

Aiken City Council Minutes

REGULAR MEETING

March 8, 2004

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

Others Present: Roger LeDuc, Gary Smith, Bill Huggins, Anita Lilly, Richard Pearce, Larry Morris, Glenn Parker, Ed Evans, Sara Ridout, J. C. Lexow of the Aiken Standard, Josh Gelinas of the Augusta Chronicle, and about 40 citizens.

Mayor Cavanaugh called the meeting to order at 7:00 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. He stated that Mrs. Al Payne wanted to address Council under Petitions and Requests and this needed to be added to the Agenda. Councilwoman Clyburn moved, seconded by Councilman Smith and unanimously approved, that the agenda be approved with the addition of Mrs. Payne under Petitions and Requests.

MINUTES

The minutes of the work session and regular meeting of February 23, 2004, were considered for approval. Councilman Sprawls moved that the minutes be approved as written. The motion was seconded by Councilwoman Clyburn and unanimously approved.

PRESENTATION

Certificate of Appreciation

Volunteers

Boards

Commissions

Dukes, Nancy

Board of Zoning Appeals

Black, Steve

Moorman, H. A.

Building Code of Appeals

Hall, Miles

Planning Commission

McKinsey, Timothy

Environmental Committee

Cherry, Len

Smith, Greg

Historic Preservation Commission

Oliver, Gerald Dr.

Williams, Joseph

General Aviation Commission

Mayor Cavanaugh stated Council would like to recognize and thank volunteers who had served on various boards and commissions for the city. He said these volunteers spend many, many hours working on committees for the city and that City Council appreciates their effort on behalf of the citizens.

Mayor Cavanaugh presented Certificates of Appreciation to Joseph Williams, Steve Black and H. A. Moorman who were present at the meeting. The other certificates will be mailed to the individuals who served. Certificates were prepared for the following:

Nancy Dukes served on the Board of Zoning Appeals from December 14, 1992 to December 9, 2002.

Steve Black served on the Building Code of Appeals from November 8, 1999 to July 14, 2003.

H. A. Moorman served on the Building Code of Appeals from May 12, 1980 to September 8, 2003.

Miles Hall served on the Planning Commission from November 25, 2002 to October 13, 2003.

Timothy McKinsey served on the Environmental Committee from December 9, 1991, to January 12, 2004.

Len Cherry served on the Historic Preservation Commission from October 8, 2001 to February 9, 2004.

Dr. Gerald Oliver served on the General Aviation Commission from October 28, 1996 to January 27, 2003.

Joseph Williams served on the General Aviation Commission from September 25, 2000, to January 13, 2003.

Greg Smith served on the Historic Preservation Commission from July 9, 1990, to February 24, 2003.

#### ANNEXATION – ORDINANCE 03082004

Hampton Avenue NW1388

Gospel of Deliverance, Inc.

Tennessee Avenue

TPN 30-108.0-01-020

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to annex property owned by Gospel of Deliverance, Inc. at 1388 Hampton Avenue NW.

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 0.65 ACRES OF LAND, MORE OR LESS, OWNED BY GOSPEL OF DELIVERANCE, INC. AND TO ZONE THE SAME RESIDENTIAL SINGLE-FAMILY (RS-6).

Mr. LeDuc stated the Gospel of Deliverance, Inc. has requested the City of Aiken to annex .65 acres of property at 1388 Hampton Avenue NW and to zone the property RS-6. The site is currently occupied by a vacant substandard commercial building, and the applicant proposes to construct three new single family homes. The property is currently in the county and zoned Urban District, with most of the land surrounding the subject property developed as single family. The roadway in front of the property is not included in the annexation.

Last year, City Council, along with the Planning Commission, recommended that Hampton Avenue be developed as low density residential. The Planning Commission at their February 10, 2004, meeting unanimously approved the annexation of this property with the following condition: the concrete block building and mobile home should be removed within 90 days of this annexation.

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 to annex .65 acres of property at 1388 Hampton Avenue and zone it RS-6.

ASHETON OAKS – ORDINANCE 03082004A

Camellia Trailer Park  
Williamsburg Street  
Camellia Street  
Hampton Avenue  
Edrie Oaks Circle  
TPN 30-083.0-03-002

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing of an ordinance to sell lots in Asheton Oaks.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE APPROVING THE SALE AND CONVEYANCE OF LOTS OWNED BY THE CITY OF AIKEN LOCATED ON EDRIE OAKS CIRCLE, IN ASHETON OAKS SUBDIVISION, IN AIKEN, SOUTH CAROLINA, BEING A PORTION OF TAX PARCEL NUMBER 30-083.0-03-002.

Mr. LeDuc stated a few years ago the City of Aiken purchased property formerly known as Camellia Trailer Park. This property was improved, and five homes were recently constructed on this property. The City has marketed these properties and would like Council's approval to sell lots to H. G. Reynolds or other interested buyers for a minimum of \$9,000. Any lots that would be sold for less than this amount would be brought back to City Council for further discussion as to why we are not able to receive this amount. You recently sold two of these lots to H. G. Reynolds at 142 and 146 Edrie Oaks Circle for \$9,900. It is our goal to build quality homes and to develop this subdivision to meet or exceed the standards of the surrounding neighborhoods. The funds received from the sale of these lots will be used to continue the redevelopment of properties on the north side.

Mr. LeDuc stated he would like to receive at least \$9,000 on each of the lots in Asheton Oaks. He said most of the lots will be sold for \$10,000. He said instead of coming back to Council each time for the sale of a lot, staff would be able to negotiate a minimum of \$9,000 or higher price on the lot and not have to come back to Council each time as long as it is sold for at least \$9,000.

The public hearing was held and no one spoke.

Councilwoman Clyburn moved, seconded by Councilman Sprawls and unanimously approved, that Council pass on second and final reading an ordinance to sell lots in Asheton Oaks Subdivision for a minimum of \$9,000.

LEASE/PURCHASE – ORDINANCE 03082004B

Agreement  
Lease  
Purchase  
Jenkins, Brendolyn  
Dillon Avenue 804  
Toole Hill  
Morgan Street  
TPN 30-026.0-11-006

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to enter into a lease/purchase agreement for a house in Toole Hill.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE AUTHORIZING THE CITY OF AIKEN TO ENTER INTO LEASE AGREEMENT WITH AN OPTION TO PURCHASE PROPERTY IN TOOLE HILL AT 804 DILLON AVENUE.

Mr. LeDuc stated for several years the Aiken Housing Authority, through their Community Development Investment Corporation, has been building lease/purchase homes within our community. They have been very successful with this process, allowing the buyer to set aside an agreed upon amount to be used for the later purchase of that home.

The City of Aiken would like to enter into a similar agreement with Brendolyn Jenkins for a home at the corner of Dillon and Morgan. She would be paying the City \$350 per month rent, plus an additional \$125 per month towards the purchase of this home. On or before March 1, 2007 she will have to exercise the option or lose the \$125 per month which she has been paying towards the purchase of the home. The price of the house has been set at \$75,000. In addition, this lease/purchase is conditioned upon her attending and completing a home education class and agreeing to communicate with a certified credit counseling firm at least every six months to verify progress towards home ownership.

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 to enter into a lease/purchase agreement with Brendolyn Jenkins for property located at the corner of Morgan and Dillon Street.

ICE STORM

Resolution

Bids

Grinding

Budget

Mayor Cavanaugh stated Council needed to consider a resolution to authorize the City Manager to approve a contract for the grinding operation for the debris from the January ice storm.

Mr. LeDuc read the title of the resolution.

A RESOLUTION FOR EMERGENCY EXPENDITURES OF THE CITY OF AIKEN FOR THE FISCAL YEAR BEGINNING JULY 1, 2003 AND ENDING JUNE 30, 2004.

Mr. LeDuc stated, as City Council may be aware, we have almost completed the cleanup from the ice storm the City endured in late January. This week we should complete most of the collection of the trees and limbs that were damaged throughout the city. This material has been deposited at the former baseball fields on the northside of Citizens Park. The amount of material collected is almost equal to what we pick up in an entire year. The material amounts to 80,000 cubic yards, more or less.

We are now working with the Federal Emergency Management Agency (FEMA) to complete this cleanup. They are willing to reimburse the City at 75% for most of this work. One of the remaining operations is to grind up the material that we have collected. This expense will be in excess of \$25,000, which requires authorization by City Council. We need to complete this operation in a timely manner, and through a resolution we are requesting City Council to authorize the City Manager to approve the contract for the grinding operation. These contracts will still need to be approved by FEMA before any actual work begins. However, this authorization will speed up the process by up to three weeks and allow us to complete our mission in a more timely manner. He said the contract will probably range around \$100,000.

Councilman Smith moved, seconded by Councilwoman Price and unanimously approved, that Council approve the resolution authorizing the City Manager to approve contracts in

excess of \$25,000 for the cleanup and grinding of the material collected from the January ice storm.

COLONY PARKWAY – ORDINANCE

Mid-America Apartment Communities

Colony at South Park Apartments

South Park Apartments

Median

Parkway

Whiskey Road

TPN 30-056.0-01-001

City Property

Mayor Cavanaugh stated an ordinance had been prepared for first reading to grant the median along Colony Parkway to the Colony at South Park.

Mr. LeDuc read the title of the ordinance.

AN ORDINANCE APPROVING THE SALE AND CONVEYANCE OF A PORTION OF PROPERTY OWNED BY THE CITY OF AIKEN LOCATED ON COLONY PARKWAY, IN AIKEN, SOUTH CAROLINA, KNOWN AS A PORTION OF TAX PARCEL NUMBER 30-056.0-01-001.

Mr. LeDuc stated The Colony at South Park Apartments, owned by Mid-America Apartment Communities, is requesting the City of Aiken to deed them the three parcels of parkway land in the center of Colony Parkway. Since 1998, they have been maintaining this property, and they feel a formal deeding of these parcels would benefit all owners in the South Park development. Should Mid-America Apartment Communities sell their apartment complex, these parkways would automatically be deeded back to the City of Aiken. In addition, they intend to replace the sign to allow additional businesses along Colony Parkway to be identified on the sign. This would include the current businesses of Fairfield Inn Suites and Verizon. The Colony Park roadway would continue to be maintained by the City, and only the landscaped parkway would be deeded to Mid-America Apartment Communities.

Mr. LeDuc stated the matter was considered by the Board of Zoning Appeals, however, the BZA placed the matter on hold until the matter regarding deeding the property could be resolved.

Councilwoman Vaughters moved, seconded by Councilwoman Clyburn and unanimously approved, that Council pass on first reading an ordinance to deed the parkways along Colony Parkway to Mid-America Apartment Communities and that second reading and public hearing be set for the next regular meeting of Council.

Councilwoman Clyburn stated when she had ridden through the area the grounds were always so beautiful and so tastefully done. She said she felt the property would be in good hands and the area has already been maintained so well.

Mayor Cavanaugh asked if new tenants coming into the area would be able to have their name on the proposed sign.

Mr. LeDuc pointed out that at this time the sign needs to get approval from the BZA for any changes. He pointed out Mid-America Apartment Communities proposes to change the sign and the property owners in the area have agreed to help pay for the proposed sign.

AIKEN'S MAKINChamber of CommerceParkwaysPark Avenue

Mayor Cavanaugh stated Council needed to consider the request from the Chamber of Commerce for use of the parkways for their annual Aiken's Makin.

Mr. LeDuc stated the Aiken Chamber of Commerce would like to request permission from City Council to hold Aiken's Makin in the parkways on Park Avenue from Chesterfield Street to Union Street, in downtown Aiken on Thursday, September 9, 2004 after 6:00 p.m., Friday, September 10, 2004 and Saturday, September 11, 2004.

This event has been in downtown Aiken for over 25 years and last year, through a cooperative effort between the merchants and the Chamber, the event was held in this new area. We received far less complaints from the merchants and the new area seems well suited for the crafters. We have discussed the new area with Public Safety and Public Works and both of them feel it is a plus for the entire downtown. We did not have to close Laurens Street or Chesterfield Street to traffic. He said the merchants in that area seemed to enjoy the event, as it brought people to the area.

Staff is recommending to City Council approval of a request from the Chamber of Commerce to use the parkways along Park Avenue from Chesterfield Street to Union Street for Aiken's Makin on September 9, 10, and 11, 2004.

Councilman Sprawls moved, seconded by Councilwoman Clyburn and unanimously approved, that Council approve the request of the Chamber of Commerce for use of the parkways along Park Avenue from Chesterfield Street to Union Street for Aiken's Makin on September 9, 10, and 11, 2004.

TRASHCrosland ParkPayne, AlGarbage

Ms. Al Payne, 1415 Wyman Street NE, appeared before Council regarding the trash pickup problem in Crosland Park. She stated she had worked a couple of years on the 18 wheeler trucks in Crosland Park, but the garbage or trash problem is a bigger problem than the big trucks.

Ms. Payne presented some pictures of the trash and garbage problems in Crosland Park for Council's review. She pointed out she felt people in Aiken did not know the rules for garbage and trash pickup by the city. She stated when people place trash at the curb they do not separate the trash, which presents a problem for the city personnel. She also stated the people do not seem to know when the trash should be placed at the curb and when garbage cans or recycling bins need to be removed from the curb. She pointed out that many of the houses in Crosland Park are rental, and when people move out the realtors clean the houses out and place all the material at the curb after the city trucks have been through for the week and then the material remains at the curb for several days before the city is back in the area. She said this has been going on for about two years. She pointed out that signs regarding a roofing company had also been placed in the middle of front yards in the area. She stated this had been reported, but the signs had not been removed yet.

Ms. Payne stated she felt the city should have a separate pickup for the large materials such as sofas, refrigerators, etc. She pointed out that it is so unsafe for small children for refrigerators to be placed at the curb as well as batteries. She felt the large pickups should be scheduled for pickup and that the material should not be allowed to be at the curb for 48 hours.

Mayor Cavanaugh suggested that the city should work with the realtors on this matter so such materials are not left at the curb for any length of time.

Council continued to discuss the problem at length. It was pointed out by Councilman Cuning that some of these materials are placed at the curb by commercial businesses. It was felt that the commercial businesses should haul the material away. It was pointed out that, if the City only picks up large items every three months, that people will still place the materials at the curb and it will be there even longer. It was stated there has to be an enforcement policy so materials placed at the curb meet regulations and the policy for pickup. It was stated that with all kinds of material placed at the curb it is difficult for city personnel to pick the material up. It was pointed out the mixed piles at the curb are not only a problem for the residents in the area, but also for the personnel who have to pick the material up.

After discussing the matter at length, Council felt that they needed to have a special session to discuss the problem. It was pointed out that in the meantime the City can communicate to the residents and realtors the city's policy and regulations for pickup of trash and garbage.

Mr. LeDuc pointed out one of the problems with the present ordinance is that a summons has to be issued to the person. The staff can't leave a notice on the door. He said getting someone to come to the door is very difficult. Mr. LeDuc pointed out that not only is the type debris being placed at the curb a problem, but now the City has to take the debris to the SRS area and also pay \$30 a ton for the material. He said the staff had been talking about a quarterly pickup for the large material and if material is placed at the curb between pickups the resident will be charged a fee on their water bill to collect the material. If the resident has moved out, the landlord will have to pay the fee before the next resident can get water service.

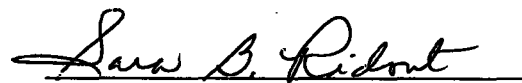
Councilwoman Vaughters pointed out that most cities don't allow people to put such trash at the curb as the City of Aiken allows. She said contractors used to haul the debris away, but now many of them leave it at the curb for the City to pick up. She suggested that when a person has material they need to get rid of, they could call and make an appointment for the pickup and the city could charge a fee for the pickup. She felt the proposed quarterly pickup may be a problem.

Councilwoman Clyburn stated she understands that this is not a problem just in Crosland Park but all over the city, with all kinds of trash placed at the curb for some time. She said she feels that it is wrong for the city to allow a group to clean a house and have the trash at the curb for a long time. She felt Council needs to hold a work session with rental agencies, realtors, and individuals who own rental properties to discuss what the next step will be and how this problem can be resolved.

Mayor Cavanaugh pointed out that at the next Council meeting Council will be considering the roll cart proposal for curbside garbage pickup. He said then Council can discuss the trash pickup at a work session at the first Council meeting in April.

#### ADJOURNMENT

There being no further business the meeting adjourned at 8 P.M.

  
Sara B. Ridout  
City Clerk