces and commemorates all of Aiken's civic choral activity from its early beginnings in 1951 to the present.

Council approved the resolution designating March 4, 2000 as Aiken Choral Society Day.

Mayor Cavanaugh read the resolution and presented it to the Choral Society

ADDITION TO AGENDA

Mayor Cavanaugh stated he had another presentation to make and asked Council to approve the addition to the agenda.

Councilman Anaclerio moved, seconded by Councilwoman Price and unanimously approved, that Council add another presentation to the agenda.

RECOGNITIONRidout, Sara
City Clerk

Mr. LeDuc stated at times Council recognizes outstanding citizens in the community and asked the Mayor to make the presentation.

Mayor Cavanaugh stated Council wanted to recognize a citizen of the community and a servant to the citizens of the city. He read a resolution recognizing Sara Ridout, City Clerk, for her years of service to the city and for achieving the second sustaining membership for the IIMC Academy for Advanced Education. Mayor Cavanaugh presented the resolution to Sara Ridout.

ANNEXATION - ORDINANCE 02142000Hale, Jerry
East Pine Log Road 880
Cardinal Automotive Repair Service
Aiken Auto Body and Lube
TPN 00-157.0-01-371

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to annex 880 East Pine Log 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 .65 ACRES OF LAND, MORE OR LESS, OWNED BY CARDINAL AUTOMOTIVE REPAIR SERVICES, INC., AND LOCATED AT 880 EAST PINE LOG ROAD BEING KNOWN AS TAX MAP PARCEL NUMBER 00-157.0-01-371 AND TO ZONE THE SAME GENERAL BUSINESS (GB).

Mr. LeDuc stated Jerry Hale, President of Cardinal Automotive Repair Services, is requesting annexation of .65 acres at 880 East Pine Log Road currently occupied by the Aiken Auto Body and Lube. This property would be zoned General Business which is similar to other properties in this area that have recently annexed into the city.

The Planning Commission unanimously recommended approval of annexation with the condition that the site comply with all the current tree and sign regulations.

The public hearing was held and no one spoke.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that Council pass on second and final reading an ordinance to annex .65 acres of property at 880 East Pine Log Road with the condition recommended by the Planning Commission and that the ordinance become effective immediately.

ANNEXATION - ORDINANCE 02142000A

Henry Street 698
Henry Street 774
Crowell & Company
Laurel Oaks
TPN 30-057.0-01-016

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to annex and zone .24 acres between 774 and 698 Henry Street.

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 .24 ACRES OF LAND, MORE OR LESS, OWNED BY CROWELL & CO., INC. AND LOCATED BETWEEN 774 AND 698 HENRY STREET, BEING KNOWN AS TAX MAP PARCEL NUMBER 30-057.0-01-016 AND TO ZONE THE SAME RESIDENTIAL MULTI-FAMILY LOW-DENSITY (RML).

Mr. LeDuc stated Crowell & Company which is currently building the Laurel Oaks project would like to have the vacant lot located between 774 and 698 Henry Street annexed and zoned Residential Multi-Family Low Density (RML). The lot is currently zoned RS-10. This lot will not have any structures on it but will be used as the main entrance into the Laurel Oaks project. The zoning designation is in many respects a moot point because the lot will eventually be dedicated to the city for a road which is not zoned under our regulations. The Planning Commission saw no problems with this and recommended it to be annexed and zoned as RML.

The public hearing was held and no one spoke.

Councilwoman Clyburn moved, seconded by Councilman Radford and unanimously approved, that Council pass on second and final reading an ordinance to annex and zone .24 acres of property on Henry Street to Multi-Family Residential Low-Density (RML) to become effective immediately.

ANNEXATION - ORDINANCE 02142000B

Henry Street 782
Sides, James & Karen
Virginia Acres Subdivision
TPN 30-057.0-01-011

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to annex .23 acres at 782 Henry Street.

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 .23 ACRES OF LAND, MORE OR LESS, OWNED BY KAREN AND

JAMES F. SIDES AND LOCATED AT 782 HENRY STREET, BEING KNOWN AS TAX MAP PARCEL NUMBER 30-057.0-01-011 AND TO ZONE THE SAME SINGLE FAMILY RESIDENCE (RS-10).

Mr. LeDuc stated that Karen and James Sides are requesting annexation of their property located at 782 Henry Street into the City of Aiken under the RS-10 zoning. Their rear property line is contiguous to the city and other similar lots were annexed into the city at the December 13, 1999, meeting under this same zoning. The Henry Street right of way in front of this lot is not included in this annexation since this would result in just a small portion of right of way being in the city with the rest of the right of way outside the city.

One of the reasons the Sides would like to come into the city is to obtain sanitary sewer and this could be made available when we put in the new sewer system in this area.

The Planning Commission voted unanimously to recommend approval of this annexation.

The public hearing was held and no one spoke.

Councilman Radford moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass on second and final reading an ordinance to annex .23 acres at 782 Henry Street without the street right of way in front of the property and that the ordinance become effective immediately.

VENTURES INDUSTRIAL PARK - ORDINANCE 02142000C

Lot V-4
Industrial Park
Airport
Newman Technology South Carolina, Inc.
TPN 00-174-01-033 (Portion of)

Mayor Cavanaugh stated this was the time advertised for the public hearing on an ordinance to sell 41.74 acres of land in Ventures Industrial Park.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO TRANSFER ALL OF ITS RIGHT, TITLE, AND INTEREST IN LOT NO. V-4, COMPRISING OF 41.74 ACRES LOCATED IN VENTURES INDUSTRIAL PARK TO NEWMAN TECHNOLOGY SOUTH CAROLINA, INC., BEING KNOWN AS A PORTION OF TAX MAP PARCEL NO. 00-174-01-033.

Mr. LeDuc stated the city has a request from Newman Technology South Carolina, Inc., a parts manufacturer for Honda, to purchase a large tract of land in Ventures Industrial Park. This lot, numbered V-4, contains 41.74 acres and would have access off of both Reynolds Pond Road and U.S. Highway 1. The company has agreed to purchase this property at \$7,000 per acre subject to terms and conditions in their contract.

The City of Aiken agrees to provide the necessary roads, water, and sewer to this property plus the building of a regional storm water system.

Mr. Smith pointed out the ordinance needed to be amended to show 41.74 acres and company X should be identified as Newman Technology South Carolina Inc.

Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that Council amend the proposed ordinance to show 41.74 acres and company x identified as Newman Technology South Carolina, Inc.

Mayor Cavanaugh pointed out the company was previously identified as Company X because of confidentiality reasons. He said the city was happy to have Newman Technology coming into the community and the opportunities for expansion in the future.

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 an ordinance, as amended, to sell Lot V-4, containing 41.74 acres of land in Ventures Industrial Park at \$7,000 per acre to Newman Technology South Carolina, Inc. to become effective immediately.

ELECTION - ORDINANCE 02142000DElection CommissionersCity Code

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to amend Chapter 7 of the City Code regarding Municipal Election Commissioners.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AMENDING CHAPTER 7 OF THE CODE OF THE CITY OF AIKEN REGARDING THE PARTICIPATION OF MUNICIPAL ELECTION COMMISSIONERS IN ELECTION CAMPAIGNS.

Mr. LeDuc stated that for several months Council had been discussing an issue brought to their attention concerning the election commissioners and the present state law regarding commissioners' participation in campaigns. He said an opinion had been received from the Attorney General concerning the state law and Council had discussed this at length in Executive Session on January 10, 2000. Based on this discussion, a letter was sent to the Election Commissioners stating what the law says under the current statute and clarifying the Attorney General's opinion.

The proposed ordinance amends Chapter 7 of the City Code to include some of the language which was in the Attorney General's letter specifically explaining what participation means.

The public hearing was held and no one spoke.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass on second and final reading an ordinance amending Chapter 7 of the City Code forbidding the participation of a Municipal Election Commissioner in political management or campaigns during their term of office.

Mayor Cavanaugh pointed out there were several articles in the newspaper concerning the matter. He pointed out City Council was not enacting any new laws on the Commissioners. He stated the law was a 1996 law from the State Legislation. He said the law was not clear so Council got an opinion from the Attorney General's Office. He said Council had notified the Commissioners of the law and had made the law a part of the City Code.

BANNERSSignsCentral Business DistrictDowntownCharacter First

Mayor Cavanaugh stated Council needed to consider approval of location of character banners on the traffic signal poles in downtown Aiken.

Mr. LeDuc stated over the last couple of weeks two banners had been located at the corner of Richland and Laurens. One is a dark blue and the other a royal blue, both at the size proposed to be used for the Aiken Character banners. The banners would contain lettering with the character traits adopted by the City of Aiken. Council needs to discuss the appropriate size and color for the banners and consider approving the location of character banners on the traffic signal poles throughout the downtown area. He said according to the Zoning Ordinance City Council needs to approve any temporary signs or banners within the downtown or any area in the city.

Mayor Cavanaugh stated the proposed banners is a project of 15 women's clubs in the community. He said the clubs support the character initiative in the community, and they want to provide banners with the character traits listed on the banners. It was pointed out the banners would basically be at the downtown intersections. He said there would be about 32 of the banners.

Ms. Linda Hunley stated the women's clubs had asked her to design a graphic interpretation of the Character First Program. She stated her feeling was that the words were more beautiful than any graphic image could be, so she had created a design that was primarily calligraphic. She showed pictures of the proposed banners showing the colors and the wording on the banners.

Council reviewed the pictures and discussed the colors proposed. Mayor Cavanaugh expressed concern about the light blue lettering showing up on the dark blue background. He felt the white would show up better on the blue background. Ms. Hunley pointed out that a person driving though would not be able to read all the words on the banners and that the feeling was that the virtues were more of a pedestrian message with the words Character First being the key words for those traveling through.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the use of the proposed dark blue banner with light blue lettering as presented and approve the placing of the banners on the traffic poles in the downtown area.

COMMUNITY DEVELOPMENT COMMITTEE

Community Development
Planning Department
Housing Committee

Mayor Cavanaugh stated Council needed to consider changing the name of the Housing Committee.

Mr. LeDuc stated in a work session Council discussed the possible name change of the Housing Committee to the Community Development Committee. This was discussed at the January 17 Housing Committee meeting, and the Committee unanimously suggested this change which better fits the character of work that they are doing in the community. He said the committee is dealing on a continuous basis with the Community Development Block Grant funding.

Councilwoman Price moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the renaming of the Housing Committee to the Community Development Committee.

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

CDBG Funds
Block Grant Funds
Entitlement Funds

Mayor Cavanaugh stated Council needed to consider approval of the Community Development Block Grant Entitlement Funds.

Mr. LeDuc stated every year the City of Aiken receives funding from HUD for community development projects. At the January 17, 2000, Community Development Committee meeting, the committee unanimously approved funding the following projects at this proposed level.

| <u>Project Description</u> | <u>Amount</u> |
|----------------------------|---------------|
| Housing Development | \$100,000 |
| Neighborhood Initiatives | 10,000 |
| Neighborhood Youth Corps | 25,000 |
| Neighborhood Parks | 44,000 |
| Small Business | 25,000 |
| Streetscape | 25,000 |
| Contingency | 5,000 |
| Administrative | 30,000 |
| TOTAL | \$264,000 |

The Committee also recommended the approval of transferring to the Housing Development Program an additional \$50,000 from the Housing Rehab category and \$10,000 from the Contingency category. This money would be placed into the housing development funds for any future projects. This would still leave over \$100,000 available for the rehab program. Also, at the pre-Council meeting Council discussed the possibility of taking \$25,000 from the demolition or the Housing Rehab and starting the Neighborhood Youth Corps this summer instead of waiting until the year 2001.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the recommendation of the Community Development Committee for distribution of the Community Development Block Grant funds of \$264,000 and approve \$60,000 to be transferred to the Housing Development category and \$25,000 to the Neighborhood Youth Corps from Housing Rehab starting immediately.

AUDITCherry, Bekaert, and Holland
2001 and 2002

Mayor Cavanaugh stated Council needed to consider approval of extension of the auditor's services.

Mr. LeDuc stated that in May, 1997, Cherry, Bekaert, and Holland received the audit bid for the City of Aiken for the years ending June 30, 1998, 1999, and 2000. It is time to consider the rebid of our audit services. In the past when we were pleased with the performance of the audit firm, Council approved retaining the same audit firm by negotiating an extended two year contract. We have been very pleased with this firm and their audit performance. After three years the audit firm and the city are working well together. They have learned our system and through their comments have helped to make us more efficient and have given us valuable suggestions for improving our operation.

In year 2002 our Financial Reporting requirements undergo some major changes which, if not done correctly, could affect the outcome of the Certificate of Achievement for Excellence in Financial Reporting which we have received for the last eight years. We feel with the help of Cherry, Bekaert, and Holland that we will be able to meet these changes in year 2002. Their audit fees for the last three years have been \$25,450 per year. They are proposing to do the 2001 audit for \$27,000 and the 2002 audit for \$28,000. We feel this is a fair and reasonable fee, and we are recommending that we accept this arrangement for extending the audit bid for two additional years.

Councilman Radford moved, seconded by Councilwoman Clyburn and unanimously approved that Council approve the extension of the audit services of Cherry, Bekaert, and Holland for years 2001 and 2002.

GRANTPublic Safety Department
U.S. Department of Justice
Equipment

Mayor Cavanaugh stated Council needed to consider acceptance of a U.S. Department of Justice grant.

Mr. LeDuc stated this year the city has received funding from the U.S. Department of Justice for assistance with equipment in the Department of Public Safety. This is the fourth year the city has received this grant. For the past three years Public Safety mainly used the funds to obtain mobile data transmitter equipment. This year we are asking for a variety of equipment which we feel will help the department with many of their investigations.

On February 3 our Citizens Advisory Board met to discuss the funding and has recommended equipment as follows:

| <u>Item</u> | <u>Amount</u> |
|-----------------------------------|---------------|
| ICS Thermal Camera | \$17,600 |
| Bar Code System for Evidence | 8,510 |
| Laptop Computer for Investigators | 1,500 |
| Multiplexer | 6,000 |
| Fuming Chamber | 1,000 |
| Narcotic Detection | 4,000 |
| TOTAL | \$38,610 |

The total grant amount will be \$38,610 of which the city is required to provide 10% or \$3,861. The thermal camera will help us find suspects at night in the woods or help fire fighters look through dense smoke to locate victims or hot spots in a burning building. We borrowed some of this equipment for the Carlisle Tire fire and found it to be very effective.

The bar coding system will help us keep track of our evidence and property which is in excess of 800 pieces a year. Instead of them being packaged and labeled by hand with a case number they would be able to be located through the bar coding system. The tracking system will also allow us to print disposal letters and update officers on unresolved cases.

The multiplexer will help us review the videos that we receive from commercial businesses that use a multiplexing system throughout their stores. This system allows them to film from multiple cameras and store these images on one tape. This cuts down on their video taping costs but causes a problem for law enforcement when it comes to viewing a tape for suspects in the event of robberies, thefts, etc. This will allow us to view these tapes at the proper speed and the correct image allowing us to speed up our investigation and identification of suspects.

The fuming chamber will help us improve our efficiency and to develop fingerprinting capabilities during our investigation. It will cut down the amount of material we have to send to SLED and will speed up all of our processes during these examination periods.

The Department uses narcotic detection dogs routinely for search for drugs in vehicles, schools, homes, etc. One of our two drug dogs needs to be replaced due to its aggressive behavior, and this will allow the officers to find drugs in hidden compartments and find a safe way to conduct searches.

Councilwoman Price moved, seconded by Councilman Sprawls and unanimously approved, that Council accept the grant from the U.S. Department of Justice in the amount of \$38,610 with the city providing 10% with the distribution as recommended for the purpose of obtaining equipment needed in the Department of Public Safety.

ADDITION TO AGENDA

Mayor Cavanaugh stated Council needed to add an item concerning disposal of confiscated weapons to the agenda.

Councilman Anaclerio moved, seconded by Councilwoman Clyburn and unanimously approved, that Council add to the agenda disposal of confiscated weapons.

PUBLIC SAFETY DEPARTMENT

Weapons Disposal Confiscated Weapons

Mayor Cavanaugh stated Council needed to consider how to dispose of some confiscated weapons which the Public Safety Department had collected over several years.

Mr. LeDuc stated recently the city purchased new weapons for Public Safety from Glock Gun Company. At the time Council discussed the disposal of weapons that the city has confiscated over the last several years. He said the city has several hundred weapons. Typically in the past the city has disposed of the weapons through a federal licensed gun dealer. When this matter was discussed previously Council asked for options. He said one option was to sell the weapons, as in the past, to a federally licensed gun dealer. He said the staff had checked with other communities. He said the City of Columbia, Charleston and the County of Spartanburg currently dispose of weapons by melting them. The other agencies in South Carolina and counties with which the staff checked currently sell their weapons to federally licensed gun dealers. He said the value of the weapons is around \$7,000. He said the options are to destroy the weapons or to sell them to a federally licensed gun dealer. The money received could be designated for buy back programs or safety equipment.

Councilwoman Clyburn moved, seconded by Councilwoman Price, that the City of Aiken dispose of the confiscated weapons by melting them down.

Councilman Sprawls stated if the guns were sold there would be funds to purchase equipment. He said Public Safety is always needing equipment. He felt it would be better to sell the guns and use the money for equipment in the Public Safety Department.

Councilman Anaclerio pointed out the guns would be sold to legitimate gun dealers following the rules of the government. He said he felt that people wanting guns will get them. He said the city could use the money to put safety locks on private guns like the county has been doing. He said trying to melt the weapons has some positive aspects, but on the other hand this would be money that the city could use.

Councilwoman Clyburn stated she understood how easy it is for people who want guns to get them, but she pointed out the \$7,000, which some are saying belongs to the Public Safety Department or the City of Aiken which might be considered public funds, really is not public funds. She pointed out no public funds went into the buying of these weapons. They were acquired during arrests and other means. It did not cost the city anything to acquire the weapons. She said the idea of having \$7,000 of public funds that we are going to melt away is not really so. She said the weapons were found on persons who have committed crimes. She said as a matter of record she could not go on record as supporting the City of Aiken giving weapons back to an entity that might in some way have these weapons get back into the hands of someone who might use them again for the commission of a crime. She said these weapons would be traceable back to the City of Aiken and she would not want that to happen.

Councilman Anaclerio said the weapons were never paid for by the city, but the city spends money every few years to upgrade Public Safety's weapons so this could be \$7,000 to offset city funds that were used initially to buy and upgrade the city's weapons.

Mayor Cavanaugh stated he would support the destroying of the weapons. He said these weapons are a different category, and he did not see a reason to put them back on the street.

Mayor Cavanaugh asked for a vote on the motion to destroy the weapons. The vote was four in favor and two opposed. In favor were Mayor Cavanaugh, Councilmembers Clyburn, Price and Radford. Opposed were Councilmembers Anaclerio and Sprawls.

EXECUTIVE SESSION

Contractual Matters

Mayor Cavanaugh stated Council needed to go into executive session to discuss several contractual matters.

Councilman Radford moved, seconded by Councilman Sprawls and unanimously approved, that Council go into executive session to discuss several contractual matters.

Council went into executive session at 8:35 P.M. After discussion Councilwoman Price moved, seconded by Councilman Anaclerio and unanimously approved, that the executive session end. The executive session ended at 9:15 P.M.

ADJOURNMENT

There being no further business the meeting adjourned at 9:15 P.M.



Sara B. Ridout
City Clerk