

Aiken City Council MinutesREGULAR MEETING

June 27, 2016

Present: Mayor Osbon, Councilmembers Dewar, Diggs, Ebner, Homoki, Merry and Price.

Others Present: John Klimm, Stuart Bedenbaugh, Gary Smith, Charles Barranco, Jessica Campbell, George Grinton, Tim Coakley, Alicia Davis, Kim Abney, Mike Jordan, Sara Ridout, Emory Langston, Joy Gillespie, Dan Brown of the Aiken Standard, and about 115 citizens.

CALL TO ORDER

Mayor Osbon called the regular meeting to order at 7:04 P.M. Mr. John McMichael, led in prayer. The pledge of allegiance to the flag was led by Officer Chad Cathcart and Preston Beak.

GUIDELINES

Mayor Osbon reviewed the guidelines for speaking at the Council meeting. All the meetings are public meetings in which many opinions are expressed and the business of the city must be conducted. He said discipline, honorable and professional decorum is paramount. Courteous and respectful communication is expected. In public hearings all questions and statements from the public shall be directed to the Chair. He welcomed comments from the audience on the agenda items listed for public hearing. He asked that comments be limited to five minutes and that persons speak only one time per topic. He asked that those who would like to speak raise their hand and be recognized and come to the podium and give their name and address.

ADDITIONS OR DELETIONS TO AGENDA

Mayor Osbon asked if there were any additions or deletions to the agenda.

Mayor Pro Tem Ebner asked if Councilmembers had any additions to the agenda.

Mayor Pro Tem Ebner moved that the agenda be approved as submitted. The motion was seconded by Councilwoman Diggs and unanimously approved.

MINUTES

The minutes of the Worksession of June 6, 2016, Special Meeting of June 6, 2016, Work Session of June 10, 2016, Work Session of June 13, 2016, Regular Meeting of June 13, 2016, and Work Session of June 14, 2016, were considered for approval. Councilwoman Price moved, seconded by Councilman Dewar, that the minutes of the Worksession of June 6, 2016, Special Meeting of June 6, 2016, Work Session of June 10, 2016, Work Session of June 13, 2016, Regular Meeting of June 13, 2016, and Work Session of June 14, 2016, be approved. The motion was unanimously approved.

PRESENTATIONSMemorial Day Parade Committee

Mayor Osbon stated the first item under Presentations was a proclamation recognizing the Memorial Day Parade Committee.

Councilwoman Price read the proclamation recognizing the Memorial Day Parade Committee for their commitment to having a Memorial Day Parade in Aiken.

Mayor Osbon asked for a motion to approve the proclamation. Councilman Dewar moved, seconded by Councilman Homoki that Council approve the proclamation recognizing the Memorial Day Parade Committee. The motion was unanimously approved.

Mayor Osbon and Councilwoman Price presented the proclamation to the Memorial Day Committee members present.

Ms. Leslie Hull-Ryder, Chair of the Committee thanked Council for their support of the efforts for the parade and thanked the community for making the parade possible, and the sponsors. She said the parade could not have been possible without the support of the community and she expected the All Star teams and City Council to all be in the parade next year on May 27, 2017.

Youth All Star Tournament Champions  
8 and Under Girls Softball All-Star Team  
10 and Under Baseball All-Star Team

Mayor Osbon stated Council would like to recognize the Youth All Star Tournament Champions.

Councilman Merry read the proclamation for the 10 and Under Aiken Baseball All Star Championship title.

Mayor Osbon asked for a motion to approve the proclamation. Councilwoman Price moved that Council approved the proclamation as read. The motion was seconded Councilwoman Diggs and unanimously approved.

Mayor Osbon stated Council would read the second proclamation for the Softball All Star Team and then Council would make the presentation to each team.

8 and Under Softball All Star Team

Mayor Osbon asked Councilman Homoki to read the proclamation for the 8 and Under Girls Softball All Star Team.

Councilman Homoki read the proclamation for the 8 and Under Girls Softball All Star Champions.

Councilman Merry moved, seconded by Councilwoman Diggs, that Council approve the proclamation recognizing the 8 and Under Girls Softball All Star Team. The motion was unanimously approved.

Mayor Osbon presented the proclamations to each team.

Michelle Harper-Meriwether  
Journey of Joy  
Walking Movement

Mayor Osbon stated Council would like to recognize Michelle Harper-Meriwether for her national recognition for efforts to make Aiken more walkable and the Journey of Joy Walking Movement.

Councilwoman Diggs read the proclamation. Councilman Homoki moved, seconded by Councilman Dewar, that Council approve the proclamation.

Mayor Osbon and Councilwoman Diggs presented the proclamation to Michelle Harper-Meriwether. Ms. Harper-Meriwether stated she was truly humbled and honored to receive the national award from America Walks. She said the program is a four month training program. Once the program is completed she will be going to Vancouver,

British Columbia, Canada for the conference. When she returns they will be pulling some partners together for a community strategic plan to make Aiken a more walkable community. She pointed out there are some small incremental improvements the group would like to see. She challenged and charged those present to get out and start walking and to become a part of the strategic plan as well as joining the Journey of Joy Walking Movement. She thanked those ladies who worked with her in the Journey of Joy Walking Movement.

### BOARDS AND COMMISSIONS

#### Appointments

#### Brian Coulter

#### Election Commission

Mayor Osbon stated Council needed to discuss appointees to various city boards, commissions and committees.

Mr. Klimm stated Council has 13 pending appointments to fill vacancies on different City boards, commissions, and committees. One appointment is presented for Council's consideration and vote at the meeting tonight.

Councilman Ebner has recommended the appointment of Brian Coulter to the Election Commission to fill the position of Ray Visotski who has resigned. Election Commission members are appointed by Council at large and terms are for six years. If appointed, Mr. Coulter would fill the remaining term of Mr. Visotski which would expire August, 2019. Mr. Coulter would be eligible for reappointment.

It has also been noted that Mr. Keith Wood's term on the Election Commission has expired. Mr. Wood is interested in continuing to serve on the Election Commission.

For Council consideration is the appointment of Brian Coulter to the Election Commission to fill the unexpired term of Ray Visotski.

Councilman Dewar moved, seconded by Councilwoman Diggs, that Brian Coulter be appointed to the Election Commission to fill the unexpired term of Ray Visotski. The motion was unanimously approved. (Subsequent to the vote it was discovered the appointee lives in a donut hole surrounded by the City. This makes the appointee ineligible to serve on the Municipal Election Commission.)

Mayor Osbon stated he would like to nominate for consideration at the next meeting Mr. Keith Wood for reappointment to the Election Commission.

### SALE OF PROPERTY – ORDINANCE 06272016

#### 895 Alfred Street NE

#### Crosland Park

#### TPN 120-16-15-005

Mayor Osbon stated this was the time advertised for second reading and public hearing on an ordinance to approve the sale of 895 Alfred Street NE.

Mayor Osbon read the title of the ordinance.

### AN ORDINANCE APPROVING THE SALE OF 895 ALFRED STREET NE IN CROSLAND PARK SUBDIVISION.

Councilwoman Diggs moved, seconded by Councilman Homoki, that Council approve on second reading an ordinance to sell 895 Alfred Street NE.

Mr. Klimm stated Catherine Butler has offered to purchase 895 Alfred Street NE in Crosland Park for \$63,000. A copy of the appraisal was provided to Council. The appraisal for the property shows an appraised value of \$60,000. Staff has reviewed the purchase and recommends Council approval for the purchase price of the appraised value

of \$60,000. He pointed out that the city had attempted to sell the home for over five years.

City Council approved the ordinance on first reading on June 13, 2016. For City Council consideration on second reading and public hearing is approval of an ordinance to sell 895 Alfred Street NE to Catherine Butler for \$60,000, upon the terms and conditions set forth in the Purchase and Sale Agreement.

Mayor Osbon asked for comments from the audience and Council.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Homoki, that Council approve on second reading an ordinance approving the sale of 895 Alfred Street NE to Catherine Butler for \$60,000. The motion was unanimously approved.

#### BUILDING CODES – ORDINANCE 06272016A

International Building Codes

2015 Editions

Building Code

Electrical Code

Fire Code

Fuel Gas Code

Plumbing Code

Mechanical Code

Energy Conservation Code

Property Maintenance Code

Residential Code

Mayor Osbon stated this was the time advertised for second reading and public hearing on an ordinance to approve the adoption of the latest editions of the International Building Codes with modifications.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE TO AMEND CHAPTER 10 SECTION 10-2 OF THE AIKEN CITY CODE TO INCORPORATE THE 2015 EDITIONS OF THE INTERNATIONAL BUILDING CODE, WITH MODIFICATIONS; INTERNATIONAL FIRE CODE, WITH MODIFICATIONS; INTERNATIONAL FUEL GAS CODE, WITH MODIFICATIONS; INTERNATIONAL PLUMBING CODE, WITH MODIFICATIONS; INTERNATIONAL MECHANICAL CODE, WITH MODIFICATIONS; INTERNATIONAL ENERGY CONSERVATION CODE; THE INTERNATIONAL PROPERTY MAINTENANCE CODE, WITH MODIFICATIONS; THE INTERNATIONAL RESIDENTIAL CODE, WITH MODIFICATIONS; AND THE 2014 EDITION OF THE INTERNATIONAL ELECTRICAL CODE.

Councilwoman Diggs moved, seconded by Councilman Merry, that Council approve on second reading an ordinance for the adoption of the International Building Codes.

Mr. Klimm stated regularly the International Building Code Congress updates and amends the International Building Codes. The South Carolina Building Code Council reviewed these amendments and requires municipalities and counties to enforce the codes effective July 1, 2016. We are adopting these as well as the administrative chapters of the codes. By adopting the administrative chapters of the building codes, we can issue mechanical and building permits, require plan submittal for review and outline what field inspections are required to assure minimum code compliance.

Mr. Klimm pointed out that at the request of Council staff had provided Council with a summary of the changes to the codes as listed by Mr. Jordan, Building Official. He pointed out there were many, many small changes in the codes.

Council approved first reading of this ordinance at the June 13, 2016, meeting. For Council consideration is second reading of an ordinance for adoption of the 2015 International Building Codes.

Mayor Osbon asked for comments from the audience and Council.

Councilman Dewar stated he had asked that staff provide the extra detail for Council. He said he had a couple of concerns. One, is he is somewhat offended with the use of International Codes. He would just as soon have National Code. Two, the information provided on the changes is 55 pages of detailed changes to the Code, and it is now June 27, 2016, and our staff has to be an expert on the codes by July 1, 2016. He asked how does staff come up to speed with all the changes and how do we tell developers about the changes.

Mr. Mike Jordan, Building Official, stated normally when a new code is adopted or we move to a new edition of the code, it takes about six months to transition into the new code. He said they have to determine when plans were submitted, at what time, etc. He said it is easier to stay with what is in place until we get the information out to the contractors and interested parties and even for staff. He said staff is in the process of receiving continuing education on the code changes. Many of the changes are minor in nature. In fairness to the contractors, it takes about six months to transition to the new codes. He said they concentrate on the most major significant changes such as life safety or something that might impact economically and get that information out.

Councilman Merry pointed out that it is incumbent on the contractors to learn the codes. The city is not expected to teach the contractors, and there is a learning process of six months at least, but the contractors are very well aware that there is a new edition to the building codes. There is a new edition of the building codes every three years and builders are aware of that.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilman Merry, that Council approve on second reading an ordinance for the adoption of the International Building Codes. The motion was unanimously approved.

#### RESOLUTION 06272016B

Southwinds Construction  
Deed of Dedication  
Cornerstone Phase I, II, and III  
Utilities  
Easements  
Lift Station  
Dominion Drive  
Loudoun Drive  
Nokesville Circle

Mayor Osbon stated a resolution had been prepared for consideration by Council to accept two deeds of dedication from Southwinds Construction for utilities and associated easements in Cornerstone Phases I, II, and III and the lift station area.

Mayor Osbon read the title of the resolution.

#### A RESOLUTION AUTHORIZING THE ACCEPTANCE OF TWO DEEDS OF DEDICATION FROM SOUTHWINDS CONSTRUCTION, LTD.

Councilman Ebner moved, seconded by Councilman Dewar, that Council approve the resolution to accept two deeds of dedication from Southwinds Construction for Cornerstone Subdivision.

Mr. Klimm stated Southwinds Construction, Ltd. is the owner of Cornerstone Subdivision Phases I, II, and III, which is located off Whiskey Road. They are requesting that the City accept a deed of dedication which includes water system, sanitary sewer lines, and associated easements along Dominion Drive, Loudoun Drive, and Nokesville

Circle. They are also asking that the city accept a deed to the Lift Station Area.

Our Engineering and Utilities Department has reviewed this request and is recommending that the City accept this deed of dedication and deed to the Lift Station Area. The Engineer of Record has certified the completion of these utilities as being built according to City specifications and has found no deficiencies in the systems.

Council considered this request at the May 9, 2016, meeting, but continued the request because of concerns about access to the lift station. Mr. Klimm stated his understanding is that Mr. Grinton, of the Engineering & Utilities Department, has worked with individual members of Council on concerns that were raised.

For Council consideration is approval of a resolution accepting the deed of dedication for the sanitary sewer lines, water lines, valves and other related equipment and apparatus and their associated easements in Cornerstone Subdivision, Phases I, II, and III and the deed to the Lift Station Area.

Mayor Osbon asked for comments from the audience and Council.

Councilman Merry stated at the last meeting it was his concerns that caused the delay in acceptance of the deeds of dedication. He said he had talked to Mr. Grinton and others. He said he would vote to accept the deed of dedication at this time. However, he felt in the future that we might consider when we are looking at plans for development that we include lift stations and we consider interconnectivity. He pointed out that as we look at plans that the Engineering Department approves water lines, sewer lines, road access, driveways, etc., it is always predicated on some future sense of future interconnectivity. He said a sewer line that serves a new project or development may be connected to the next one and the next one so that the city can continue its progress. He noted that a lift station is a more unique set of circumstances and it is a more expensive thing to accept a deed of and to maintain in the future, so it seems more important than other scenarios to keep the options open as far as connecting other properties around it. He said his concern was all about having access to the lift station should the city choose to annex any other properties nearby so the city would have the option of using it since the city would own it and maintain it. There was no provision in the original approval or the original plans for this. He said his concern was how do we connect the next and next property to this lift station that the city will own and maintain. That has been resolved in speaking with Mr. Grinton. However, he felt as we go forward that looking at these things we might want to have something in our review process that says when a lift station or a mechanical device of that nature is considered, there needs to be a provision also for connecting to it just as everything else that we do as far as infrastructure. He felt we should keep that in mind as far as future circumstances like this.

Mayor Osbon thanked Councilman Merry for bringing that question up. He felt it was very important that we think not only about today, but also tomorrow.

Mayor Osbon called for a vote on the motion by Councilman Ebner, seconded by Councilman Dewar, that Council approve the resolution to accept two deeds of dedication from Southwinds Construction for Cornerstone Subdivision. The motion was unanimously approved.

#### ANNEXATION – ORDINANCE

Primary Care Properties, LLC  
Rinehart Way  
Hitchcock Parkway  
TPN 089-07-05-002

Mayor Osbon stated an ordinance had been prepared for first reading to annex .24 acre on Hitchcock Parkway and Rinehart Way and zone it Office/Institutional (O).

Mayor Osbon read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF 0.24 ACRES OF LAND, MORE OR LESS, OWNED BY PRIMARY CARE PROPERTIES, LLC AND TO ZONE THE SAME OFFICE/INSTITUTIONAL (O).

Councilman Ebner moved, seconded by Councilman Merry, that Council approve on first reading an ordinance to annex 0.24 acre on Hitchcock Parkway and Rinehart Way and zone it Office/Institutional (O).

Mr. Klimm stated Primary Care Properties, LLC, the developer, is requesting annexation and rezoning of an approximately .24 acre parcel from Rural District (RUD) to Office / Institutional (O). The property is located along Rinehart Way just off Hitchcock Parkway. The developer, Primary Care Properties, LLC, has combined this .24 acre parcel with a previously purchased 3-acre site which was rezoned to Office/Institutional by City Council on November 9, 2015 (Ordinance No. 11092015A). The developer intends to use the entire combined site to construct a Primary Care facility. The annexation and rezoning of the .24 acre parcel to Office/Institutional will bring the entire site into compliance with Section 2.1.3.A.2 of the City of Aiken Zoning Ordinance that requires that no parcel be divided by a zoning district.

At the June 14, 2016, meeting the Planning Commission considered the request for annexation and rezoning of the .24 acre parcel from Rural District (RUD) to Office/Institutional (O) and unanimously recommended approval of the annexation and rezoning of the .24 acre parcel.

For City Council consideration on first reading is an ordinance to annex and rezone a .24 acre parcel owned by Primary Care Properties, LLC on Rinehart Way at Hitchcock Parkway from Rural District (RUD) to Office/Institutional (O).

Mayor Osbon asked for comments from the audience and Council.

Councilwoman Diggs asked if a traffic study had been done for this project since it is on the By-pass and adjacent to Aiken Elementary School. She pointed out that traffic could be heavy in this area at certain times of the day. She wondered what impact that might have on their business.

Councilman Dewar pointed out that the children are generally in school before the doctors' office would open.

Mr. Klimm stated he would be glad to consult between first and second reading with the Planning Commission to find out whether they took that under consideration and whether they ordered a traffic study and if not why not.

Councilman Merry stated he did not know that a traffic study is required by ordinance, but one could be requested. He said he had one question. He said he understood there were some questions related to water and sewer for this property and who would serve the property and how this would be worked out. He wondered if that had been resolved.

Mr. Grinton stated the water district changes in this area. He said this may have been discussed with the City Engineer, but he had not personally addressed this matter. He said it is very clear where the water lines are and if the property is not in our district, it would be in the Valley District. He said that district would have to write a letter releasing them from the district for the City of Aiken to be able to serve the property. He said the water and sewer follow each other in this area. The Valley does have some sewer lines in the area and buy some of the capacity on the City of Aiken's transmission line which goes down Hitchcock Parkway. They have access to sewer in their area. They do not have as many water lines in the area. They might serve sewer to the area and not water. He said he had not been involved in the project, and the City Engineer might be the person to ask about that.

Mr. Kenneth Brace, of Primary Care Properties, LLC, Center for Primary Care, stated he was present to answer any questions. He pointed out in response to Councilman Merry's

questions regarding water that the issue had not been resolved yet. He said they will continue to work with staff on that matter. He said he was sure they would be coming back to Council at some point to request certain variances. He pointed out that on the property they are annexing there is a 10" water main that runs through it, and it belongs to the Valley Public Service Authority. To access City of Aiken water will require extending from another line about 1,000 feet over near Aiken Elementary School. He said it would be the same thing with sewer. He said they would work through those issues. He stated in response to Councilwoman Diggs' question about a traffic study, when they were working with the School Board to acquire the property they did look at the traffic as that is a concern that has been raised before. He pointed out that their office has a steady flow throughout the day. The office does not open until after school is in session. He said between 2:00 p.m. and 2:30 p.m. there will be some lines. He said they would be good neighbors with the school.

Councilman Ebner pointed out a concern is if the matter does not develop to the satisfaction of getting sewer and water to the development, he felt Council needs to know. He noted that we have run into this problem in other areas of the city such as Deodar Plantation where there are different water and sewer districts. He asked that Council be kept posted on that matter.

Mayor Osbon called for a vote on the motion by Councilman Ebner, seconded by Councilman Merry, that Council approve on first reading an ordinance to annex 0.24 acre on Hitchcock Parkway and Rinehart Way and zone it Office/Institutional (O). The motion was unanimously approved.

#### ANNEXATION – ORDINANCE

644 Old Airport Road  
Allison R. Hilton  
Robert L. Hilton  
HBR Investments of Aiken LLC  
Baseball and Softball Training Center  
TPN 137-17-04-005 (portion of)

Mayor Osbon stated an ordinance had been prepared for first reading to annex and rezone a 1.89 acre parcel located at 644 Old Airport Road from Urban Development District to General Business.

Mayor Osbon read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY CONSISTING OF 1.89 ACRES OF LAND, MORE OR LESS, OWNED BY HBR INVESTMENTS OF AIKEN, LLC AND LOCATED AT 644 OLD AIRPORT ROAD AND TO ZONE THE SAME GENERAL BUSINESS (GB).

Councilman Merry moved, seconded by Councilwoman Price, that Council approve on first reading an ordinance to annex and rezone a 1.89 acre parcel located at 644 Old Airport Road from urban Development District to General Business.

Mr. Klimm stated HBR Investments of Aiken, LLC, and Bobby and Allison Hilton are requesting annexation and rezoning of an approximately 1.89 acre parcel from Urban Development District (UD) to General Business (GB). The property is located at 644 Old Airport Road near East Pine Log Road. The property owner is proposing to subdivide the northern portion of the property for conveyance to the Hiltons for the purpose of developing an indoor baseball and softball training facility. The site is served with city water, however, sanitary sewer service is not available so the development will utilize a septic system.

At the June 14, 2016, meeting the Planning Commission considered the request for annexation and rezoning of the 1.89 acres parcel on Old Airport Road from Urban Development to General Business. The Commission unanimously recommended to Council approval of the application with the following condition:

Annexation is contingent upon the seller conveying fee simple title to the buyers within 90 days.

For City Council consideration on first reading is an ordinance to annex and rezone a 1.89 acre parcel located at 644 Old Airport Road from Urban Development District to General Business (GB) with the condition that annexation is contingent upon the seller conveying fee simple title to the buyers within 90 days.

Mayor Osbon asked for comments from the audience and Council.

Councilwoman Price asked if Bobby and Allison Hilton were present to answer questions regarding their proposal. She stated she was intrigued after reading what the Hiltons plan to do with the property. She wondered how they plan for the facility to operate. She asked that they tell Council how the facility would work.

Ms. Allison Hilton stated they plan to put together plans for the facility. She said they would have a pole barn-type building that looks similar to Boots, Bridles and Britches which is across the street from their property. They will try to keep the facility in connection to Citizens Park. They will put together the colors of the building, the design of the building inside and out. She said they are thinking virtual as you walk into the building. There will be virtual batting and pitching. She said the youth would be able to experience what it is like to be pitched from every angle from a virtual person. She pointed out it is a new concept that has come out in the past two years. They have researched such a facility. It is not cheap; it is an expensive undertaking. She said leasing will be available. She said they had been approached by several people since they were before the city last time. She said they will pick the partner they take to develop each individual cage in the facility. They have been to the University of South Carolina Training Facility for softball, and they have a magnificent facility that was built about 4 years ago. She said they had been in touch with both builders and the engineers that helped USC with the baseball facility and the softball facility. She said they will work in conjunction with them to make it very similar to the USC facility. She said the facility would be a good place for families to come and bring their children. She said they want the facility to be a place where families can have birthday parties; there could be team parties.

Councilman Merry pointed out that there is a shortage of batting cages at Citizens Park. He said it is a struggle to get time for your team at the batting cage.

Ms. Hilton pointed out that she and her husband thought there was nothing for girls. There are no softball facilities at all and no training, especially for girls. Ms. Hilton pointed out that both she and husband are from Aiken, but they have moved around to several places. She said they had decided to make Aiken their home.

Councilwoman Price stated she felt the training facility was a great investment project, and she wanted to hear more about it.

The Hiltons pointed out that they could not ask for a better location for the facility. Presently there is no place for the kids to train for baseball and softball. They also felt their facility would bring other business here and bring in business from outside counties, such as Barnwell and Hampton. Ms. Hilton pointed out there is no facility like this in Columbia, Savannah, or Charleston. The facility would encompass the CSRA area and to the coastline. It would be a state of the art facility.

Councilman Merry asked if there was a structure on the proposed location now. Ms. Hilton responded there are trees on the lot. Councilman Dewar asked how long it would take to build the facility. Ms. Hilton responded they have estimated it will take six to nine months to build the facility, but could be less because of the type building planned. She said they hope for a spring opening.

Councilman Homoki asked how many cages could be accommodated at one time. Ms. Hilton stated with the system at USC you can rearrange the building and the cages can be lifted up into the ceiling where things can be interchanged. Mr. Hilton responded that he

would say about 7 or 8 batting cages, and they would be able to move and use the whole facility as an indoor place to play. There would also probably be a separate place for pitching lessons, etc. Ms. Hilton stated the concept is for the facility to be flexible and not just be another batting cage. She said it would be indoors, out of the elements; it would be heated and cooled. She said they would like to have an area for people to come in and enjoy concessions at the facility.

Councilman Ebner stated it had been mentioned that the proposed facility was adjacent to the Citizens Park Conference Center. He wondered if the Conference Center property could be annexed to the city.

Mayor Osbon called for a vote on the motion by Councilman Merry, seconded by Councilwoman Price, that Council approve on first reading an ordinance to annex and rezone a 1.89 acre parcel located at 644 Old Airport Road from urban Development District to General Business. The motion was unanimously approved.

#### CHAMBER OF COMMERCE

Aiken's Makin'  
Parkways  
Park Avenue

Mayor Osbon stated a request had been received from the Aiken Chamber of Commerce for use of Park Avenue for Aiken's Makin' event.

Councilwoman Diggs moved, seconded by Councilwoman Price, that Council approve the request of the Chamber of Commerce to use Park Avenue between Chesterfield to Union Street for Aiken's Makin' event.

Mr. Klimm stated we have received a request from the Greater Aiken Chamber of Commerce to allow them to close the entire west bound lane of Park Avenue from Union Street to Chesterfield Street in order to hold the 40th Annual Aiken's Makin' festival. They also want to close half of the east bound lane of Park from Union to Chesterfield.

The festival will be held from 9 a.m. to 6 p.m. Friday, September 9, and from 9 a.m. to 5 p.m. on Saturday, September 10, 2016. Exhibitors will set up on the paved portion of Park Avenue.

For Council approval is authorization for the Greater Aiken Chamber of Commerce to hold their 40th Annual Aiken's Makin' event on Park Avenue on September 9 and 10, 2016.

Mayor Osbon asked for comments from the audience and Council.

Councilman Dewar stated he thought Council had given the Chamber permanent permission to hold the Aiken's Makin' event on Park Avenue. It was noted that the city may not be able to do that as Park Avenue is a state street. It was felt that permission needed to be requested each year as Park Avenue is a state road.

Councilman Merry commented that the Aiken's Makin' event is well organized and that John McMichael had been a big part of the committee for a number of years. He said Aiken's Makin' is well done and good for Aiken.

Councilman Dewar asked if the city needed to do anything regarding the problems there last year with drainage after it rained.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilwoman Price, that Council approve the request of the Chamber of Commerce to use Park Avenue between Chesterfield to Union Street for Aiken's Makin' event. The motion was approved unanimously.

RESOLUTION 06272016CCity ServicesWater198 Gun Range RoadHair SalonErica S. BushTPN 135-14-03-002

Mayor Osbon stated a resolution had been prepared for Council's consideration authorizing water service at 198 Gun Range Road for a hair salon.

Mayor Osbon read the title of the resolution.

A RESOLUTION AUTHORIZING THE PROVISION OF WATER UTILITY SERVICES TO PROPERTY LOCATED AT 198 GUN RANGE ROAD.

Councilwoman Price moved, seconded by Councilwoman Diggs, that Council approve the resolution authorizing the provision of water service to property located at 198 Gun Range road.

Mr. Klimm stated Erica S. Bush, Applicant, and Deborah L. Tyler, Owner, of 198 Gun Range Road, are requesting city water service for a hair salon which will be housed in a new building on the property. The parcel is currently being utilized for residential purposes and contains a manufactured home which is proposed to remain on the property. The City Utility Policy requires that development of a site in an unincorporated area receiving city water service be approved by City Council after review by the Planning Commission. This property is within the City Services boundary but is outside of the Comprehensive Plan study area. City water service is available, however, sanitary sewer service is not currently available to the site.

On June 14, 2016, the Planning Commission reviewed the request for water service and unanimously recommended to City Council that water service be provided to the hair salon with the following conditions:

1. That an executed "Agreement on the Provision of City Services" listing conditions of approval be recorded within 90 days of approval by City Council at the RMC office.
2. That there be a condition that the agreement to annex the property as soon as it becomes contiguous be executed and recorded.
3. That the City Engineer approves the design and installation of the water service.
4. That the site/landscape plan complies with the Tree Preservation and Landscaping requirements of the Zoning Ordinance.
5. That the freestanding signage be limited to monument style with a maximum height of 8' and not more than 32 square-feet in area. The sign should be located so that the trees do not block the sign as the trees mature. The sign should also be allowed to have only external illumination.
6. That the site complies with the Access Management regulations.

For City Council consideration is a resolution approving city water service to a hair salon at 198 Gun Range Road with the conditions recommended by the Planning Commission.

Mayor Osbon asked for comments from the audience and Council.

Councilman Merry stated the request is not for annexation, but an annexation agreement is required to be signed. He said in order to provide city water would they need to get a business license or city approval or is the request simply for the provision of water.

Mr. Gary Smith, City Attorney, stated the property is not in the city, and they would not be doing business in the city. They would not be required to have a business license. Councilman Merry asked if there are any other requirements. He said he wondered if the property were annexed if there would be any other regulations or requirements, particularly related to the open foundation on the building. He pointed out that we

require other developments that come to the city for approval for water and sewer service outside the city limits to meet city specifications and guidelines in order to get the water and sewer service so when the time comes and they become contiguous they can be annexed. He wondered if there was anything lacking that would be required by the city. Mr. Smith stated he thought Council had provided water service to facilities that would not necessarily be allowed in the city. He pointed out a car lot on SC 19 near the Dollar General outside the city. He pointed out that they have a single wide trailer as their building. He said that would not be allowed in the city, but we allowed our water service outside the city. Councilman Merry asked if the property were annexed, then would it have to comply to city regulations at that time. Mr. Smith responded that would be grandfathered in at the time it was annexed, but if they had to replace the structure they would have to do it in accordance with city regulations. If something were to happen to the structure such as a fire and more than 50% of the building was destroyed, it would have to be replaced according to city regulations. Councilman Merry stated he did not want to impede their ability to get water service and open the business, but at the same time he did not want to have a set of rules for them that is different from everybody else. Mr. Smith pointed out that Council had approved non-conforming structures outside the city for water and sewer before.

Councilwoman Price pointed out that Erica Bush and Deborah Tyler were small business owners. She commended Ms. Bush for opening her first business and wished her well.

Mayor Osbon called for a vote on the motion by Councilwoman Price, seconded by Councilwoman Diggs, that Council approve the resolution authorizing the provision of water service to property located at 198 Gun Range Road with the conditions recommended by the Planning Commission. The motion was unanimously approved.

#### RESOLUTION

Hopeland Farms  
Law Suite  
Settlement

Mayor Osbon stated a resolution had been prepared for Council's consideration to approve a settlement proposal for Hopeland Farms. He said staff had asked that the item be continued.

Mr. Klimm stated staff had been notified that Mr. Daniel Plyler had a conflict and could not be present at the Council meeting. He said staff would ask that the item be continued to the next meeting.

Councilman Merry moved, seconded by Councilwoman Price, that the item regarding approval of a settlement proposal for Hopeland Farms be continued to the next meeting of Council.

Councilman Dewar asked if Council needed Mr. Plyler to be present or if Council did not have questions could they proceed with the item.

Mr. Bedenbaugh noted that Mr. Plyler was out of town last week, and Mr. Plyler needs to send an updated agreement so the item would need to be continued.

Mayor Osbon called for a vote on the motion by Councilman Merry, seconded by Councilwoman Price, that the item regarding approval of a settlement proposal for Hopeland Farms be continued to the next regular meeting of Council. The motion was unanimously approved.

#### NORTHSIDE PARK

Phase I  
U.S. Highway 1  
Parks, Recreation & Tourism Department

Mayor Osbon stated staff would like Council approval to begin work on Phase I of the Northside Park Project.

Councilwoman Diggs moved, seconded by Councilwoman Price, that Council grant permission to proceed with the Northside Park project and permission to incorporate the proposed changes to include additional clearing for greenspace and an addition to the proposed walking trail so it could be a one mile track.

Mr. Klimm stated Council has had several workshops regarding the Northside Park project. We were directed to bring to Council a path forward for Phase I of this project. At the City Council workshop on June 6, the Mayor and Council requested an alternate Phase I estimate to include additional clearing for greenspace and an addition to the proposed walking trail so it can be one mile. Cost estimates for the changes to the project had been provided to Council. The changes would increase the project cost to \$2,793,139, which exceeds the project budget by \$89,016. These changes include:

1. Clearing, grubbing and grassing an additional 5.7 acres
2. Erosion and sediment control to include an additional 650 linear feet of silt fence
3. Addition of 1,056 linear feet for the walking trail.

We would like Council's permission to proceed with this project with permission to incorporate these changes with the budget shortfall being made up by a potential gift. Mr. Klimm stated Joy Gillespie, Capital Projects Sales Tax Manager, Patrick Graham, consultant for the project, and Jessica Campbell, Parks, Recreation & Tourism Director, are all present to answer any questions.

Mayor Osbon asked for comments from the audience and Council.

Ms. Donna Wesby stated she lives in the County, but was very interested in the project and very pleased to see what the city is doing. She asked if there would be enclosed restrooms at the Northside Park. She pointed out that she had attended several events at the Augusta Commons, and they have enclosed restrooms and it really makes the facility a tremendous attraction for a variety of events. Mayor Osbon stated restrooms are included in Phase I of the project.

Councilman Ebner stated he would like to propose an amendment to the contract. He felt the city needs to follow a similar procedure that we did with University Parkway. There was an estimate to do the work, and it kept growing as the design developed just as the cost is growing for the Northside Park project. He said he would propose that we separate this, and we go out and get a design done which would be approved and use the concept plan that we have that was presented in the agenda for this meeting. He said he would suggest that Council approve CHA to move forward with the design as per the concept plan attached in the June 27, 2016 City Council agenda. He ask that we go ahead and get the design and a biddable package and bid. Then come back to City Council with what the cost will be. He felt it was very difficult at this time to know that the cost is \$2.7 million. He said what he proposes is general wording for the contractor and city staff to work out the details on how to do it. He said the proposal would let us move from the stage where we are now and authorize them to actually start the hard design. Also, there were conditions in the original approval back in November, 2015, on how the process would work which were recommended by the Committee on which Councilmembers Dewar and Diggs served. Councilman Ebner stated he proposes this to Council so we can move forward and actually get some real design done and move forward to get an actual bid cost for construction.

Councilman Ebner stated he would propose that "City Council authorize CHA to proceed with design per the concept plan attached in the June 27, 2016, City Council agenda, develop construction bid package and bid the project to get an actual cost for Council to approve. Construction bid cost is to be "keys in hand" (with utilities and entry from U.S. 1). Authorization to be based on an update to the existing contract to include:

1. Design and bid phase paid monthly based on 5.5% of construction contract estimate, but not to exceed bid value.
2. Construction administration based on 1% of construction contract bid.

3. CHA present monthly subcontract invoices for the Data Collection (survey, geotechnical and wetlands).
4. CHA to submit invoice for services through June 30, 2016. All further work to be under revised contract.
5. CHA and City staff to report to City Council at the first monthly meeting of Council beginning in September, 2016, and thereafter until project completion.

The proposed text would be the basic conditions for a City/CHA updated contract.”

Councilman Ebner stated the conditions he had listed are pretty well standard conditions that would be in a design contract for this type facility. He said we did the same for The Alley and for the Railroad Depot and he would propose that we do that way for Eustis Park. He said this is his proposal to Council to move the project forward.

Councilman Dewar asked if Councilman Ebner was proposing that there be a monthly invoice based on 5.5% of construction costs and we never go above the estimate. He asked if the consultant had seen the proposal.

Councilman Ebner stated he used the consultant’s original amount, which was 5.5% for the design and bid costs. The current proposal is 8%. He said being a good steward of taxpayers’ money he used the lower amount. He felt this is where the city would have to negotiate the difference in the two amounts.

Councilman Merry asked if Councilman Ebner had said there had been a previous proposal that showed the 5% plus .5% for design and bid. Councilman Ebner responded that was in the original proposal from CHA.

Councilman Ebner pointed out that “the original CHA bid dated September 21, 2015, that was presented to Council (page 109 through 112 of 178 dated November 23, 2015) had provision for: Section C – Design Phase I that included 9 conditions for the contract, Section D Bid Phase that included 3 conditions for the contract, Section E Construction Phase that included 8 conditions for the contract. Assumptions that included 11 conditions for the contract and Professional Fees:

Professional Fees were—

- |  |  |                              |
|--|--|------------------------------|
| A. Data collection (survey, geotechnical & wetlands) | \$53,950                                     | ---per June 27 <sup>th</sup> |
|  | agenda cost is \$233,593                     |                              |
| B. Master Plan/Design Analysis                       | \$19,850                                     |                              |
| C. Design Phase                                      | 5% of construction value – per June 27, 2016 |                              |
|  | cost is 8% for an estimate of \$172,360      |                              |
| D. Bidding   | .5% of construction value                    |                              |
| E. Construction Administration                       | 1.0% of construction value                   |                              |

Project related cost billed at cost.”

Councilman Ebner stated he realizes there are some evolutions and the contractor has gone on to get where we are. He said that was why he stated the “Text would be the basic conditions for a City/CHA updated contract.” He said the city staff would negotiate the in between amount. He said this would move us forward to start getting some design done based on the original plans CHA submitted. He said we would use the concept plan that was presented to Council at this meeting which includes the clearing, grubbing and grassing an additional 5.7 acres.

Mayor Osbon stated he would like to suggest that Council take a five minute recess and let staff get some answers and come back to Council.

Councilman Dewar pointed out that there are no restrooms listed on the cost estimate sheet and there is no dollar amount associated with the listing. He felt there should be a dollar amount for that item.

Mayor Osbon asked if there was a motion for Council to take a five minute recess. Councilman Merry moved, seconded by Councilwoman Price that Council take a five

minute recess to give staff some time to discuss the matter. The motion was unanimously approved. Council recessed at 8:21 p.m. Council reconvened at 8:26 p.m.

Mayor Osbon stated Council was considering item 4 under Petitions and Requests regarding approval to begin work on Phase I of the Northside Park Project.

Councilman Ebner stated he would like to make a motion that Council amend the original motion regarding the Northside Park project to rework the contract such that the conditions he recommended on the paper distributed to Council be included and that City staff negotiate the appropriate percentages. He said he used what was approved originally. He said he knew there had been some changes and the text would be the basis for this. He said his motion is to include the first two paragraphs of the sheet that he distributed for Council approval so we can move forward with the design and bid. The motion was seconded by Councilman Dewar.

Councilman Ebner stated going back to the percentage of the design phase, the original proposal was 5% plus .5% for design phase and bidding. Then 8% was there which could have included other costs. He said he wanted to be sure we get the appropriate amount there. He said he was looking for 5.5% or less for the taxpayers. He said we want the design with "keys in hand" which includes all the facilities and meets the requirements of the City Code and state codes.

Mr. Patrick Graham, CHA Consulting, stated he wanted to clarify a couple of things. He said they are in complete agreement on the fee percentages. He said he thought the 8% figure that Councilman Ebner saw was a design contingency line item. That was not their fee. He said their fees are all under the Soft Cost Line Item, and he carried them at the exactly same percentages that were a part of their contract from the beginning. He said they are in complete agreement on that.

Councilman Ebner stated that fits in with his other statement of requesting a monthly invoice. Basically this is a cost plus and you would submit that with your normal percentages which is what he had on the sheet that he distributed. He said Mr. Graham and the city staff would work up the details to make that happen.

Mr. Graham stated as a point of clarification the way the existing contract would work right now is should Council choose to vote to approve the Phase I budget as presented that would then set their design fee, bid base fee, and the construction administration fee for the rest of the project based on those percentages in the construction budget which was presented to Council. He said that is all in Soft Costs. He said that would set those values and hold them. They would not change. Councilman Merry stated it sets them as a percentage so they would change only as the total cost changes. Mr. Graham stated it would set it as a flat number now and essentially they would become lump sums from here on out to the end of the project. That is a little bit different from what Councilman Ebner is proposing which is traditional costs plus model where those values would float until we actually bid the project. Then whatever the final construction value is based on the bids, that would then set their fees. He said Council could either set those numbers tonight and know what they are or Council could wait until the project is bid. He said they could work either way. He said they have done projects both ways.

Councilman Ebner stated he had his own personal preference, but he felt the city staff should work with Mr. Graham to do that. He said one of his concerns is that as they develop the design if the price grows and grows obviously the city is still looking at the \$2.6 gross amount. He felt the City staff needs to keep that in mind. He said if you go this way and Council approves \$2.9 million CHA's fee is based on \$2.9 million. If it is turned into a lump sum, it is based on \$2.7 million x 5.5%. Mr. Graham stated that is correct. If it is done the way the contract is set now, the onus is on CHA as designers to design the project to meet the construction award budget. Councilman Ebner stated he felt the City Manager and staff and City Attorney could do that.

Councilwoman Price stated she did not understated what Councilman Ebner is proposing. She pointed out that the fee for CHA is 5.5% now. Councilman Ebner stated that was in the original contract which was presented to Council at the November 23, 2015, Council

meeting. He said Mr. Graham is saying that he would accept the 5.5% and then that would become the lump sum amount that CHA would design and bid the project. Then the 1% is above that for helping Construction Management not Construction Management supporting construction. He said there is a difference there. Councilwoman Price stated she was not sure whether Mr. Graham was supporting that or if it was contrary to Mr. Graham's recommendation. Councilman Ebner stated he was where Mr. Graham is concerning a lump sum. He said his proposal was a little more open ended, but he is a lump sum type guy. Councilman Merry pointed out that is better for everybody.

Councilman Ebner stated Mr. Graham is proposing that, and he accepts that.

Councilman Merry asked what are design contingencies? Mr. Graham stated basically that is because we are at an early stage of the project and we have only advanced the design to a conceptual level at this point, it is typical practice to include a design contingency. What that does is allow some room to deal with the things you don't know you will have to deal with yet. Mr. Graham stated as we go through the design process and we get closer to having a complete design, those contingencies drop down.

Councilwoman Price asked Mr. Graham to clear up the matter regarding bathrooms. Mr. Graham stated there are two family restrooms that are a part of the large picnic pavilion in Phase I. Mr. Graham stated on the price sheet the restrooms are listed under Site Amenities. It says large picnic pavilion with 2 family restrooms at a cost of \$110,000.

Councilman Ebner stated the original motion was to use this as the design basis. He said his motion was to do that and Mr. Graham had accepted that.

Councilman Dewar asked if the restrooms would be two family restrooms or restrooms and two family restrooms. Mr. Graham responded the plan would be two family restrooms right now.

Councilman Dewar stated he wanted to go back to the discussion with John Wade to make sure we are complying with the city ordinance as it relates to wells and access to water. He asked if the city was complying with our own ordinance where we would have to connect to city water and sewer.

Mr. Graham pointed out that the property is in the County and technically we only have to meet County ordinances. Councilman Dewar stated that is not the point that Mr. Wade made and he hoped we don't ignore it. He stated Mr. Wade says the city ordinance says where public sanitary sewer is reasonably accessible for the purpose of this section, reasonably accessible is considered 1,000 feet from the proposed property. The use of wells to provide water for commercial purposes or domestic properties within the city limits is hereby prohibited and declared to be unlawful. Councilman Dewar felt we need to clarify what John Wade told Council in the work session with regard to the water and sewer.

Mr. Graham stated he did have a chance to talk with Mr. Wade this afternoon, and he thought Mr. Wade thought the project was within the city limits. He said when he told Mr. Wade the property was in the County, then he said it was a different story.

Councilman Dewar stated the property is in the County, and he felt Mr. Wade knew the property is in the County. He said if the project was not the Northside Park, but another business that wanted to go on the property, his understanding is that if water is accessible and even though the property is in the County, you have to use city water and not a septic tank.

Councilman Merry stated he was willing to listen to whatever the ordinance says, but almost every development in the County that is not taking on city water is using a well and it is perfectly legal for somebody in the County to have a well or septic system. He said even though water is close to them, they would not be forced to utilize city water or city sewer. He said you can't force the people to utilize the city water or sewer just because you have water or sewer near them.

Councilman Dewar asked Mr. Smith, City Attorney, regarding Ordinance 062667B. Mr. Smith responded that you can't force somebody outside the city to use city services. He said he did not understand what ordinance he was reading from.

Councilwoman Price asked that Ms. Joy Gillespie, Capital Projects Sales Tax Manager, explain the situation regarding the well and eventually getting on the city system.

Ms. Gillespie stated the wells and septic tanks are a temporary measure to be put in place to advance Phase I. Once the next phase of the project is brought before Council for approval, we will then connect to the city sewer and water that are currently near the site.

Councilman Dewar asked Mr. Grinton if the city does not need to comply with the ordinance that is on the books. He said Mr. Grinton was at the meeting when Mr. Wade explained the issue as far as he is concerned regarding water and sewer service if available outside the city for regular businesses. Mr. Grinton stated he felt there is a difference as to whether the property is within the city limits or outside the city. He said if Council wants to have city property follow the city ordinance outside in the county, that would be up to Council.

Mr. Smith, City Attorney, stated he was not sure what ordinance Councilman Dewar is reading. He stated the city cannot force an out of city business to use city services if they don't want to. Councilman Dewar stated not according to Mr. Wade at the work session. He said DHEC says if you want to use a well you have to get a feasibility study by DHEC. Mr. Smith stated that may be a DHEC requirement, but the city cannot require an out of city customer to use city water or sewer system.

Councilman Merry stated he felt it depends on how you will be using the water also, and if there is any sort of food prep or anything where people may be drinking water.

Councilman Dewar stated it is frustrating because Mr. Wade took the time to come to the work session and talk to Council. He said he thought he understood what Mr. Wade was saying. He said he talked to him today, and he felt he still understands what he is saying.

Councilmembers asked if it might be possible to move the project forward with the expectation of doing further research regarding water and sewer to see what Mr. Wade was referring to.

Councilwoman Price asked if we could move forward with the project, but make sure the city is in compliance with regulations.

Councilman Merry stated he was concerned about the matter, but he felt the City Attorney makes a good point about the city not being able to force anyone outside the city to use city water or sewer service.

Mr. Smith stated he did not have anything in the agenda packet that refers to the ordinance in question. He said he was not present when Mr. Wade made his presentation.

Councilman Dewar stated Mr. Wade came to a Council work session and spoke for some time. Mr. Wade's point was that the city has an ordinance from 1967, and it says where public sanitary sewer is reasonably accessible....for the purpose of this section reasonably accessible is considered 1,000 feet from the proposed property. He said he thought Council had recognized and accepted the fact that we can't use a well on this project unless we have a feasibility study and there was a great difficulty in having to do with a feasibility study so we needed to connect to the city water and sewer.

Mr. Smith stated just basic city law, Council can't pass an ordinance that requires somebody you don't have jurisdiction over and is not within the city limits to do something. He said the property would have to be within the city limits.

Councilman Merry stated if the ordinance was passed in 1967, it was probably because there were properties within the city limits that were not yet connected to city water and

sewer service. He said he knows from his experience that you do have to submit a site plan and an application to DHEC and they will do a perk test. You do have to get a feasibility study and DHEC approval and then you can put them in. He said that is done all the time for properties outside the city limits.

Mayor Osbon stated the discussion is on the amendment regarding the Northside Park project. He felt the discussion is good to have, but we need to address the amendment that Council is considering at this time.

Councilman Ebner stated he felt we can move forward with this. He felt the question that has been brought up is a legitimate thing to answer. It does not stop the design from proceeding. He would not design the well and sewer system before the next Council meeting. He felt Council could give direction at the next Council meeting as to what could be done. He felt at this time Mr. Graham could move forward with the design. He felt the matter should be on the agenda for the next meeting.

Councilwoman Price stated there is a point that needs to be cleared up and Ms. Gillespie and Mr. Graham can investigate for some information. Mayor Osbon stated we could ask the City Attorney to come back to Council with a response.

Councilman Ebner stated Council could still direct Mr. Graham how to proceed. He said right now there is a proposal that has a septic system and a well. He said Council can come back and direct Mr. Graham at the next meeting to use city water and sewer if we want to spend money to use city water and city sewer service. He said staff can come back with a recommendation.

Mayor Osbon asked Councilman Ebner if he said the price the way it is presented now would be as you were doing the phase or step as opposed to the fee that we are looking at now. He asked if that was his intention in the motion.

Councilman Ebner stated he left it more open to be actually cost plus and Mr. Graham suggested we turn it into a lump sum. He said he was very pleased with that suggestion.

Mayor Osbon asked if Councilman Ebner would make his amendment as a lump sum.

Councilman Homoki asked when he says lump sum is that predicated on the \$2.7M. Councilman Ebner stated it is predicated on the \$2.7 million. Councilman Homoki stated then CHA would have their fee upfront, and if the project grows would it be the same rate for the fee or no fee at all if the project grows.

Councilman Ebner stated one reason for doing the way he suggested and Mr. Graham followed his lead for the lump sum, is that we have roughly \$2.76 million. He said what was in the original motion and what was distributed, Mr. Graham will design based on the concept plan that was distributed at this meeting which includes clearing the additional 5.7 acres, erosion and sediment control of an additional 650 linear feet of silt fence and the addition of 1,056 linear feet for the walking trail. Once Mr. Graham gets the design done, and we have paid him a lump sum amount to create the design, he will get that amount of fee. When the bid comes in at \$3 million we say we don't have that much money, we will have to take something off the bid list. We would still have the design for it and can build it later. His fee would be the same.

Councilman Dewar stated we have to make it very clear that it is a lump sum contract and nobody in this room has the authority to add to that contract. This is what we are contracting for. As a group Council could add to the contract, but Council would have to come up with the extra money.

Councilwoman Price stated she liked that statement and would support that based on what Councilman Dewar stated that it would be brought back to Council if extra funds are needed for the project. Councilman Dewar pointed out that Council is the only body that could add funds for the project.

Councilman Ebner stated his amendment says that the project has to come back to Council for approval of the construction bid. Presently we are just doing the design. Mr. Graham will come in with a bid. If the bid is \$2.7 million plus his fee, it may be good to go. If the bid comes in at \$3 million Council has to take that bid and take something out of the project. Mr. Graham's fee stays the same. Councilwoman Price stated Council does not have to take something out, but Council can say that they want to move forward with the project and allocate money from some other source. Councilman Ebner pointed out that right now we are just to do the design. Council is not authorizing the \$2.7 million. Council is just authorizing 5.5% of that.

Mayor Osbon called for a vote on the amendment as presented by Councilman Ebner and seconded by Councilman Dewar. The motion was unanimously approved.

Mayor Osbon stated Council now needs to vote on the original question as amended which was made by Councilwoman Diggs, seconded by Councilwoman Price, that Council grant permission to proceed with the Northside Park project and permission to incorporate the proposed changes in the design to include additional clearing for greenspace and an addition to the proposed walking trail so it could be a one mile track. The motion was approved by a unanimous vote.

### RESTROOMS

Perry Park  
Schofield School  
CPST II  
Williamsburg Street

Mayor Osbon stated staff had made a request to spend CPST II money for restrooms at Perry Park.

Councilwoman Price moved, seconded by Councilwoman Diggs, that Council approve the expenditure of CPST II money for construction of restrooms at Perry Park.

Mr. Klimm stated in September 2014 Council approved our construction of restrooms at Perry Park, a recreational area adjacent to Schofield Middle School, after hearing a presentation from Rev. Paul Bush on behalf of the Concerned Ministers Fellowship. After much difficulty in dealing with the State Department of Education's Office of School Facilities, Council approved our purchase of 0.3845 acre of land from the School District. We executed a closing in April, 2016. We immediately let out bids and received three bids. The lowest responsible bid was from AOS, who submitted a bid of \$194,917.00. With contingency, we are requesting to spend up to \$215,000 for this project, which was directed by Council to be paid out of the Northside Recreation line item from CPST II [016-5150-455.71-02 PRNS].

Mr. Klimm stated staff is asking Council to allow staff to move forward with the bid for up to \$215,000 for the restrooms. He said the second question is there has been some concern that the money is to come from the Northside Recreation line item from CPST II. He said he wanted to make sure that Council wants to take the money from the Northside Recreation line item as opposed, for example, the Landfill appropriation that is under CPST II. He said that is a decision for Council.

Mr. Klimm stated we have heard several comments with the first being the overall cost for the project. Mr. Bedenbaugh who oversaw the process of putting the project out to bid can discuss in detail what was involved to get us to a point where we are here tonight asking for the dollar amount. He said we were asked as late as this evening whether or not we could save money by putting it back out for bid again. He said that is a decision for Council. There was a belief that the process would save considerable money. He said all of us would be in favor of that, but at the same time we are very aware that there is a high level of frustration in the community not by any doing of Council or the city, but because of the frustration that added months and months to the project waiting for a response from a bureaucracy that was not interested in working with us. He said that is what we are looking for at this meeting as to whether there is any legitimacy to putting it back out to bid or whether we want to move forward with the project. If we do, one last

time he wanted to ask whether we are sure we want to take the money from the Northside Recreation project which we just heard is going to be very tight or whether we want to consider the possibility of taking the money from another line item like the Landfill where we have an appropriation, but no real plan to do anything with the money.

For City Council approval is a request to spend CPST II money for construction of restrooms at Perry Park.

Mayor Osbon asked Mr. Bedenbaugh to walk us through the process to get where we are.

Mr. Bedenbaugh stated that in September, 2014 Council approved the Perry Park Restroom project going forward. Since the Perry Park property was entirely owned by the Aiken County School District, we needed to work with the State Office of School Facilities to get their sign off on the plans. That proved to be a very laborious process. As late as the first of this year, we were still going back and forth with a third iteration so we approached the Aiken School District and presented a preliminary plat of the property needed for the restrooms. We asked if we could purchase the property and then instead of dealing with the State Office of School Facilities work with our local officials. The School District agreed to sell the property to the city and Council approved purchase of the 0.3845 acre parcel for \$5,000. About two and one-half months ago we put the project out for bid with a bid opening date of June 7, 2016. We received three bids with the lowest bid that was opened being not responsive. After several discussions with that vendor we went to the second low bid. The first lowest bidder after reviewing the bid realized that they did not account for approximately \$58,000 worth of costs so when adding that in it made their bid about \$182,000. However, since they did not include that in their bid, it was not compliant so the next low bid was about \$195,000. He said that bid is what staff is recommending to Council with money for contingency. The project scope calls for the project to be completed in 90 calendar days once the notice to proceed is issued. They would be basically running the water and sewer lines to our nearest available access point. We would be working with SCE&G to install the exterior lighting as well in addition to the necessary items needed in the restroom facility.

Councilman Merry asked how far the property was from the nearest water facility. Mr. Bedenbaugh stated it is a good distance. The property sits adjacent to Abbeville Avenue, and the water line is down towards the Abbeville and Williamsburg intersection. He noted that the parcel sits sort of in the middle of the block near where the gazebo is located. He pointed out that also based on the project design they have to dig about an 8 foot deep trench to run the lines as well. The part left out of the lowest bidder's bid was electrical and roofing costs.

Councilman Merry asked about the square footage of the facility. Mr. Bedenbaugh stated the square footage is 800 to 1,000 square feet. It is the fixtures plus an area for serving food.

Councilman Merry stated one thing that comes to mind is if there is such an extensive amount of utility work for water and sewer lines rather than pay a contractor to sub that out and pay overhead, profit, etc. would the city have the capacity to run the lines and save some money. Mr. Bedenbaugh stated that would be a question for Mr. Grinton, but there is a chance that the city would look to sub it out as well. He said he had talked to Mr. Grinton about that. It probably would not save much for the city to sub it out.

Councilman Homoki asked why the School District did not build the restroom facilities. Mr. Bedenbaugh stated he could not answer that. Councilman Homoki stated he asked the same question about four years ago. He said the reason he was asking is that the school controls the area and they have signage saying that people can't go in there. He said that says to him that the School District owns the property and everything that happens there is their responsibility. He wondered why the School District could not have built the facility out of their funds. Mr. Bedenbaugh stated that is a question to ask the School District. He said the city would be maintaining the property on which the restrooms are to be built. There will be timed locks on the restrooms. The building will not be accessible from dusk to dawn. It will have the same sort of setup as other standalone restroom facilities.

Councilman Homoki asked if the facilities would be used by the School District. Mr. Bedenbaugh stated they would use the facilities. The facilities would be open. He said they use Perry Park. The wetlands area is there which is used by the biology classes. He said during normal instruction time the facilities will be available to the school children. The facilities would be open. Councilwoman Diggs pointed out that soccer teams practice out there as well as the Police Athletic League. Mr. Bedenbaugh stated after school lets out, they do have a lot of recreational and ball team practices there depending on the season.

Councilman Homoki asked if it was a city league, or a school league. Mr. Bedenbaugh stated city league teams practice out there adjacent to Schofield Middle School, and it would be available to them for their athletic teams as well.

Councilman Merry stated the heartburn is that we have already spent money on architects, twice he thought, money on the land, and then almost \$200,000 on the restrooms. He said all total we might have almost \$250,000 in an 800 sq.ft. pair of bathrooms. He felt this was very costly. Mr. Bedenbaugh stated the costs were a little surprising to him, but that is what the bids were at the time. He said there are a lot of extraneous factors that we can't control, such as the timing of the bid, etc. He said he understands the concerns.

Councilwoman Diggs stated she felt all were concerned about the price. She said they were also concerned about the length of time that it has taken for us to get to this point. Mr. Bedenbaugh stated he thought that is what staff has to balance. He stated the project was initially approved 21 months ago, and he didn't think anyone thought we would be here in July almost two years later and we have not turned any dirt and staff worked hard to come up with a solution when we ran into the issue which the Office of School Facilities. Then we got the documents bid out as soon as possible to try to get an effective turnaround.

Councilwoman Price stated the truth is that the School District was tied into the bureaucracy of the State of South Carolina in Columbia. Each time we would send a plan, they would have another change, and another change, etc. She pointed out that we were getting nowhere.

Councilman Homoki stated he appreciated that and Council had had those discussions before. He asked what was the rationale about even creating the facility. He said let's get down to basics now. He said all of a sudden there is concern about \$200,000 for this. The School District is not cooperative at all. Will they use that facility, it is their property. He asked why don't they do something, and why does the City have to do it. He said to him it does not make any sense.

Councilwoman Diggs stated Perry Park is used on a regular basis for family reunions, picnics, festivals, and everyone who hosts an event there has to rent port-o-lets or they have to walk up to Smith-Hazel Center to use the bathroom.

Councilman Homoki asked from whom do they rent Perry Park. Councilwoman Diggs stated anyone who has an event at Perry Park goes through the City to rent Perry Park and pay a fee. Councilman Dewar asked if we get permission from the School District to use the school property. Mr. Bedenbaugh stated some time ago the City constructed the gazebo on the property.

Councilman Dewar asked how big the restroom facility would be. Mr. Bedenbaugh stated the building is approximately 800 to 1,000 square feet. He said the City constructed a gazebo on the property with the School Board's permission some years ago. He said that was why the location was selected for the restrooms. He said we have had partnership with the School, and he thought the City had helped with the construction of the wetlands on the School Board property at Perry Park.

Councilwoman Price stated she wanted to go back to the question that Councilman Merry had asked regarding the infrastructure. She pointed out that the city does not have the

manpower to put in the water and sewer lines so we would need to contract it out which would cause an escalation of the price. Mr. Bedenbaugh stated that is part of the issue. He said if Council desires staff could value engineer it and try to ameliorate some of the costs.

Mr. Grinton stated one thing he would want to make clear is that because the Water and Sewer Fund is an enterprise utility the fund would have to charge the impact fees and connection fees. He said they would take the utilities, as they would for any property, to the right of way. He said they would establish and put a cleanout at the right of way and put in a meter. Anything from there to the building city crews could do if they have the time, but he would have to track the costs and have to charge the project because it is not a utility function, but a General Fund function.

Councilman Merry asked if Mr. Grinton had an idea as to what the normal unit cost would be for going from the meter to the building. Mr. Grinton stated he could do an estimate, but the biggest challenge would be doing it on a time schedule. He said the crews probably could, but we would have to charge our time, materials, rental of equipment, etc. He said he would use the FEMA rates. He said that is what we have established when we do a job where a contractor should have done some work but did not. He said we use the standard rates that everybody can pull and find. Then there would be our actual labor rates.

Councilman Merry asked if the bid for the project had a breakdown of costs so we could have an idea of what the site work cost would be.

Councilman Dewar stated he had never seen a layout of the parcel of land. He said he was not very familiar with Perry Park. He said logically we would say if we are going to have to pay for all of this it should be located as close to city water as possible. He said if the facility was located closer to city water and sewer lines, we could probably save thousands of dollars. He said he thought originally we were talking about two restrooms. He said he never had an idea we were talking about an 800 square foot building. He noted that we need to keep in mind that the Parks Department was going to have to maintain the facility every day.

Councilwoman Price stated these people who use the facility are taxpayers and they are entitled to this service. She pointed out that when the City purchased the land from the Green Boundary Club and spent \$250,000 the purchase went through quickly. She pointed out that people in their 80's and 90's have to somehow walk or get driven up to the Smith-Hazel Center to go to the bathroom. She also pointed out there are also little kids that have to rush up to the Center to go to the bathroom. She said the citizens want bathroom services.

Councilman Dewar stated he was not taking about making it about them. He pointed out that at the last Council meeting, Council levied a lot of taxes on the taxpayers. He felt that \$250,000 for two bathrooms seems excessive. Councilman Dewar stated it started out to provide a restroom so people would not have to go home or go to Smith-Hazel to go to the bathroom. He said in his mind that was a couple of potties.

Councilwoman Price stated the plan and design for the bathrooms had been in effect for some time. Councilman Dewar stated he was not sure that the design had ever been presented to Council for review. Councilman Merry and others stated the plan had been presented to Council. He stated at one time the design was bigger and it was cut back. Councilman Dewar stated it is frustrating to spend this kind of money. The same people approved the One Cent Sales Tax for the schools. He said this is part of the results that we are getting. He felt the School Board should chip in and be part of this facility.

Councilman Merry stated he would not be inclined to use money from the Northside Park line item for the restroom facilities at Perry Park. He felt money from the Landfill or something else should be used. Councilmembers Diggs, Price and Merry felt the money should come from the Landfill line item and not the Northside Park.

Councilman Merry stated he was not ready to award the work based on the bids received. He felt either through value engineering, as the Assistant City Manager suggested, or looking at our own estimate for doing the utility lines ourselves or even relocating the building on the property or something should be done to try to get the cost in line. He felt you could do 20 bathrooms, the roof and electrical for \$58,000. He said the contractor that said their price was off by \$58,000 was because they did not include the roof and electrical, it was probably more like they did not count in the water and sewer line work. He said that was speculation on his part. He said the point is that the water and sewer line work is probably a big part of the cost. He said for the bid cost to be so high means there is some big cost somewhere which could be the water and sewer line work. He said he would rather try to save \$50,000 or \$75,000 for our taxpayers and take an extra 30 days to either rebid, relocate, or rework the facility. He said after two years an extra 30 days to save \$50,000 is well worth it to him.

Councilman Dewar stated there is no question about the need for the facility. He said he was not arguing about the need. He said the frustration is we have wasted two years and no help from the School Board, and he felt we need to look at whether there is a way to save money and if so how much.

Mayor Osbon stated he would entertain a motion to continue the item as there seems to be a lot of questions. Councilman Merry stated he would support continuing the item, and would also suggest a potential rebid on the project. He said staff needs to figure out whether we can do the utility work ourselves and estimate the cost for the utility work versus that portion of the cost in the bid. Secondly, there might be consideration to relocate the facility on the site. He said we would want the location on the site where it is convenient for people using the site, but at the same time to run 1,000 feet of water and sewer lines at 8 feet deep for the sewer line is driving the cost up.

Councilwoman Diggs stated when we chose the particular spot for the restrooms, she did not know if they were aware of the cost for the water and sewer lines. Councilman Merry stated with the two changes he would put the project back out for rebid and he would ask for a total job cost and a separate line item that shows the cost for connection for water and sewer so the costs can be compared.

Councilman Homoki stated he felt that Councilman Dewar's suggestion that we should take a look at the location and eat the \$5,000 we paid for the property if we can relocate whatever we want to build closer to the water and sewer lines if we can save money.

Mr. Bedenbaugh stated one of the issues was the building code issue. It is an accessory building to the gazebo that is already there. If we moved it offsite, it will make it a little more expensive if we move it further away from the gazebo. He said that is something that was discussed with the Building Inspector. Due to the proximity to the gazebo, it can be classified as an accessory building to the gazebo which is somewhat of a gathering place. Moving it offsite could bring in other complications to the building code.

Mr. Klimm asked if Mr. Tilden Hilderbrand was involved with this. He said he was asking Mr. Bedenbaugh to explain who picked the site. He asked if we hired an engineer to pick the most logical site. Mr. Bedenbaugh stated that is correct, and Mr. Hilderbrand did that in consultation with staff due to the location of the gazebo. This was done soon after the project was approved by City Council.

Councilwoman Diggs stated she and Councilwoman Price looked at the site with Glen Parker. She said originally another spot was chosen, but was discouraged from that because of the location of the gazebo. Mr. Bedenbaugh stated the city owns the gazebo. That was part of the city's portion. Councilman Homoki asked how much it would cost to relocate the gazebo. Mr. Bedenbaugh stated he was not prepared to answer that question at this time.

In response to Councilman Dewar's question as to whether the gazebo is on School property, Mr. Bedenbaugh stated the gazebo is on the .38 acre property that the City purchased. Councilman Homoki stated the .38 acre includes the place where the gazebo is located. He said then the location of the gazebo drove the location of the restrooms.

Mr. Bedenbaugh stated he was not involved directly in the location of the gazebo and the restrooms.

Councilman Merry asked if the city has an easement to go across the school property to run water and sewer to the facility. Mr. Bedenbaugh stated we have easements with DOT and that has been done. Councilman Merry pointed out that the city bought .38 of an acre in the middle of the School Board property. Councilman Ebner stated that question came up, and he had the City Attorney check it. He said the property adjoins or abuts the SCDOT right of way. Mr. Bedenbaugh stated that had been confirmed. Mr. Gary Smith, City Attorney, stated as he remembers that is a wide right of way. Mr. Bedenbaugh stated the right of way is like a downtown park grid right of way.

Councilman Dewar stated he did not understand the comment about an accessory building. He said if we were to move the facility to the corner closest to the utilities, why does that increase the costs. Mr. Bedenbaugh stated we can consider the facility an accessory building. He said with the facility being an accessory building makes it simpler to approve and permit from a building standpoint.

Mr. Mike Jordan, Building Official, stated there were actually a couple of issues with meeting setback for the Zoning Ordinance and off street parking. If we did not deem the facility as an accessory structure, it becomes primary and other issues come in. There is a wide right of way there. We were having difficulties figuring out how to do off street parking. He said the way he interpreted it to comply with the city ordinances, was that we had a picnic shelter that we constructed without any restroom facilities. It was a place of public gathering. At this point we are correcting the issue with the installation of bathrooms. Therefore, the facility is an accessory structure to the picnic shelter or public gathering place.

Councilman Dewar stated he did not understand why there would be extra money involved if we moved the facility closer to tie into the utilities. Mr. Bedenbaugh stated it is more of an issue with the Zoning Ordinance. Mr. Jordan stated primary structure setbacks are different. The setback for an accessory structure is 10 feet. The accessory structure setback is 10 feet from side and rear. He said it was easier to work the bathroom facility in there that way. Mr. Jordan stated there is a variance procedure that we could have gone through. Councilman Dewar asked if we need to do that if it is not our property but School Board property. Mr. Bedenbaugh stated we were running into the issue of the Office of School Facilities where they were nitpicking our plan. He said also we were trying to deliver a product in a timely manner.

Mayor Osbon asked if there was a motion to continue the item. Councilman Merry stated he would move that consideration for approval to spend CPST II money for restrooms at Perry Park be continued. The motion was seconded by Councilman Dewar.

In response to a question regarding when the matter would be considered again, Mayor Osbon stated the item would be continued to the July 11, 2016, meeting.

Councilman Homoki stated before continuing the item, he felt Council should actually tell staff what Council is looking for. He said to continue and continue does not make any sense. He said Council should make some notes on what are the real questions.

Mayor Osbon responded that Councilman Merry had made several suggestions such as having the bids broken out as far as the cost for running the water and sewer lines and a cost by the city as to the cost for the city to run the water and sewer lines.

Councilman Homoki stated Councilman Dewar had mentioned the relocation issue, the question of an accessory building as opposed to a primary building, and can we waive some of the requirements on the setbacks.

Councilman Ebner stated Council had had these discussions already on the Northside Park about waiving stuff. He felt Council needed to be cautious of starting the practice of waiving requirements. He said Council had been very diligent in the past not to do that.

He felt waiving requirements is something we really need to think real hard about before doing that.

Councilman Homoki stated then we should stay within whatever the rules are. He said his main concern is how he can justify spending \$200,000 for restroom facilities with zero cooperation from the School District. Mayor Osbon stated he felt it was unfair to say that. He said the city had not asked the School District to contribute. The restroom facilities were the city's idea.

Mr. Klimm stated he would like to say that it depends on what prism you are looking through to come up with a conclusion. He said he could tell Council that our School Superintendent Dr. Alford who stopped everything he was doing to help us out and agreed to sell us this land, would be very offended if he heard that the School District is not doing anything. Mr. Klimm stated this was our project, and we wanted to do it. The School did not want to do it; it is not their priority and now we are saying after three years of discussion where is the School on this. He said we could say it, but it will really offend people because they think they have really helped us out, and they have. He said we were dead in the water without the School District.

Councilwoman Price stated the facility is based on a number of individuals who use the park complaining to their clergy about not having easy access to a restroom. Those individuals came to Council. The Chairman of the Concerned Ministers Fellowship Group made an honorable request three years ago, and we are still trying to meet the needs of that request.

Councilman Dewar stated it sounds to him like we are spinning wheels. He said he did not sense any change in the Zoning Ordinance or a change in the bid procedures. He said he felt we just have to admit it is a flawed process, and he did not think we would gain anything by deferring it to the next meeting. He said he was very disappointed at the government. It is frustrating. It has taken three years to do something so simple.

Councilman Merry stated he felt there is a potential to save money. Councilman Dewar stated he would support his intention to save money, but he did not think he would have much success.

Mr. Klimm asked if Councilman Merry felt we could save money by putting the project out to bid again or by looking at the utilities to see whether the city might be able to run the lines.

Councilman Merry stated he felt if we look at the utilities and find that we could run the lines ourselves either by contracting or actually doing the work ourselves, in order to back that out you pretty much have to put the project back out to bid. He said he was surprised that we had so few bidders on the project.

Mr. Klimm stated the point is if we put the project out to bid again, how many times are we going to hear that someone could have built this cheaper, but where are they. He said we will put it out to bid again if that is what Council wants. He said the question is where are the bids.

Mr. Bedenbaugh stated we do expand our scope for bidding. The request for bids is posted in the local newspaper, and they are advertised in the South Carolina Business Opportunities. He said the low bid, or apparent low bid, is out of Lexington so he would not consider them a local vendor. He said we can do whatever Council desires.

Mr. Klimm stated if there is any feeling or lack of confidence on any member of Council that we have not done enough to foster bids, we will put it back out for bids again. He said if Council does not have confidence in the process that staff followed, we will open it up again.

Councilman Merry stated that is not what he was saying at all. He said he was not saying he does not have confidence in what staff has done. He said he hoped it was not taken that way.

Mr. Klimm stated he did not mean it as a personal indictment, he was just saying if there is a belief that somehow something is going to change when we put the same bid out again, then let's do it.

Mr. Bedenbaugh stated perhaps the time calendar was too compressed. He said there are a lot of variables. He said he had not spoken to contractors who had not bid on the project.

Mayor Osbon stated if between now and July 11, we find that we can do the utility portion of the work at a reduced rate, do we have to rebid the whole project. Mr. Bedenbaugh stated we could value engineer the project. We could talk to the contractor who won the bid. Usually that is how it is done. You work with the lowest responsible bidder.

Mayor Osbon stated he would like to continue the item to the July 11 Council meeting. He said he would like to see the funds for the project come from the Landfill line item as opposed to the Northside Park. Councilman Dewar stated he would support moving it today and taking the money out of the Landfill line item. He felt we would be wasting time to continue the item. He said he could not imagine what staff will come up with that will do anything but waste time, and it is already summer time.

Mayor Osbon stated there is already a motion to continue the item. He said if it is voted down, then we can vote on moving forward. He said he was fine with that also.

Ms. Ann Dicks, 314 Jehossee Drive, stated she hears what Council is saying about the numbers. She said she looked at the cost per square foot, and the cost is high. She pointed out that one thing that Council needs to take into consideration is that the city can recoup some of that money by more people renting Perry Park. She said a lot of people will not rent the space because there are no bathroom facilities. She felt the bathroom facility would be a positive thing and that more people may rent the facility because the bathrooms are there.

Councilman Merry stated we could provide portable potties there for several years for the amount of money quoted to build the bathroom facility. He pointed out there was an estimated price for bathrooms plus picnic shelter in the Northside Park and the cost was \$110,000. He noted that the cost for the bathrooms at Perry Park was quoted for \$200,000. He did not know what is making the price so high. He said it is possible it is a very legitimate price, but for 800 square feet the price seems high. He said it would be \$250 a square foot, with no kitchen, cabinets, etc. He said the building is brick, wood, tile and sheetrock. He said the numbers seem high to him. He thought the bulk of the cost might be the running of the utility water and sewer lines, and it is felt the city might be able to do it cheaper. He said if that is the driver of the cost, he felt it would be worth looking at. He said he was not disputing the process. He said he could not speak more highly of how staff handles these matters, but he felt it was a big number.

Councilwoman Price stated she knew there was a motion to continue consideration of the restrooms at Perry Park project. Her recommendation is in order to be sure we are being good stewards of taxpayer money that we continue the item for a period, and come back with some other recommendations if we can. If the bid is the best thing we can do, we know that we have done all that we can to settle some of the concerns of Council and possibly the taxpayers as well. She felt that in 60 days we should be able to have what they need to move forward with the project.

Mr. Bedenbaugh stated Council could continue the item, and if it is determined that it would be better to rebid, staff will report to Council that we are rebidding.

Mr. Richard Johnson, 428 Marion Street NE, stated he sees that Council is doing as much as they can to bring this project to a conclusion, but as soon as Council could do it, it would certainly be appreciated. He noted there was an event at Perry Park a week ago and port-o-lets were delivered for the event. He said a major event is scheduled for September and a lot of people will be there. He said the port-o-lets will not

accommodate all the people who will be at the event. He asked that Council take action on the restroom facility bid as quickly as possible. He thanked Council for their efforts.

Mayor Osbon called for a vote on the motion by Councilman Merry to continue the consideration for approval to spend CPST II money for restrooms at Perry Park. The motion was seconded by Councilman Dewar. The motion was unanimously approved.

ALICIA DAVIS

Human Resources Director

Mayor Osbon stated he would like to recognize the city's outgoing Human Resources Director Alicia Davis. He stated Ms. Davis had worked for the City for 10 years and had planned events such as the Trunk or Treat, Christmas at Hopelands, and Summer Day Camps. In 2011 she became the City's HR Director. He said she had done a great job in a difficult role in working with the Department Heads, Supervisors and Staff to ensure that everyone is treated fairly and all sides are heard. She revamped our job evaluation system and assisted staff from the City Manager on down in hiring the best person for every city job. He pointed out that Ms. Davis is moving with her family to Tennessee where her husband has been promoted by the Department of Energy. He said Council wishes Alicia, her husband Donte, and daughter Madison the very best and thank her so much for her service to the City of Aiken.

Ms. Davis thanked Council for the recognition. She stated she had enjoyed working with the City of Aiken and will miss everyone.

ADJOURNMENT

There being no further business, Councilman Ebner moved that the meeting adjourn. The motion was seconded by Councilwoman Diggs and unanimously approved. The meeting adjourned at 9:31 P.M.

  
Sara B. Ridout  
City Clerk