

Aiken City Council Minutes

April 17, 2006

WORK SESSION

Council Present: Mayor Cavanaugh, Councilmembers Price, Smith, Sprawls, and Wells

Council Absent: Councilmembers Clyburn and Vaughters.

Others Present: Roger LeDuc, Bill Huggins, Gary Smith, Wendell Hall, Scot Newcom, Tony Baughman of the Aiken Standard, Susan Mimmie and 22 citizens.

NEWSPAPER RACKS

Newspaper Boxes

Downtown

Mayor Cavanaugh called the meeting to order at 6:01 P.M.

Mayor Cavanaugh stated the purpose of the worksession was to discuss placement of newspaper racks in the City of Aiken and also to review a Memorandum of Understanding that would be used to enforce rules and regulations for newspaper racks.

Mr. LeDuc stated City Council had met on four other occasions to discuss newspaper racks. He stated the latest proposal from Council was to consolidate all the racks to four locations in the immediate downtown area. He stated Council would also discuss a Memorandum of Understanding that can be utilized in the newspaper rack program.

City Council discussed the newspaper rack locations at length.

Ms. Roseanne Covell, 2295 Banks Mill Road, stated she was concerned about the recommended rack locations. She stated she would like for the rack at Pat's to remain where it is at the present time. She stated three locations she would like to see racks are next to Plumb Pudding, at the Bank of America, and across from Soho's. She stated she was also concerned that the number of publications would be cut and publishers would be left out. She stated a task force would be a good idea. She stated the committee could enforce the cleaning and upkeep of the racks.

Ms. Jane Page Thompson, 240 Knox Avenue, a real estate agent, stated she felt a newsrack in The Alley was very important. She felt she should be allowed to have a rack in front of her business. She stated she would not mind purchasing a permit under specific guidelines of safety to be able to have her rack in front of her business. She stated this would let the city have control of how the racks are displayed.

Mr. Don Bailey, President of the Augusta Chronicle, stated he is not against what Council is trying to do, but his concern was that four racks for the Augusta Chronicle are not enough. He stated he would like to have six racks to hold what they produce. He stated the Augusta Chronicle wants space for all of their publications to be displayed. He was also concerned with the location of the racks. He stated they needed to be placed in high traffic locations. He stated that Greenville went through several legal battles before they came to an agreement on how to handle the display of publications in their city. He stated the court upheld the First Amendment regarding freedom of the press, and Greenville had to make some changes. He stated he had a letter from his attorney to give to City Attorney Gary Smith for his information. He stated that Aiken could end up in some legal battles if they try to eliminate some of the publications.

Ms. Pam Thompson, 1787 Citation Drive, stated she was concerned with the placement and number of racks. She stated Laurens Street needs to have more racks than Council has proposed. She stated she believes that the businesses in the downtown area should have some direct input about what publications go in what racks.

Mr. Kile Covell, 2295 Banks Mill Road, publisher of The Real Estate Book, stated that in the last week he has seen two more publications putting out racks without permission. He stated there needs to be a limit and the publications should pertain to the businesses in the area. He also stated there should be an ordinance for maintenance of the newspaper racks. He stated he was concerned with the locations that had been recommended.

Mr. Jeff Hartley, Circulation Director at the Augusta Chronicle, stated that in most cases, it is not up to the business whether or not a rack can be placed in front of their establishment, because this is public property. He stated that the problem of what publications go where will work itself out because publications come and go, and there will probably not be a big problem in the long run. He stated he worked with Greenville in getting their newspaper rack program started. He stated Greenville does charge a permit fee.

Mr. LeDuc stated Greenville's yearly permit fee is used for maintenance of the racks, as well as building and installing them.

Mr. Charles Dremus stated he and his wife just moved to Aiken and wanted to tell City Council that one of the reasons they are here is because their daughter-in-law picked up one of the brochures out of one of the racks and took it back to New Jersey to them.

Ms. Jane Page Thompson, 240 Knox Avenue, stated she was concerned with the rack that was recommended for the corner of Park Avenue and Laurens Street. She stated she felt it would be dangerous. She stated an area she felt may be good is between the post office and Public Safety where the kiosk is currently. She gave examples of other ideas she had, and what some other cities have done. She stated that eliminating free publications will hurt businesses.

Mayor Cavanaugh stated that the consensus of the audience was they did not agree with any of the locations Council had agreed on. He asked Ms. Thompson where she thought four or six good locations would be.

Ms. Thompson stated she would place four newspaper racks in downtown Aiken. She stated one would be in the center of Laurens Street, one in the center of the street between Laissez-Faire and New Moon Café and Wachovia Bank, and in The Alley on the side that faces the Bowery. She stated she thought the city should lease the First Citizens building and put additional offices there and put a tourism/welcome center along the wall.

Ms. Beth Nicholson, Bella Magazine, stated her concern was the recommended locations of the newspaper racks. She felt they were very ineffective for pick up.

Mr. Mark Thompson, 1787 Citation Drive, stated he felt a uniform look could be created by placing the newspaper racks mid-block in each block down Laurens Street on each side of the road. He stated these would be centrally located and not too close together.

Mr. LeDuc stated at the next Council meeting, Council will be discussing kiosks in the downtown area. He stated they would have four or five kiosks that will be vertical. He stated they would include a map with all the downtown stores and businesses on them. He stated ADDA has identified some locations for the kiosks. He stated Council would have to keep these locations in mind, since they may conflict with the location of the newspaper racks.

Councilwoman Price was concerned with the number of publications allowed in the racks. She asked City Attorney Gary Smith if Council could legally limit the number of racks and publications displayed.

Mr. Gary Smith, City Attorney, stated he would give Mr. LeDuc and Council an opinion when he has a chance to read the letter from Augusta Chronicle's attorney.

Mr. LeDuc stated he would have staff come up with a proposal for the newspaper rack locations to present to Council. He stated he would have a proposal at the first meeting in May for Council to discuss.

Mayor Cavanaugh stated Council needed to discuss the proposed Memorandum of Understanding.

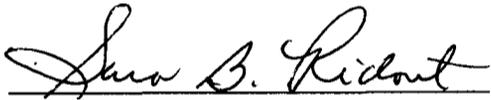
Mr. LeDuc stated that once the locations and number of units at each location is set, then Council could nominate a committee to manage these locations. He stated the draft Memorandum of Understanding states the make up of the committee to oversee the newspaper racks, and also the rules and regulations to obtain and maintain a rack. He stated the newspaper rack committee would take care of any issues with the racks, but City Council would have the final word in any decision.

Mr. Kile Covell, 2295 Banks Mill Road, publisher of The Real Estate Book, stated since the newspapers represent a large number of the free publications, he feels the free publications should be separate from the big newspapers. He stated that would avoid having two representatives from the newspaper.

City Council discussed the make-up of the committee. They agreed to have seven individuals on the committee. The consensus of City Council was for the committee to be comprised of one representative from the largest newspaper in the City of Aiken, one representative from the second largest newspaper within our area, two representing a free publication – not associated with the newspapers, two representing the downtown business district, and one staff member.

Mayor Cavanaugh stated staff would recommend some more locations, and City Council would review the Memorandum of Understanding and give Mr. LeDuc comments. He stated they would set up another work session when Mr. LeDuc has the information he needs.

The meeting adjourned at 7:45 P.M.

  
Sara B. Ridout  
City Clerk