

Aiken City Council Minutes

WORK SESSION

January 27, 2014

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

Others Present: Richard Pearce, Gary Smith, Stuart Bedenbaugh, Sara Ridout, Maayan Schechter of the Aiken Standard, Jane Page Thompson, Whitney Trustees—Bill Tucker, Alan Corey, and Tom Matthews--and about 15 citizens.

CALL TO ORDER

Mayor Cavanaugh called the work session to order at 6 P.M.

Mr. Pearce stated there had been an ongoing conversation with the Whitney Trustees and the Aiken Polo Club Officers over the years. He pointed out copies of the minutes of meetings in the past with the Trustees were included as information for Council in the work session agenda packet. He said the information goes back to 2010. At that time Council approved spending up to \$80,000 for stormwater runoff improvements to the polo field. There was some discussion about a pavilion as well as barn construction that the Trustees were interested in pursuing. Through the public sessions there was a suggestion that perhaps the Trustees would be willing to assign development rights to the land in turn for public dollars investment that would hopefully promote tourism to the track.

Mr. Pearce said to update Council regarding the \$80,000, the city spent \$78,242 on water runoff improvements for the property.

Mr. Pearce stated representatives from the Whitney Trustees and Aiken Polo Club are present, and they would like to discuss potential opportunities to partner with their efforts to update the Whitney Polo Field. They want its 135-year history to continue in a positive, productive, and sustainable way. They have provided materials as a basis for their discussion at this work session that the Trustees and Officers have requested.

Mr. Pearce stated he had provided the minutes from our last public meeting that talked about potential city funding of a portion of the proposed improvements at the Whitney Polo Field in turn for Assignment of Development Rights at the field for a period of 25 years. At that meeting, Council expressed a desire that a longer assignment period be offered by the Trustees as well as the Officers of the Aiken Polo Club. Depending upon the value of the improvements Council would approve funding to support, they would offer a number of years duration to be in the Assignment of Development Rights document.

Based upon this discussion, we would then schedule an agenda item for approval of the appropriate documents for Council's consideration at the next available Council meeting date.

Mr. Bill Tucker introduced the other Trustees present, including Alan Corey and Tom Matthews. He said Woody Millen, President of the Trustees, was called to New York for a funeral. He is flying back this afternoon, but if the airplane arrangements don't mesh exactly right, he will not be able to be present. He said he was surprised to see by the Council minutes that the conversations on the matter had gone back to 2010. He said the idea of preserving open space and being able to make some improvements to the Trust property was part of the idea of the preservation of open space that is a strategic goal of Council. He said the immediate need was some drainage issues that Mr. Pearce mentioned that the City took care of. He said he was not sure they were totally taken care of, but improvements have been made. He said that was a greater issue than just the

Whitney Field property as it impacted the surrounding neighborhoods, and it was something everybody agreed needed to be done so that was undertaken.

Mr. Tucker stated the Trust goes back to 1901. It was created by the deed that Mr. Hitchcock and Mr. Whitney and some others filed, which is on record with the registered deeds in the county records. He said Mr. Julian Salley always said it was the most perfect trust agreement that he had ever seen because it has great flexibility. He said the Trustees have owned the property since 1901. Additional properties have been added to it. The Polo Field is one of the original Trust properties that was conveyed to the Trust in 1901, along with the Palmetto Golf Club property. Subsequently the Tennis Club on Newberry Street, the Powderhouse Polo Field and the sand lot which is the property adjacent to the polo field along Mead Avenue were added. He said the Whitney Trustees basically is a real estate holding company. They hold title to the land in trust for the benefit of sports and citizens of Aiken. They are not an endowed entity. They are land rich and cash poor. They only have a small checking account. They do not have an endowment, so they expect the various organizations that utilize the properties to operate them--the Palmetto Golf Club to take care of the golf club, the Tennis Club to take care of the Tennis Club. The Polo Club primarily takes care of the Whitney Polo Field, although it has a lot of other uses. There is a group that uses the sand lot for various disciplines. There is the infamous Track Kitchen that is situated on that property. Then there are the barns on the east end of the polo field that are used partly by the thoroughbred racing trainers that are associated with the Training Track.

Mr. Tucker stated they are looking forward as a result of the informal conversations and the work session where we would like to advance the many conversations we have had over the last four years to see if there is a possibility of the city making an investment in the property, in exchange for some sort of assignment of development rights for a term of years. He said it had been clear all along from the city that the longer the restrictions the more dollars the city might be willing to invest in the project. He said the Trustees met about three or four weeks ago before having a meeting with Mr. Pearce. At that time the most important thing on the drawing board would be Mr. Alan Corey's project of the construction of a permanent pavilion along the northside of the Polo Field. Mr. Corey has some illustrations of how the pavilion might look. The pavilion would take the place of the tents that have to be rented every time there is a function there which costs the Polo Club. He said Charlie and Tara Bostwick are present on behalf of the Polo Club. He said the tents have to be put up and taken down. They are not very stable some times. A pavilion would allow for a variety of uses, to include an announcer's stand on the deck. He asked that Mr. Corey speak on the particulars of the plan, how it would be done, and who would be doing it.

Mr. Alan Corey stated everything goes back three or four years. Part of the idea was to improve the facility. For one reason or another it did not happen. Over time it has become apparent that the tent really is not an ideal venue for the Sunday polo games. He said this goes along with the mission to attract polo players, supporters of the City of Aiken, playing tournaments in town, staying in town and stabling their horses in town and attracting new spectators to the sport. He said they have improved their internet site. Advertising has become much better. Recently they had a couple from Charleston attend the Sunday polo, and they returned the next Sunday with friends. He said there is an attraction to the Sunday polo. Currently the field side parking spots are pretty much sold out to the tune of 92%. The remaining spots are sold on Sunday during the game to people who just come in for the day. The tent attendance is now reaching levels such that we will have to consider being sold out and not admitting any more spectators. The proposed pavilion is about 20 feet longer than the existing tent. With the new website being more user friendly, they have attracted spectators who come in for the day, park in the sand lot, and pay a \$5 admission. He pointed out 50 people came in at the last polo game, and there was no place for all of them to sit. He said they are almost in the dilemma where they need bleachers on the side. He said 50 people coming in is many more than they have had in the past. He said they have been actively supporting the University in its quest to move the polo team from club status to a sports team status. This is an opportunity that the University can offer that other Universities around the country can't, and it will attract new people to Aiken who might otherwise not come to this University.

Mr. Corey said the savings alone on the building have already been mentioned by Mr. Tucker. He said Tara and Charlie Bostwick may talk about that. He said the pavilion would make the club more competitive and stronger. Money saved would be put back into the quality of the fields, attracting better players, translating into more spectators coming to Aiken. He said polo is very much a part of Aiken. He said it is their mission to improve the quality of the players that come to Aiken and have more spectators. He said they feel this is a very positive thing that can be added to the ambience of the town. He said polo came to Aiken in 1882. The field has been played on for over 130 years of continuous play which is extraordinary. It is really a museum in itself.

Mr. Corey said he had the proposed cost of the pavilion. The last estimate was \$123,532. He said the pavilion would need a floor. The floor would be pavers. The reason for pavers is so water would go through the pavers, as opposed to having a cement slab. The estimate for that is \$17,000. Lawn Master, who would build this, is affiliated with Home Depot. Home Depot has said they would provide the ceiling fans, the lighting, and the wiring free of charge. He said SCE&G would have to move a pole which is there. Electricity is already there. He said there may be a question as to whether the pavilion should have a bathroom. He said he looked into that, and the cost he got was \$40,000, which he felt was way over the top. A bathroom would require a septic tank. Even if a line could be run to the sewer line over on Mead Avenue, it would not work because of the drops in the land. He said basically there would be port-o-lets as they presently do. Because it is a big area there are port-o-lets on both sides of the field. He said the port-o-lets have to be cleaned, so they rent them and have a service.

Mr. Corey said the Design Review Board did approve the proposed pavilion as an acceptable structure. He said there were no questions as to its suitability or whether it is attractive enough for the area.

Councilwoman Diggs stated bleachers had been mentioned as a place for people to sit. She asked if the cost was included in the proposed budget. She asked if there was an estimate on the cost of bleachers. Mr. Corey stated the cost of bleachers was not included in the budget. He said in looking on the internet at aluminum bleachers the cost runs from \$1,000 to a lot more. He said the small bleachers hold about 30 people. He said if there were 4 sets with one in various corners of the field, it would probably suffice.

Ms. Tara Bostwick stated she thought USCA uses the city's bleachers for the polo games. She pointed out when she was doing some fundraisers the city's bleachers were used as well. She pointed out with the city's bleachers you don't have to have so many that they take away from the car space, as they are higher. She said when she had a benefit a few years ago, they filled both sets of the bleachers. It was pointed out the cost for renting the mobile bleachers is about \$100. Each of the bleachers seat 75. With two sets the seating would be about 150 people. It was pointed out the bleachers are very well made and work very well. It was pointed out that the city's bleachers work very well on the field, and are affordable to rent.

Mr. Charlie Bostwick pointed out the proposed pavilion is very simple and will serve the purpose very well. He said the cost of some pavilions approaches millions of dollars. He said the proposed pavilion is simple and an easy building to construct. He said there have been plans before that have been up to \$300,000 for a pavilion. He said the proposed pavilion is more attractive than a tent and it blends in very well. He said it is a very cost effective scenario. It was pointed out there would be seating under the pavilion also. The tables and chairs would be movable.

Mr. Tucker pointed out the pavilion would not just be for polo, but would be for any other functions that are held at the field. It was pointed out that fees are charged for other events that use the field.

Ms. Bostwick stated there is a slight charge because the Polo Club is a 501(c)3, and they have a mission about serving friends of soccer. There is maintenance involved in preparing the fields when there are events. She said the income the Polo Club gets is not

a lot of money, because it is very important that the Polo Club be able to keep the fees going and to have other charities like the Blue Grass Festival to raise money for themselves. Mr. Corey pointed out the Blue Grass Festival raises money for the Star Riding for the handicapped. It is another horse activity that the Polo Club supports.

Councilwoman Price asked how many members are in the Polo Club. Mr. Bostwick stated there are about 22 full members and about 10 to 12 parking memberships. The members' dues are \$2,500 per person per year. Ms. Bostwick pointed out the dues do not include the tournament fees when you play in a tournament. She pointed out the cost of the pavilion is prohibitive for the Polo Club, because their fees are not sufficient for anything extra at this point. They maintain the fields. She said there is a great deal of maintenance to keep the fields in good condition. They also have to pay the umpires that come. She said part of the idea behind having a pavilion is attracting more players and for more of the polo community to come back into downtown Aiken and have it as the polo game that it used to be. It was pointed out that the cost to maintain one polo field is between \$15,000 and \$35,000 a year, and that is just irrigation, mowing, fertilizer, gas for tractors, etc. She said you can do the math for 5 polo fields. She said that is part of their thinking. She said she was sure the city was interested in seeing the Polo Club continue, because that area of downtown is losing some attractiveness, and they are concerned about the polo community not being as active as we want them to be. She said some are saying if we can improve the stables, the cache and the ambience of the polo fields by having a pavilion, we will once again attract not only just the daily visitors, but also more players coming in and buying property. She said she spoke with Owen Rhinehart and Adam Snow, who are really responsible for bringing polo back in the 90's. She pointed out in the early 80's she and her husband were in Aiken only two weeks in the year. There was a two week season for polo. She said when Owen and Adam came to Aiken and decided there was land that was affordable to them and big parcels, they were the catalysts to bringing back and bringing to Aiken a lot of polo exposure internationally and nationally and a lot of people purchasing properties. She said that has made a huge impact. She said they want to try to keep that going and try to increase that. She said when they come in, their infrastructure has an impact on the community. She said the income they bring through all the different needs for the horse industry really makes a difference.

Councilwoman Price asked if the Polo Club had had a fundraiser. Ms. Bostwick said they had not had a fundraiser for this yet. She pointed out that the board members are all volunteers trying to make everything work. They would love to do a fundraiser and have a lot of ideas, but to put on a fundraiser you have to spend a lot of money putting literature together, soliciting people, etc. and it takes time. She pointed out that the board members are business men running their own businesses.

Mr. Tucker pointed out the pavers are proposed to be commemorative pavers. Mr. Corey stated that was the thought if we can get to that point. He said they got approval of the Design Review Board first and are now appearing before Council before going further.

Councilwoman Price stated the barns had been mentioned as being the next phase, when the pavilion is completed. She said she had heard that it would take about \$1 million to get the barns up to acceptable standards. Mr. Corey stated he thought the barns were in a state where, even if you wanted to, you could not get them up to acceptable standards. He felt they would probably have to start over with the barns.

Mr. Tucker stated the pavilion was the immediate phase I of the plans. He said the barns are the bigger project. The barns as they are configured now don't work. They are old barns. He said there are 92 stalls, and all the stalls are not needed for thoroughbred race horse training. However, to make it attractive for multi-disciplines they don't necessarily want to be in the same spot, so we are talking about possibly smaller barns done in a configuration where you could have some polo ponies, some hunter jumpers, etc. that could co-exist in some fashion. He said they do have some plans with smaller buildings and in such a way that they would replace what is there and not just appeal to the thoroughbred training horses, because there are not that many that need all those stalls. He said he felt they are looking at having to totally replace the barns.

Councilwoman Price stated she was asking the questions to do her job as a Councilmember. She pointed out when she asks these questions it is no indication of her lack of love and support for the industry and polo. She said she was asking the questions because that is what the public would ask. She said this is a rich industry and normally appeals to wealth and success. She said the first thing the public will ask is if they have done a fundraiser. She pointed out the Railroad Depot and the Arts Center started out with a fundraiser, and after the fundraiser requests came to Council.

Ms. Bostwick stated she understands what Councilwoman Price is saying. She pointed out the polo players present are older and stated they want to try to ensure there is sustainability for the industry and get younger people involved. Councilwoman Price stated she wanted to be sure we could answer those concerns. Ms. Bostwick stated they do want to appeal to the next generation and want to appeal to people in the position now that have the money to build and buy places in Aiken. She said they are out there. She said we are in completion with Houston now. They are building things and making it exciting.

Mr. Geoff Ellis stated he has a small hotel in town that attracts a lot of the prospective players of the group we are referring to as coming to look to stay here or just take a look at Aiken. He said Aiken has always been legendary for the polo season and the equestrian community. He said they have quite a few people that come through that are looking at Aiken to possibly make a move, spend a little time here, or for a second home, or a first home. He said in the last four years, especially in the last two, they are beginning to see a lot more people coming through looking at property, including horse property, and polo. He said it is out there. It is getting bigger. It is driving and exciting. He felt something like the pavilion would be something to sell or attract people. He said Aiken sells itself to a degree. He said Aiken is a wonderful community to live in. He said he has always felt that polo has been a part of Aiken for a long time. He said it is exciting to be able to sell Aiken to them when they come through. He said he loves taking people to Mead Avenue and showing them Whitney Field and the Training Tracks. He said that helps them sell Aiken. He felt something like the pavilion is important for us to have.

Ms. Jane Page Thompson stated Councilwoman Price's question was how to address her constituency. She said the answer to that question is that these people have a tremendous burden financially to maintain the barns and the fields that they practice on at their home so they look for the club to actually give the resources to have a good exhibition play. She said when talking about the cost and rich people, most of their investment is in their horses, in maintaining the barns and the property that they have where they keep the horses, and for the transportation to and from. She said polo is not like basketball. There is no purse involved. There is no money to win the game. They look to the hosting club of the tournament to have facilities that meet their expectations of where they are coming to play. She said there is a different expectation from just the culture of the sport.

Mr. Tucker stated the owners of the property are highly aware of the fact that the city may stand to be criticized by making public money investments in private property. He said that is the nature of the reaction of a lot of people. He said it was their understanding when this started four years ago that the concept was that the city was investing in preserving open space. The way to do that was to make sure that the space was viable. He said we don't want to lose site of the fact that the whole premise and objective was ensuring that the open space remains open space. He said the Whitney property is 37 acres along Mead, Magnolia, and Knox. He pointed out Winthrop Field is across Mead Avenue which is owned by the Land Conservancy, so that is protected. There is a conservation easement across from the Track Kitchen, and Scott Riviere has put a conservation easement on his property that he inherited from his mother.

Councilman Dewar stated when this started several years ago the idea was what do we need to do to preserve open space, to preserve the equine industry as best we can in the city. We had open space money available, and it was worth a look. He said some of

what he is hearing lends itself to the use of Accommodations Tax money because you are developing an activity that attracts tourists. He said it is known that when the equine tourists come to town they drop a lot of money where they eat, stay, etc. He said that obviously is good for the community. He asked if they had looked at an overall plan as to where they would like to be in a perfect world.

Mr. Tucker stated it keeps moving, which is a problem. He said one of the big unknowns is the future of the thoroughbred racing business. He felt it was safe to say that the barns need to be reconfigured so they are multi-disciplinary structures that would lend themselves to a variety of different disciplines.

Councilman Dewar asked if the Trust had looked at any kind of conservation easement on any of its properties with the Aiken Land Conservancy.

Mr. Tucker stated he recalled at Mr. Smith's office there was a conversation with Mary Guynn back early on in the discussions, but that was when we were talking about the assignment of the development rights to the city and that seemed to placate them and did not go anywhere. He said they understand you don't get something for nothing, and we need to work through that. He said that is what they have been working on, but the target keeps moving on them.

Councilman Homoki stated the Trustees seem to need money. He said there seems to be two sources of money available. One is from the Accommodations Tax Funds, which could be used for rehabilitating the stables and building the pavilion. As far as maintaining the development rights possibly open space funds could be used. He felt the city could probably come up with some money as long as the development rights can be for a number of years. He pointed out that Councilwoman Price is concerned about the younger generation and the future of Whitney Field. He said something has to be done to attract the younger generation. Just being there since 1882 will not sell it to them. Some cosmetic improvements may help attract them. Councilman Homoki asked about the size of the field. He said he thought he had heard it was not a full size polo field.

Mr. Bostwick stated the field is not quite full size. He said the field is 130 yards wide and 300 yards long. Regulation fields are 160 yards wide. However, this makes the field more unique in a sense. He said when you go to a polo game you are so close to where the game is being played. There is no better place to go to see a polo game in the country. He said people love to play on Whitney Field. It is one of the most fun fields to play on. With the big fields that are 180 yards wide the spectators can't see the players inside the field.

Councilman Dewar stated another question is whether this would be a legal use of the open space funds in the Capital Projects Sales Tax funds. He said it had been mentioned that Polo Club members pay \$2,500 a year for dues. He said he plays golf with guys who go to the polo games every Sunday, and he thought they joined something and pay an annual fee that lets them go to the polo match every Sunday. Mr. Bostwick responded that they sell the parking spaces which are \$450 a year. They get two tickets to go under the tent, and they have their parking spot reserved in their name and get to go to every Sunday game. Ms. Bostwick stated she thought that 90% of the spectators on Whitney Field on Sunday are local people, and they love it.

Councilman Ebner stated one thing has not been mentioned. He pointed out there are four pieces of land downtown that comprise about 90% of the available properties—Whitney Trust, Powderhouse, McGhee's Mile Track, and Aiken Training Track. He said the Aiken Steeplechase may also be a part. He said the four properties are in the free domain of sale. The City has the first option on McGhee's Mile Track and the Aiken Training Track. He felt that is one thing we need to look at for the future. If we lose much of this property, we will lose others, such as the Ed Giobbe type, and Jenny Stoker and others that go around the area. He said he had driven around the area today looking at the water, etc. He said there were a number of people just walking their dogs, using the sand lot and the other facilities. He said there is a big pull there to have the people that come in and buy a home and two or three stalls and have a place to ride their horses.

He felt that is a piece of the pie that we don't want to forget. If we lose those, there won't be many \$450 people parked around the polo fields. He felt we need to look at the general population as well. He said the driver is the polo and the thoroughbred racing. Mr. Tucker pointed out there is a lot of passive use of the property.

Mr. Pearce pointed out that we have Accommodations Tax money, but Council has already budgeted those revenues for this year. He stated the Trustees are talking about a horse park. He said the thing to keep in mind on the Capital Projects Sales Tax II is that we have about \$790,000 in the bank. The ballot initiative said \$1 million for construction of parks and acquisition of land for greenways and open space. He said the money we have in the bank now was earmarked for construction. He said that is a potential source of funding.

Ms. Jane Page Thompson asked as the closest, most impacted property owner to the Whitney Polo Field, how long is the development right being considered now and what steps is the Whitney Trust going to do to make sure that the passive use that Councilman Ebner referred to is not going to impede her quiet enjoyment of her own property, given the public capacity of her back yard. She said that is the biggest concern for her. She said there could be 287 houses on that property. She said she did not want to ever see that happen, and wanted to know what the city is going to do to make sure that if any money is spent publicly to make sure that never happens. She said she had already mentioned to some of the Trustees that the Whitney Trust might want to talk to some of the neighbors about how they can become a better neighbor.

Mr. Tucker said he heard that from Ms. Thompson at Rotary today. He said the answer to the first question is that the tentative working draft of the Assignment of Development Rights is for a period of 25 years. He said that goes back four years ago. It was made clear that if we are talking about the kind of dollars we are looking at spending; it will have to be longer than that. He said there had not been a definitive decision or agreement about what the number might be. The other option would be to put a conservation easement on the property in perpetuity.

Ms. Thompson asked if that would count as purchasing land or open space within the Capital Projects Tax. Mr. Pearce responded that the way the ballot initiative was drafted it actually says "construction of parks and acquisition of open space." This was the first round of Capital Projects Tax, and we have the money in the bank now. The second round just talks about acquisition of open space.

Councilman Ebner stated he would like to do some blue sky thinking. He said he had talked to a couple of other members. He said his involvement started out with the drainage. He said there is a little more work to do on the drainage, because we stumbled into some things that just were not in the best interest. He asked if the Track Kitchen was still a viable ongoing icon. He said we appreciate it being cleaned up two years ago, and the rest of the area that the Polo group did. He said if you look at the sand lot and the woods nearby, there are 6 to 9 acres there. He said someone mentioned to him to look at what the city did with the Green Boundary Club. The city bought the land. It is in a permanent conservatory. Cars and polo trailers can park on it. He said if the city bought the 79 acres of the Whitney tract with open space money, it would stay open forever. You would get a 100 year lease that would say you can always use the sand lot, and all you have to do is keep it mowed for the next 100 years or something like that. That would generate some capital for you. He said that would do two things. One, it would get a good chunk of land that would be there forever because green space is what it says. He said we need to think about that and see if that is even in the cards as a possibility. He said the Whitney Trust has the ability to sell property. In this particular case it would be sold for a different reason. You would never be able to build on it. He felt that is something we could think about from the Trust side and the city side. He said the reason he asked if the Track Kitchen was a viable ongoing thing, you could go down a little further and make it more land. He said he would throw in the one barn that needs to be torn down. He said there are about 10 or 11 acres there. He said he did not think the city would want to invest in land with the Track Kitchen on it, so we would probably stop short of that. He said he was throwing that out as an idea. It does two things. One, it

creates some capital for the Whitney Trust side. For the other side, it creates for the public a permanent 79 acres that the people can use forever, and it could not be built on. He said he throws that out as a suggestion. He said it might be something to look at. He said it has some winners and some losers. There will always be winners and losers. That does create an interior corridor which influences the rest of the land which was mentioned about the other conservation easements that have already been done. He said that would almost create a square if that was done. He said pretty much on Mead, other than the two residences there, that wraps it up as a life time conservancy.

Mr. Tucker pointed out there is a precedent for that when the Land Conservancy was then the Open Land Trust, and the Smoaks of Alibi Farms sold in fee simple part of the farm down near Shaws Creek. Then there are conservation easements on part of the rest of the land. He said you could do a blended thing where there was an outright conveyance and then a conservation easement of the fields.

Councilman Ebner stated it is a little bit of blue sky thinking, but he felt we need to look and see if there are any other things out there where we can create some permanent stuff, as well as benefit the future community. He pointed out the three acres which were purchased from the Green Boundary Club at about \$106,000 per acre, which is below market value, but that was the intent of the Green Boundary Club for that land. He pointed out that the land cannot be developed. The three acres will be there forever.

Mr. Tucker thanked Council for the opportunity to discuss the matters. He said he was not sure where we go from here.

Mayor Cavanaugh asked Mr. Tucker if they could put together some type proposal that Council could look at, possibly looking at what Councilman Ebner said as well. He pointed out there may be some other ways to do this also. He pointed out obviously there will need to be at least another meeting and possibly more before a decision can be made.

Councilman Merry stated he liked Mr. Tucker's comments of a blended solution.

Councilman Ebner stated we are looking for permanent easements there. He said his concern is two or three generations from now. He said preserving the land past our current generation or the next one will be real important.

Mr. Tucker pointed out only three Trustee members are present so the Trustees would have to meet to discuss the matter before a proposal could be submitted. He said they would have to get back to Council.

Councilman Dewar stated he felt there will be several meetings before anything could be finalized. He said Council needs to know what the Trustees are willing to do, the period of time, the conservation easement, funding, etc. He said, hopefully, as we continue to meet we will make progress.

Mr. Tucker stated he would like to hear Ms. Stoker's comments. He asked Ms. Jenny Stoker, as a user of the sand lot, if the sand lot became owned by the city what she and her constituency would think about that. Ms. Stoker stated the longer it stays the way it is, the longer the better. She said in general the longer the better. She said in talking about all the different options, someone on the Open Space Advisory Committee might know of available grants or other monies that we don't know about for open space.

Councilman Ebner stated one of the keys is open space. He said what Mr. Pearce read is right. We can build stuff, but he did not think that is stalls. He thought that was a walking track. It may be sand in the sand lot, but it is not to build a building on the open space. Mr. Pearce stated the ballot said "construction of parks." Councilman Ebner stated he did not think it means to go in and build a 30,000 square foot building with air conditioning, etc. He said he thought it was something for recreation. He said as long as there is sand out there, and you can ride horses or walk around, and it is in perpetuity, then it is open space.



Councilman Dewar stated as the wording is, he felt there is room to be in the middle where Councilman Ebner wants to go.

Councilman Ebner said it is a blue sky thought, but Mr. Tucker had added to it as well as others. He said let the Whitney Trust come back to Council. It is their property, and it can be sold.

The work session adjourned at 6:55 P.M.

### Aiken City Council Minutes

### REGULAR MEETING

January 27, 2014

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

Others Present: Richard Pearce, Gary Smith, Stuart Bedenbaugh, George Grinton, Kim Abney, Ed Evans, Charles Barranco, Phil Berley, Alicia Davis, Sara Ridout, Maayan Schechter of the Aiken Standard, Andrew O'Byrne of the Aiken Leader, and about 60 citizens.

### CALL TO ORDER

Mayor Cavanaugh called the meeting to order at 7:03 P.M. City Manager Pearce led in prayer, which was followed by the pledge of allegiance to the flag.

### GUIDELINES

Mayor Cavanaugh reviewed the guidelines for speaking at the Council meeting. He asked that those who would like to speak raise their hand and be recognized and limit their comments to five minutes. He pointed out that citizens could only speak on the items on the agenda.

### MINUTES

The minutes of the regular meeting of January 13, 2014, were considered for approval. Councilwoman Diggs moved, seconded by Councilman Ebner, that Council approve the January 13, 2014, minutes as submitted. The motion was unanimously approved.

### PRESENTATIONS

William Perry

The Refrigerator

Proclamation

S.C. Sports Hall of Fame

Mayor Cavanaugh stated Council would like to recognize William Perry.

Mr. Pearce stated we have an international celebrity in the audience, William "The Refrigerator" Perry, who grew up in Aiken. After distinguishing himself on the gridiron in Aiken, he left to play college ball at Clemson University. He realized more successes at Clemson, and he was drafted to play professional football for the Chicago Bears. After distinguishing himself with the Bears, he retired back to his home town. The South Carolina Sports Hall of Fame has recently recognized the Fridge for his distinguished career. Mr. Perry is present to receive City Council recognition for his achievements.

Councilwoman Price introduced Mr. Perry. She stated the international known celebrity is William "Refrigerator" Perry. She said Mr. Perry put Aiken on the map. She pointed out a lot of other things help to get Aiken some recognition, but certainly Mr. Perry had brought recognition to Aiken also. She stated he had had some good coaching. She

pointed out to help celebrate the recognition Representative William Clyburn is present. She said Mr. Clyburn speaks highly of the family and helped to coach William Perry. She pointed out there is a Perry Park in Aiken, which was done by former Councilwoman Beverly Clyburn, who saw a need to give the family and Refrigerator Perry some recognition as well. She pointed out that Aiken is proud of Mr. Perry and what he has brought to Aiken. She said when Mr. Perry was inducted to the Hall of Fame he made all of us proud. She said we love Mr. Perry and know his contribution. She pointed out she was watching a game a couple of weeks ago and Mr. Perry's name was mentioned prominently in some marketing for the game. She said we are honored that Mr. Perry is present for Council to recognize him and his achievements.

Councilwoman Diggs thanked Mr. Perry for coming back home when he retired. She said many professional successful athletes do not return to their home town. She thanked Mr. Perry for being a role model. She pointed out two weeks ago there was a Border Bowl in Augusta, and South Carolina played Georgia. She pointed out Mr. Perry had encouraged the young players on both sides to be the best they could be. She thought it was wonderful that Mr. Perry would take time out to provide words of encouragement to not only the players, but the coaches as well. She thanked Mr. Perry.

Representative Bill Clyburn stated it was indeed an honor to be given the opportunity to address the Perry family and to thank City Council for being so thoughtful to make this recognition of William "The Refrigerator" Perry. He said the Perry family is a great family, and William is from a great city with great citizens.

Mayor Cavanaugh asked "The Refrigerator" Perry to come forward, as well as members of the Perry family. He read the proclamation and then presented it to Mr. Perry.

American Heart Month  
Mended Hearts  
Proclamation

Councilman Dewar stated it was a pleasure to introduce Mr. Pat Boardman, who has been involved with Mended Hearts for a long time. He said he had asked for a proclamation designating February as American Heart Month. He asked that Mr. Boardman tell us what Mended Hearts does for the community.

Mr. Boardman stated Mended Hearts has about 100 members in Aiken. There are 300 chapters throughout the country. Four years ago Aiken's chapter was chosen number 1 in the country. He said Mended Hearts members are survivors. They have had heart attacks and heart procedures of some type. He pointed out 250,000 people a year don't become survivors. He said in February Mended Hearts and other organizations urge everyone to check their hearts so they can see more and more Februarys come along. He pointed out two members of Mended Hearts visit the hospital every day and try to encourage and bring hope to a lot of patients that have heart problems. Mended Hearts put on a golf tournament to raise money to do things around the community because they want to give back to the community, which is so great to live in. Mr. Boardman stated he had only been in Aiken 10 years, but he wished he had been here many more years. With the money they raise they have put defibrillators in all the Sheriff's cars, blue light machines in all the ambulances, and given machines and manikins to the nursing schools. He said they have given \$110,000 worth so far of heart equipment and materials to the community. He said they are proud of what they have been able to do for the community.

Mayor Cavanaugh read the proclamation declaring February as American Heart Month and presented it to Mr. Boardman.

Phil Cromer  
Municipal Association of South Carolina  
Risk Management & Safety  
Insurance  
S.C. Municipal Insurance Trust  
S.C. Municipal Insurance and Risk Financing Fund

Mr. Pearce stated Phil Cromer from the Municipal Association of South Carolina is present, and the City of Aiken would like to honor him. He said SCMIT and SCMIRF may not mean a lot to those present. He said Mr. Cromer had been on staff for 15 years, and he could assure the taxpayers present that Phil Cromer is one of the main reasons that the City of Aiken has been able to contain our insurance premiums and receive refunds on our Worker's Compensation coverage every year because we participate in an insurance pool. He said SCMIT is the South Carolina Municipal Insurance Trust and SCMIRF is the South Carolina Municipal Insurance and Risk Financing Fund. He said the City of Aiken works safely because of Mr. Cromer's 23 years of dedicated service. He pointed out that Mr. Cromer will be retiring on Friday, January 31, 2014. He said that is sad for staff, because they always look forward to Mr. Cromer's visits. He said there had not been a single conversation that he had had with Mr. Cromer over 15 years that was not productive, positive and resulted in savings to the taxpayers.

Mayor Cavanaugh read the proclamation and presented it to Mr. Cromer. Mr. Pearce presented Mr. Cromer with a bag of remembrances from the City of Aiken.

#### BOARDS AND COMMISSIONS

Appointments  
John McMichael  
Planning Commission  
Brenda Mills  
Jason Rabun  
Recreation Commission  
Scott Murphy  
Lynnda Bassham  
Senior Commission  
Josh Stewart  
Design Review Board  
Ira (Bud) Coward  
Board of Zoning Appeals

Mayor Cavanaugh stated Council needed to consider appointments to the various boards, commissions, and committees.

Council has 27 pending appointments to fill vacancies on different City boards, commissions, and committees. Seven appointments are presented for Council's consideration at this meeting.

Mayor Cavanaugh has recommended the reappointment of John McMichael to the Planning Commission. If reappointed his term would expire December 1, 2015. Mayor Cavanaugh has also recommended that Brenda Mills be reappointed to the Recreation Commission, and if reappointed the term would expire September 1, 2015.

Councilmember Diggs has recommended the reappointment of Scott Murphy to the Senior Commission. If reappointed his term would expire March 14, 2016.

Councilmember Ebner has recommended the reappointment of Jason Rabun to the Recreation Commission, and if reappointed his term would expire September 1, 2016. Councilmember Ebner has also recommended the reappointment of Lynnda Bassham to the Senior Commission. If reappointed her term would expire March 14, 2016.

Councilmember Merry has recommended the reappointment of Josh Stewart to the Design Review Board. If reappointed his term would expire December 31, 2015. Councilmember Merry has recommended the appointment of Ira (Bud) Coward to the Board of Zoning Appeals to replace Henry Krippner, who has resigned. If appointed Mr. Coward's term would expire December 1, 2014, and he would be eligible for reappointment.

For Council consideration is the reappointment of John McMichael to the Planning Commission, Brenda Mills to the Recreation Commission, Scott Murphy to the Senior Commission, Jason Rabun to the Recreation Commission, Lynnda Bassham to the Senior Commission, Josh Stewart to the Design Review Board, and appointment of Bud Coward to the Design Review Board.

Councilman Ebner moved, seconded by Councilwoman Price, that Council reappoint John McMichael to the Planning Commission, Brenda Mills and Jason Rabun to the Recreation Commission, Scott Murphy and Lynnda Bassham to the Senior Commission, Josh Stewart to the Design Review Board, and appoint Ira (Bud) Coward to the Design Review Board. The motion was unanimously approved.

Councilman Merry recommended the reappointment of Dr. David Steiner to the Senior Commission.

Mayor Cavanaugh stated the recommendation would be on the agenda at the next meeting.

#### PROCUREMENT – ORDINANCE

##### Purchasing Amendment

Mayor Cavanaugh stated this was the time advertised for second reading and public hearing on an ordinance to approve changes to the Procurement Code.

Mr. Pearce read the title of the ordinance.

#### AN ORDINANCE AMENDING THE PROCUREMENT CODE OF THE AIKEN CITY CODE.

Mr. Pearce stated staff has reviewed our City Procurement Code to see what revisions might provide fair opportunities to bid on City procurements as well as larger projects. After detailed discussions, we believe that the proposed revisions will update our procurement code to present day practices and provide ample opportunity for local and regional vendors' encouragement to provide products and services to our taxpayers at the best price and of good quality.

At the January 13 meeting an amendment was offered to also provide for either a Request for Proposals or a Request for Qualifications for professional services when the expected fees for these services would exceed \$10,000. Staff has reviewed this amendment and requests that this amount instead be \$25,000 to reflect the other proposed code changes that raised the amounts from \$10,000 to \$25,000. We believe this \$25,000 amount will better prevent any potential of "bogging down" of our process to obtain professional services, which was also a concern that Council shared with staff at our January 13th meeting. He said staff would respectfully request that on second reading that the amount for professional services for a Request for Proposals or a Request for Qualifications be \$25,000.

Council approved this amended ordinance on first reading at the January 13, 2014 meeting. For Council consideration on second reading and public hearing is an ordinance to approve recommended changes to our City Procurement Code, with the amendment modification as discussed.

Councilman Dewar stated he would like to move to continue the proposed ordinance because he felt it was not what Council approved at the January 13 meeting. He said the

minutes reflect that he moved that the provision that North Augusta has in their procurement code in Section 2-253 relating to bidding for professional services be included in the proposed ordinance. He said he did not see that in the proposed ordinance. He said the essence may be there, but his motion was to put what is in North Augusta's code into the City of Aiken's code.

Mr. Pearce stated that is what was sent to the City Attorney. He said that provision was added in Section 2-348. He said that section reflects the actual motion where if the cost would not exceed \$10,000 there would be no bid, but if the cost would exceed \$10,000 for professional services that a RFQ or RFP would be done.

Councilman Dewar asked if the wording was verbatim from the North Augusta code.

Mr. Gary Smith, City Attorney, stated the language he used in the ordinance was the language from the City of Aiken Code section to conform to the City of Aiken code. He said if it is Council's desire he could research the North Augusta City Code. He said he did not have a copy of that code at his disposal.

Councilman Dewar stated Council had received that information in a letter that Bill McGhee sent to Council. He said he was led to believe that staff had a copy of it. He said, if not, he had a copy. He said his intent was to take that provision as it is written in North Augusta's Code and insert it into Aiken's Code. He said he would not support increasing the dollar amount for RFP's or RFQ's for professional services from \$10,000 to \$25,000. He said he felt \$10,000 is fine. He said his intent was to copy verbatim the North Augusta provision.

Councilman Ebner stated the other thing in support of what Mr. McGhee said is, he had used the exact words. He felt it would be good to review those words compared to ours. Since we are making a change, we need to compare it to some group that already uses it.

Mayor Cavanaugh stated then does Council want to continue the ordinance to the next meeting.

Councilman Ebner stated he would second Councilman Dewar's motion that the proposed ordinance be continued to the next meeting of Council.

Mr. Pearce stated the next meeting would be February 10, 2014.

Councilman Homoki asked how multiples are handled. He asked if stage 1 and stage 2 are separate and if a sole source award is made or some kind of qualified contract, then when that is used up do you do another \$25,000. He asked if there is a check or balance in the city procedures so you don't have a \$10,000, another \$10,000, another \$10,000, etc.

Mr. Pearce stated that is monitored through how we pay for professional services. He said once we get the request for qualifications, staff knows by the size of the project what we would expect to pay for professional services. That would be monitored through the Finance Department and by our Purchasing Agent, Stuart Bedenbaugh. He would not approve payment without the RFQ if it would be over \$10,000, as in the current version of the ordinance.

Councilman Ebner stated that is the exact reason for putting it in the ordinance like that. He said his past experience in business is the same. All of a sudden you see five or six \$10,000 orders with someone trying to circumvent the ordinance. That is part of what we are trying to prevent.

Mr. Pearce stated to Mr. Bedenbaugh's credit he does a good job and is very sensitive to people trying to split a purchase order to get under the bid requirements. He said that is the kind of policing he is already doing. Councilman Ebner stated Mr. Bedenbaugh does a good job with that, as he has asked him about that before.

Mayor Cavanaugh stated Councilman Dewar moved, seconded by Councilman Ebner, that the ordinance be continued to the next meeting. The motion was unanimously approved.

#### ANNEXATION – ORDINANCE

327 Springwood Drive  
Gem Lakes  
Grant Wiseman  
Heather Wiseman  
TPN 106-17-18-018

Mayor Cavanaugh stated an ordinance had been prepared for Council's consideration on first reading to annex 327 Springwood Drive in Gem Lakes Estate and zone it Residential Single-Family (RS-15).

Mr. Pearce read the title of the ordinance.

AN ORDINANCE TO ANNEX TO THE CORPORATE LIMITS OF THE CITY OF AIKEN CERTAIN PROPERTY OWNED BY GRANT AND HEATHER WISEMAN AND LOCATED AT 327 SPRINGWOOD DRIVE AND TO ZONE THE SAME RESIDENTIAL SINGLE-FAMILY (RS-15).

Mr. Pearce stated the owners of 327 Springwood Drive, Reverend Grant and Heather Wiseman, have requested to annex their property within our city limits. It is contiguous to Aiken, and is in the Gem Lakes Estates Subdivision.

The Planning Commission met January 14, 2014, and unanimously approved this annexation request and recommended Residential Single-Family (RS-15) zoning.

For Council consideration on first reading is an ordinance to annex into the Aiken City limits, property located at 327 Springwood Drive belonging to Reverend Grant and Heather Wiseman and zone it Residential Single-Family (RS-15).

Councilman Homoki moved, seconded by Councilwoman Price, that Council pass on first reading an ordinance to annex 327 Springwood Drive and zone it Residential Single-Family (RS-15), and schedule second reading and public hearing for the next regular meeting of Council. The motion was unanimously approved.

#### PERSONNEL

Exit Interview  
Grievance System  
Employee Research Survey  
Human Resources  
Public Safety Compensation  
Councilmember Dewar

Mayor Cavanaugh under Petitions and Requests there was a request from Councilman Dewar.

Councilman Dewar stated he had submitted four items to the City Manager for inclusion in this agenda. He said he would like to make proposals on the four items separately and encourage Council discussion.

#### Exit Interview

Councilman Dewar moved that: 1. The City Manager submit to City Council for approval a program to require that all personnel leaving city employment for whatever reason, complete a confidential exit interview given by the Human Resources Director. A copy of the form currently used shall be reviewed for approval/changes by City Council. Completed exit interview forms should be reviewed by the City Manager who will advise City Council, if appropriate.

Councilman Dewar stated his intent on all four of the requests is to do these quickly. He said they all stem from Council's discussion at the last meeting with Public Safety. Much of that discussion involved the entire staff as well. He said he knows there is an exit interview. It seems as though it was a little bit disjointed in the system. Human Resources does it some time. The Department Head does it sometimes. He said it is his recommendation that the Human Resource Director oversee the exit interview with the intent to determine why people are leaving. If it is something that the City can correct or improve, then Council should be advised, and action should be taken. He said that was his motion.

Councilman Merry seconded Councilman Dewar's motion.

Mr. Pearce stated he included with the agenda materials the existing exit interview form for Council. He said he would be glad to receive any comments. He said a couple of Councilmembers have mentioned that we should look at the private sector, and some of the federal contractors as well. He said he had expressed the willingness to look at that. He said the warning that he would have for the group is that as a local government entity we need to make sure that we comply not just with federal law, but also state law requirements as well. He said the city has on retainer a firm that advises staff on employment law matters. He said staff has submitted the existing grievance procedure and exit interview form to them for review and comment. He said we would like to get legal input prior to implementing what they would recommend.

Councilman Ebner stated he felt that is the appropriate way to do it, but it would be helpful for Council to get from the private sector or private sector working for the Savannah River Site to send us their forms. SRNS and URS are private companies working for a government entity which he concurs is different from the city. He also felt it might be helpful to get information from the School Board, and a purely private sector company, such as MTU or Bridgestone. He felt it would be good to get their information ahead of time to review.

Mr. Pearce responded that staff is making those requests. He said we would need to make sure that our employment procedures comply with state law.

Councilman Ebner stated there was no problem with that at all.

Councilwoman Diggs stated she would also like to suggest that the HR Director should oversee the exit interviews, but felt it was important to have a supervisor of that employee who is leaving present as well.

Mr. Pearce stated that is the current city policy. It says that a confidential exit interview would be performed in the presence of the Department Director. It does not exclude the HR Director being there. He thought that is what Ms. Davis was trying to address. He pointed out when the issues came up at the last Council meeting two weeks ago, staff did not have advance notice. He said there were about 16 action items from Council as a result of the discussion at the last meeting. He said staff has reached out to our employment lawyers. Staff has also contacted some of the other entities to see what procedures they follow and will submit them to our employment lawyer to see what would be advisable based on what other cities in the state are doing.

Councilman Dewar stated he was not sure that he agreed that anybody else other than the HR Director needs to be with the employee for the exit interview. He said the more people you put in the meeting, the less straightforward comments you will receive. He pointed out in some cases we are not doing the written exit interviews. He said his feeling is that the exit interview should be an opportunity for the employee to tell us what comments that he or she wants to make as they leave the city. He said to keep in mind that this applies to people who leave voluntarily and people who are asked to leave as well. He said he was not in favor of having a Department Director there nor in favor of having the employee's supervisor there.

Mr. Pearce stated this is a policy that the city has had in place for a number of years. He said we have a staff directors meeting on Tuesday morning. He said after the Council

meeting on January 13, he was very clear with the Department Directors that we follow the procedure that is in place until any changes are made. He said this is something that staff will discuss with the employment lawyers to see what their recommendation would be. He said under the Council-Manager form of government he, as City Manager, is the person responsible for the operations for the city. He said certainly we want to make sure that our procedures and policies that are in place encourage dialogue and opportunities for us to improve our operations at every point. He said he would hate to get painted into a corner that a Department Director cannot be present until we get the input back from our employment lawyers to see what other cities are doing.

Councilman Dewar stated that is part of the problem, as we have not been getting the exit interviews. He said if you insist that the Department Director be there, then he would withdraw the motion because it is a waste of time. He said it will sound wonderful. It is will make the employment lawyer happy, but to his way of thinking it is a waste of time.

Mayor Cavanaugh stated he did not think it was a waste of time. He said we are trying to do the best job we can to make things better every day with everything. He said he felt we all agree we need to do some of these things and make them better. He said it is what we are here to do.

Councilman Dewar asked Mayor Cavanaugh if he thought somebody who wants to leave and has some negative comments to make, will make them in front of the Department Director.

Mayor Cavanaugh stated he was saying when we get the forms and the information already asked for it will give us a good variety, then we can sit down and look at what others are doing. Then we can make that decision when it comes back to Council. He said we want to find out what others are doing. Everybody has said that. He said we will have their opportunity. That is only fair.

Councilman Dewar stated that is fine.

Councilwoman Diggs stated she was not suggesting that the supervisor, and did not say Department Director, be there during the entire exit interview. She said the interview could start off with the supervisor there and then excuse them. She said she was not saying they should be there for the entire exit interview as she felt it was important for HR to have those last few minutes in case someone feels intimidated by the supervisor being there.

Mayor Cavanaugh stated once we get the best information we can, then we can talk about tweaking it to get it the way we want it. He said personally he was not saying he wanted that right now.

Councilman Dewar stated that is fine. He said when he spoke with the City Manager earlier today he had no objection to getting these forms together and taking a look at them. He said he did not feel they should be sent to the labor attorney before Council has a chance to look at them. He said he did not know what Bridgestone, the County, or URS does as an exit interview. He said he would like to take a look at them. He said he did not think our present form would survive what he would like to see.

Mayor Cavanaugh stated it may not, but what is good is we will get a lot of other people's ideas and what they are using in their businesses. Then we will have this information to look at.

Mr. Pearce stated the reason for sending it to the employment attorneys is that we are a local government entity. We are not a private concern. We are not a non-profit concern. We are a local government. The law firm that we use advises cities throughout the State of South Carolina. He felt the important thing is that we need to be consistent with other cities' practice, because those are tried and true methods. He said we are not ruling anything out at this point. We just want to have a conversation to see what their recommendations would be.



Councilman Merry asked if we are talking about sending our current practices to the labor attorney or some proposed practices to the labor attorney.

Mr. Pearce stated yes on both.

Councilman Merry asked what the proposed practices are. Mr. Pearce responded that we don't know that yet as we are gathering information. Councilman Merry stated you can't send the information to them until we have a proposal.

Mr. Pearce stated he sees where Councilman Merry is going. He said with the existing policies and procedures that we have the labor firm is going to be familiar with what other cities are doing and will have a set of recommendations. Once we get the information on what the public sector is doing, what the private sector is doing, and what the non-profit sector is doing that is something that can be part of their review as well.

Councilman Merry stated Mr. Pearce is really talking about two steps. One is the information gathering that the Mayor has referred to—getting information from what other members of the public sector and private sector are doing. From the information boiling that down to what we like as a proposal, and send that to the employment attorney as a two-step process.

Mr. Pearce stated, for example, the private sector may have a grievance procedure they follow. Local governments are not required to have a grievance procedure. He said Council had been very clear that they would like to see a grievance procedure. If we have a grievance procedure, his understanding is that we have to follow South Carolina state law for what the grievance procedure includes, which includes having a grievance committee of peers, fellow employees, not people outside the city.

Councilman Merry stated he was trying to figure out the process. He said he thought Councilman Dewar had some specific ideas about how he would like it to be done. He said there were some specific examples that we are gathering on how others are doing it. He said we might consider all that and choose a proposal or path or concept that Council likes and then send that to the labor attorney. He asked if that was the right procedure.

Mayor Cavanaugh stated he felt we could, once we get the information that others have said we need to get. He said this is going around in circles. He said we need the information so we can see what others are doing.

Mr. Pearce stated we have to make sure that the recommendations would be in compliance with state law. That is the whole reason for having the labor firm involved.

Councilman Homoki asked if the firm would give us just whether we are concurring with the law, or would they give us other information.

Mr. Pearce stated they could let us know what other cities in South Carolina are doing.

Councilman Ebner asked if he was understanding. He said we would get information from other cities, the private sector, and non-profit sector. He would have all the information from the other vendors and then he could write a memo to the City Manager with a copy to City Council pointing out the changes he would like to see, and everybody has their 10 cents. Once the City Manager gets the comments from the Councilmembers, he would send them to the labor attorneys and they would say their comments were either inappropriate or a great idea. He asked if that is where we are going. He said we need to get the labor attorney's input, but at some point the attorney needs to tell us whether their thoughts as individuals or Councilmembers are appropriate. He said the labor attorney may not like their ideas.

Mr. Pearce stated it is kind of like the conversation had in the work session, we may not solve this in one conversation with the attorney. He said he felt we need the labor attorney's guidance. If we go down a rabbit trail and spend a lot of time on something that doesn't comply with South Carolina law, that will be a wasted effort. He said they

know what other cities are doing and what works for other cities. He felt that would be valuable input.

Councilman Ebner stated the labor attorney does not know his thoughts yet. He said at some point he wants to have Reggie's thoughts.

Councilman Merry pointed out the labor attorney does not know any of the Councilmembers' thoughts.

Councilwoman Price asked if it was against the law to have a review with folks that Council may appoint outside the peer group. She said she knew there had to be compliance with state law. She stated her question is whether it is against the law to have a group that would hear from individuals that may have some concerns. Mr. Pearce asked if Councilwoman Price was talking about the grievance committee. He said that question could be answered by the labor lawyer.

Mr. Smith asked Councilwoman Price if she was talking about a group of citizens or a group of employees. Councilwoman Price stated she was referring to a group of citizens. Mr. Smith stated he did not think they could do that. Councilwoman Price stated for example, the School District had a group of citizens that did that. She said her question is whether that would be against the law or a violation of the law. Mr. Smith stated that would be a question for the labor lawyer.

Councilman Merry asked if the labor lawyer could come to a work session and answer questions for Council so they could find out more rather than taking shots at what is legal and what is not legal.

Councilman Dewar said they would have to have a sense of what they would like to see. He said that is why we would want to look at what other people are doing versus what the City of Aiken is doing and match them and come up with perhaps some changes to our system. He said that is the purpose of this.

Mr. Smith stated he was afraid he was to blame for a portion of the conversation because we were considering doing a change to the city's procedures which have been in place for quite some time. He said he had suggested to Mr. Pearce that he felt it would be a good idea to have the labor lawyer on board. He said he knew that Councilman Ebner understood what problems these things can cause.

Councilman Ebner stated he felt it was very appropriate to get the labor lawyer's input.

Mr. Smith stated he thought he understood what Council wants to do. He said once Mr. Pearce gathers the information that he is talking about putting together from the various entities, we can then develop a laundry list of various items that each one considers to be important, and then we can start formulating an intelligent letter to send to the labor lawyer who can then say yes or no to the various items on the list and give reasons as to why.

Councilman Dewar stated the labor attorney has to be involved in the process. There is no question about that.

Councilman Merry stated Mr. Smith's comments answered his questions. Mr. Smith stated Mr. Pearce could find out from the labor lawyer how much it would cost for them to come from Columbia and be present for the meeting. He pointed out they are very expensive.

Councilwoman Price stated she wanted to add to what the intentions are. She said she was prefacing her statements on comments made regarding why morale apparently appears to be poor in some ways with our employees. If you put in place an outside entity to review or have some conversation, it removes the concern of the employee that somehow within the structure, they may not be able to trust or that there may be some reprisal in the event they share what they are really thinking. She said we need to do whatever we can to ensure that the employee feels that they are being heard and what

they share we will look at and review and try to improve whatever they are sharing with us. She said that is how you get to the issues. She said it may be that we cannot have that kind of structure, but we need to work towards that.

Mr. Pearce stated he wanted to say for the benefit of everyone in the room, for the benefit of the record, and for the benefit of the media, that he maintains an open door policy. He said Aiken has a Council-Manager form of government. Under that form of government the City Manager is in charge of the hiring, firing, the discipline, and hearing the grievances. He said he was the final arbitrator of the process. He said staff would be happy to take a look at what the different sectors do. He said he was not aware under the grievance procedure, a grievance procedure which we are not required to have, that when you set up the grievance committee it could have folks outside the city. He pointed out he was concerned about spending a lot of time talking about things for which there is no legal provision. He was concerned we would spend a lot of time on something that we can get the answers for and have a more comprehensive presentation to Council. He said at the Council meeting on January 13, we talked about 30% turnover in the Department of Public Safety. He said in fact when you look at the year after the two officers were murdered in the line of duty, the turnover was 21%, but the next year the turnover was less than 10%. He said everything we have consulted says that you can expect turnover as high as 15% just in the work place now. It is not 10%; it is 15%. When we looked at our regular full time employees and looked at regular part-time employees, our turnover rate is 14.06%. That is city-wide. We did not look at seasonal workers because they work for the summer, and we know they are going to leave. When we look at Public Safety the turnover rate is just a little over 9%. That department is performing better than the rest of the city. He said all that being said, staff is happy to take a review. He said we do not have an indication through the turnover rate that there is a morale problem at the city. He said he wanted staff to understand that he is more than willing to talk about any issue. He said he knows Department Directors that have helped employees. He said he had had opportunities to sit down with employees. He said he has something on his desk now that he will be working on where an employee has a question about something that has happened at work.

Councilwoman Price stated perhaps we don't need to spin our wheels. If there is no issue and no morale problem, then why do we need a grievance procedure.

Councilman Homoki stated that was the point he was going to make. He said some people say there is a morale problem. Some people say there is a perceived morale problem. However, when you look at the turnover rates, as Mr. Pearce just presented, it does not seem that we are really that different from the norm. He asked what is the connection between a grievance form and an exit briefing and how would that would affect morale. He asked what we would learn from somebody that obviously is not satisfied with the environment. He wondered if that person would contribute to our total knowledge so we can try to improve morale. He said he was not sure.

Councilman Dewar stated presently we are talking about the item on the table which is the exit interview. He said the next item will be the grievance system. We have all been on City Council, and all have lived here for at least 10 years. He said he hoped we all know people who are working for the city. He said if you want to sit here and say there is no morale problem, Councilman Homoki be his guest. He said that is not his understanding. He said he could not tell specifics, but could tell generalities. He said he has the sense that there is a morale problem in the city from what he hears and from some of the people that he talks to. He said all he was trying to do is to put in place a structure. He said the City Manager is right. He is the CEO, and he is ultimately responsible for the turnover rate. He said he was trying to put into place some mechanisms so Council can do their job as oversight and help the employees as best we can.

Councilman Homoki stated Council's job would be to give Mr. Pearce instructions on how he should try to improve morale rather than Council getting into the weeds.

Councilman Dewar stated that is how his requests are worded. He pointed out the memo says 1. The City Manager will submit. 2. The City Manager will develop. 3. The City Manager will identify. He said that is what the requests are.

Mayor Cavanaugh stated a motion has been made by Councilman Dewar, seconded by Councilman Merry that the Human Resources Director establish a confidential exit interview system with the intent to determine why people are leaving.

Councilman Homoki asked if we already have an exit interview system in existence. Mr. Pearce responded that we do. Councilman Homoki said then we have to back track. He asked if we are going to have two exit interview systems.

Councilman Dewar stated we would have one exit interview system. Mayor Cavanaugh stated we are going to have the best exit interview system we can get. Councilwoman Price stated we are reestablishing the exit interview system.

Councilman Homoki stated if we are going to replace something that is already in existence, how can you replace it with a motion.

Councilman Dewar stated the motion is that the City Manager will submit to City Council for approval a program to require all personnel leaving city employment for whatever reason, complete a confidential exit interview given by the Human Resources Director.

Councilman Dewar stated in his opinion the current exit interview form needs improvement, and he is asking that we get copies from outside agencies and inside government agencies to look at to improve our form. Secondly, he is asking that the exit interview be done by Human Resources. The city policy is that the exit interview be done by the Department Director.

Mr. Pearce stated the exit interview is done by the Department Director, but the Human Resources Department Director is involved in the exit interview.

Councilman Homoki asked if we have to vote to eliminate the current process before we put a new process in place.

Mr. Pearce stated that would shut down the exit interview program if Council did that.

Mayor Cavanaugh stated staff would use the present policy and form until another policy and form is adopted. Councilman Dewar stated we would use the present form until we get a better one, and we may not get a better one.

Mayor Cavanaugh called for a vote on the motion by Councilman Dewar, seconded by Councilman Merry, that the City Manager submit to City Council for approval a program to require all personnel leaving city employment for whatever reason, complete a confidential exit interview given by the Human Resources Director. The motion was approved by a vote of 6 in favor with Councilman Homoki opposing the motion.

#### Grievance System

Councilman Dewar moved that: 2. The City Manager will develop a "Grievance System" that will enable employees to report organizational problems with expectations of whistle blower protections. The motion was seconded by Councilman Merry.

Mr. Pearce stated the city does have an existing grievance procedure in place. He said it possibly may need updating. He said we would need to reestablish the grievance committee if Council desires.

Mayor Cavanaugh called for a vote on Councilman Dewar's motion to develop a grievance system. The motion was unanimously approved.

#### Employee Research Survey

Councilman Dewar moved that: 3. The City Manager will identify a qualified company to perform an employee research survey. Similar to the annual audit, this function is the

responsibility of the City Council, which will approve the company and directly receive the results. The motion was seconded by Councilwoman Diggs.

Councilman Dewar stated this is something that is done possibly once in 10 years. He said he was not looking to establish something that is done every year. He said good organizations that he had worked with in the private sector have done this on a long term basis. He said he was not aware that the city had ever done it. He said he seemed to recall a discussion at one of the Municipal Association meetings that he went to that it was mentioned.

Mayor Cavanaugh asked that Councilman Dewar explain what a research survey would entail. Councilman Dewar stated it is a survey that is sent from a third party company. The employees are told they will get correspondence from the company. The correspondence contains questions that the company has determined they need to be able to assess the attitudes of the employees. The form would be completed and sent back to the company. That company would make a report to Council on the results.

Mr. Pearce stated the last one was done in 2008. Councilwoman Diggs stated the survey at her place of business is called an employee satisfaction survey to see whether the employees are satisfied with the way things are run. Each employee gets the survey, and it is anonymous as the employee does not sign the form. Since it is anonymous no one gets penalized for expressing their true feelings.

Mayor Cavanaugh called for a vote on the motion by Councilman Dewar, seconded by Councilwoman Diggs, that a qualified company be identified to perform an employee research survey. The motion was unanimously approved.

#### Public Safety Compensation

Councilman Dewar moved: 4. It is the sense of City Council that the issue of employee compensation should be addressed as soon as the Public Safety compensation study is received by the City.

Councilman Dewar stated he is totally confused with the status of the compensation study, because some places he reads that the survey is part of the normal review that the city has of compensation where 25% of the positions are reviewed each year.

Mr. Pearce stated the normal review is 25% of the positions each year. However, we do have a Public Safety Compensation Study underway. In response to a question by Councilman Dewar Mr. Pearce said a consultant is conducting the survey and the results are eminent. He said there may be something this week to discuss with staff.

Councilman Dewar stated his intent with this item is that he does not want to wait until the budget system to talk about compensation for Public Safety. He said the intent is to talk about it as soon as we get the survey results. He said there are a lot of questions that need to be addressed with the compensation issue in Public Safety.

Mayor Cavanaugh pointed out Council won't have a proposed budget until April, but he is understanding that Councilman Dewar wants to get the compensation survey flowing with Council looking at it knowing that Council can't make a decision until budget time.

Councilman Dewar stated Council can meet and discuss at any time Council chooses, once they have the compensation study. Mayor Cavanaugh pointed out no decision could be made. Councilman Dewar stated no decision can be made, as the budget is already approved through the end of June, 2014. He said he would not expect to consider anything until the next fiscal year, as we don't have the money.

Mr. Pearce stated Mr. Smith, City Attorney, could address that. Mr. Pearce said there is a budget ordinance and the budget ordinance could be adjusted through a second ordinance. He said the problem is we have presented a balanced budget, so without raising taxes or cutting expenditures there will be no funds to adjust the compensation this year. He pointed out the budget forms are going to the departments now, which

means our Department Directors will look at the salary survey and make recommendations for the adjustments they feel would be appropriate so they don't adversely affect their department operations. Money that goes to salaries is money that cannot go to other expenditure lines. He said he would hope that Council would want to get input from the Department Directors who do the daily operation before we go in and just arbitrarily set salary amounts. He pointed out this has a ripple effect. He said we will have something to discuss in a work session, but we will not have that immediately after we receive the Archer study on the Public Safety salaries. He said we certainly want to look at it, and that is a discussion that he would like to have with the Department Directors. Before we get too many voices around the table, he would like to defer to the departments, because they know how they can meet the obligations that they are expected to meet every year, possibly without having to cut expenditures, possibly without needing a tax increase. He said he has found the Department Directors to be very innovative in how they prioritize their expenditures as far as where the money can go. If we start immediately with a discussion with Council, we would not have that opportunity internally to have some ideas or suggestions for Council.

Councilman Dewar stated if we do the process as normally, in April, the City Manager will give Council a 300 page book and Council is supposed to make some intelligent comments about budgeting. It does not contain a lot of detailed information about compensation beyond the general amounts. There are no specific amounts. He said he had been a critic of the budget system since he had been on Council because he does not think we spend enough time on the budget.

Councilman Merry stated he felt Public Safety compensation is a very important thing to consider for this year's budget cycle. He said he did not think it is something they can do just getting the 300 page book in April or May. He asked how Mr. Pearce would recommend doing it and still allow time for the Department Heads to review internally.

Mr. Pearce stated if he was not clear before, he would try again. He said the Department Directors would spend the month of February going through their budgets and developing what they feel are appropriate revenue estimates. We work with the Finance Department on that. Staff needs the month of February to have these discussions to see what staff can do to be creative and, hopefully, not have to come to Council with a requested tax increase or significant reductions in other expenditures that would affect our ability to deliver services. He said he never said we would wait until April. He said he was saying the Department Directors need the month of February to go through the budget, to meet with their divisions, and to figure out where potential savings may be so we can meet the salary requirements we feel are appropriate, based on the job being done, and the savings being realized.

Councilman Merry asked if Mr. Pearce felt that process would be completed by the end of February so Council could start the process on Public Safety salaries. Mr. Pearce stated he would like to have the opportunity to talk to the Department Directors. He said he could not answer the question at this time.

Councilwoman Price stated regarding the turnover rates reported by Mr. Pearce, what department has the largest turnover rate. Mr. Pearce stated the turnover rate could be separated out by departments, but he did not have that figure at this time. Councilwoman Price stated she would have guessed it would be Public Safety, but she may be wrong. Mr. Pearce stated Public Safety has one of the lowest turnover rates. They are under 10%, more in the 9% range.

Councilman Ebner stated when he hears that 15% is a standard turnover rate, that means in six years we get 100% new people in the city. He said that would be disastrous in any business. He pointed out there are several here who run businesses.

Mr. Pearce stated that is assuming that the people who leave and are replaced, that replacement stays and doesn't leave. He said we have some positions like the regular part-time employees who have found full-time employment as the city did not have a full-time position available.

Councilman Ebner pointed out if we have 15% turnover in just full-time, taking out the part-time and summer employees as the part-time employees are looking for full-time positions, that seems high to people in business. He wondered if 15% turnover is the standard across the municipalities.

Mr. Pearce stated if we just look at the full-time positions, the turnover rate is more like 12% to 13%. He said you have to compare apples to apples. He pointed out it is like the Public Safety numbers. One year after two officers are murdered in the line of duty, the turnover rate of 21% for the prior year becomes a 9% rate. He said staff looks at that as a major improvement. He pointed out that Mr. Eric Skidmore had told Council he had worked 30 cases in his time with SLED, and that a high turnover rate is to be expected after the murders. Mr. Pearce stated another statistic that got lost in the conversation is that Public Safety today has over 51% of its employees with 10 years or more experience. There are a lot of departments in the state of South Carolina that are jealous of that statistic alone. He said he felt Public Safety is doing an excellent, excellent job knowing that we had some people leave, having a terrible experience that no one can predict and coming and fighting back from that and providing a service. Again, there are no complaints about the service in the meetings when we have talked about turnover. He said Public Safety is keeping more people than it did in the past after a terrible, terrible tragedy and delivering service to the public. He said he felt Public Safety is to be commended for their efforts because there is nothing easy about that. When we look at the rest of staff, there is nothing out of the ordinary in the turnover rates that we are seeing. He said, of course, we can improve our system. We can always make it better. He said staff is not seeing the signs that we would expect to see if there was a morale problem based on people leaving and folks not interested in doing their job. He said we get a lot of compliments about what our staff does and how our staff goes out of the way to help those beyond what their job description is in the book. He said he wanted to publicly say how much he admires our employees for doing an excellent job. He said staff will look at all the items and make recommendations. He said he was sure Council would have some ideas of what we need to do. He said we can't lose site through this whole discussion that we have some dedicated employees that do an excellent, excellent job for us, and we need to pay them fairly. He said that came up in the budget discussion last year. That is something we are sensitive to and something we want to plan for.

Councilman Ebner asked if it was a fair question when we go through the grievance procedure and exit procedure then the group that we are hiring should be able to give us some insight because of what other cities are seeing. He said, building on what Mr. Pearce said, if the upper echelon is not turning over, that means the lower echelon is turning over even faster as that is an average of 12.1% or 14.1%. That would mean the lower employees are turning over more. He said he could play the numbers game all day.

Mr. Pearce stated it is not a numbers game. It is people working for the city. He felt we have to understand that the way the whole system is set up is to encourage people to come to the city and build a career here. That is the way the system is set up. When people come here and work and make a career here, we call that a success. He said we have had turnover in the entry level positions at Public Safety because we had two horrible, horrible occurrences within 35 days of one another. He said we have had folks who do not work for the City of Aiken who have worked with other cities that have experienced tragedies that are similar and have said this is a natural consequence of that event taking place. He said he has to admire Public Safety for sticking on the job and helping one another and helping folks through this grieving process. We were told by national groups this is a 3 to 5 year process. We are in year two.

Councilwoman Price stated during the holidays all of Council stood in front of staff at the Weeks Center and commented to the employees what an outstanding job we felt they were doing. She said we were all sincere about the outstanding and superior jobs that they are doing. She said what she wants for our city employees is good salaries. If salary is an issue, she wants to make sure we have good salaries to retain the employees. She also wants good and safe working conditions, and that they have opportunities for advancement. She said if all that is in place, that makes for very good working conditions. She said that is her personal goal for our employees.

Councilwoman Diggs stated her sentiments are what Councilmember Price said. She said she did not feel Council's requests are any reflection on Council's opinion of the performance of city employee and Public Safety employees. She said she felt they do a tremendous job. She thinks the world of them and know they work hard and deserve better salaries, but Council also wants their working conditions to be the best they can be as well.

Councilman Homoki stated if there is a "perceived morale" problem, it does not make a difference what division. He asked if Mr. Pearce gets feedback from the Department Heads saying performance is dropping off. He asked if there are civilian complaints or civilian complaints that performance is dropping. He asked if we get complaints about Public Safety not being responsive. Do we get complaints about the fire personnel not being responsive. He said you can't just say you have morale problems if it is not reflected in performance. If it is not reflected in performance, it might be just some individuals that are not happy. Maybe they see an artificial ceiling where it will take them longer to progress, and they decide they are not going to wait 5 or 10 years for the promotion. He said we can't just say we have a morale problem, and not have that backed up with performance dropping off.

Councilman Dewar stated he was distressed at Mayor Pro Tem Homoki's comments. He said he was not just walking out here saying there is a morale problem. He said he has a basis on which he makes that comment. He said it is distressing when he talks about problems in Public Safety that some members of Council feel a need to defend Public Safety. He said you don't need to defend Public Safety in his mind. He said they do a great job.

Councilman Homoki stated he was not defending Public Safety. He was just saying instead of saying there is a problem, he wants to see it reflected in performance. Councilman Dewar stated often times you can't and won't see it in performance. He said Council could get a lot of information if Council would be willing to send a form or have someone interview all the people who have left and ask them why they left. He felt many would be quite surprised. He said there are some who left for the reasons talked about. Maybe some see that they can't get promoted. Some left because they got a better job. Some left because they got more money. Some left because they got less money, and they just were not happy. He said there are all kinds of reasons why they left. He said Council does not know what they are because they don't have an effective system to find out. He said he went to see the film "Heroes Behind the Badge." He said he bought the video and would be willing to share it with anyone who wants to get a sense of what the men and women go through. He said there are some tragic consequences losing an officer in the line of duty. There is no question about that, but that does not explain all the issues in our Public Safety. It may explain some of them. Pay explains some of them. Morale explains some of them. He said he does not buy the reason that it is only because we lost two officers. He said it is more than that.

Mayor Cavanaugh stated no one said losing two officers was the only reason for turnover. Councilman Dewar stated no one wants to admit to a morale problem. Mayor Cavanaugh stated he had not heard anyone say there was not some morale problem. He said if we were in their shoes, and it happened to us we might have some kind of problem with that and think about what we want to do. He said we might want to go and start a new career. He said certainly there would be some turnover as a consequence. Councilman Dewar stated that did happen to some of the employees.

Mayor Cavanaugh stated he wanted to say something about the 2012 number of 21% turnover. He pointed out that included 6 people who were on the Retire/Rehire system where they serve 5 years and have to retire. He said that number includes those 6 employees that were leaving anyway. He said when that number is reduced by those 6 who were leaving anyway, that made a 14.6% , and not 21% turnover in 2012. Then the next year the turnover rate was 9%. He said that puts a light on the matter. He said Council has been going through this for some time with articles in the paper saying what is wrong, how much is wrong, etc. We are not saying there is no problem. We will always have a problem. We have problems in our families sometimes, but we try to work through them. He said the numbers are actual numbers. He said the turnover is not 28



employees or 31% turnover in Public Safety. Councilman Dewar stated that is how you define turnover. He said it was not his definition, but Human Resources definition.

Mayor Cavanaugh stated how you define progress is looking at each year. Councilman Dewar stated he would admit to progress from 2012 to 2013. No question. Mayor Cavanaugh stated he was glad to hear Councilman Dewar say that. He said he appreciates Public Safety very much. He said he had said it before many, many times. He said he was saying it again. He said he appreciates what Public Safety does and appreciates it very much. He said we know what the problems are out there and what it is like to be out there in the car or walking the street and not knowing what is going to happen. He said he appreciates so much what Public Safety is doing and thanks them for a job well done. He encouraged them to keep up the good work.

Councilman Dewar thanked Council for their patience in discussing the items.

### INFORMATION

#### Horizons 2014

Mr. Pearce stated Council has the Horizons Retreat on Friday afternoon January 31, 2014, and Saturday morning, February 1, 2014, at Rye Patch.

Councilman Ebner stated the assumption is that the Saturday breakfast will be the standard breakfast. Mr. Pearce stated it is listed in the Horizons book.

#### Mellow Mushroom

Councilman Ebner asked if the restaurant Mellow Mushroom was moving on through the system or if it was still bogged down.

Mr. Pearce stated they have not closed on the sale of the property yet. The architect has been in conversation with our Inspections Division. All the legal issues about where buildings were and where property lines are located have been resolved.

Councilman Ebner asked about the painting of the brick. He asked if it had been signed off, and if they were going to start their work. Mr. Pearce stated he thought that the painting had been resolved, to which Mr. Evans, Planning Director, responded that this had been resolved. Mr. Pearce stated they were not ready to start work. The architect is in conversation with the Building Official about some issues with combustible material in the covered area.

Councilman Ebner stated the concern is this has been going on for months, and the first thing you know the developer will be gone. He said we don't want him to leave town. Mr. Pearce stated they have not gone, but are still in conversation.

#### Crosland Park Sewer

Councilman Ebner stated his assumption is that once staff has the price for the Crosland Park sewer staff will come back to Council and ask for money from Capital Project Sales Tax III. Mr. Pearce stated staff wants to get the bid in hand before coming to Council for approval of the funds.

#### Water Rates

#### Horizons

#### Water Leaks

#### Stormwater Fund

Councilman Ebner stated it was in the Horizons schedule that there will be discussion on water rates. He asked if there would also be discussion regarding water leaks at the meeting. Mr. Pearce responded that Mr. Grinton, Engineering and Utilities Director, will discuss water leaks. In response to a question from Councilman Ebner, Mr. Pearce

responded that Mr. Grinton will also discuss the cost of the Silver Bluff Water Plant and associated costs. Councilman Ebner also asked if there would be discussion on the Stormwater fund. Mr. Pearce responded Mr. Grinton would be talking about all utilities.

### Public Safety

Mr. Ron Gaddis stated he had been a resident of Aiken Public Safety's umbrella of protection for 18 years and a resident of the city for 6 years. He said he was from Montgomery County, Maryland, a northwest suburb of Washington, DC where he was born and raised. He said he had three years as a Montgomery County Police Cadet, where he passed the Police Academy. He said it is similar to the fire cadets in Aiken. He said they learn all aspects of the job for three years. He said he was drafted in 1969 under the Nixon lottery and ended up being a MP for two years in the U.S. Army out of the Washington Navy Yard Armed Force Police Detachment Army Element for the Military District of Washington. He said when he got out of the service he was rehired as a Montgomery County Police Officer for 15 years until he retired in 1986 on line of duty injuries. He said he has a bachelor degree from the University of Maryland in Law Enforcement with a minor in Criminology. He said he left after his 15 years sworn service with 44 commendations. He said he was present because of once being a cop and a firefighter, always a cop. He said he was also a volunteer firefighter/rescue squad in Rockville, which is the county seat of Montgomery County, Maryland. He said he lived in the headquarters station for five years. He said he was working shift work and running volunteer calls to the tune of 600 to 800 a year. In those days they had three to four working structure fires a week.

Mr. Gaddis stated he would address B and D of Councilman Dewar's requests. He said he hoped to be of some help. He said his heart and soul are in this. He said he was glad Chief Barranco and his command staff were present, as his comments are directed primarily to them and Manager Pearce, since he runs the day to day operations. He said there are morale problems and complaints in Public Safety. He said cops hang out with cops. He said he is 65 years old now, and in his 18 years he knows a lot of law enforcement officers, retired and active in the city and county, especially the city. He said Public Safety, as it is in the south, is unique and kind of a southern thing. He said he had not found it too often. He felt he could count on two hands how many departments are full time, sworn law enforcement officers and firefighters. He pointed out in Aiken the police officers also respond to priority 1 and 2 critical serious medical calls as enhanced First Responders. He pointed out all police officers are now First Responder trained. He said that is one thing he did in the early 1980's, but it is limited. They don't respond as a rule to rescue calls, but Aiken's officers do. They carry defibrillators and are more highly trained. He said the Aiken officers are actually doing three jobs for the price of one. He said he felt that is admirable. He said if he had not been retired he would still be working. He said in the department where he worked there were 1,300 sworn officers in the county, with a 1.5 million population, and three more cities with over 100 officers each, and they still need more. He said the area is outside DC. It is a feeding ground.

Mr. Gaddis said there is a morale problem in Aiken. The people will not come forward and will not complain. They do not want their names mentioned. He said he can surmise what that is about. He said he had heard this for the last couple of years. He said he agrees with Councilman Dewar. He said he had heard the discussion about a grievance committee, exit interviews, etc. He said he had brought a copy of a Maryland law from the annotated code of Maryland 1957, and it has been annotated up through 2012. It is the law enforcement officers' bill of rights. He provided the copy to Councilman Dewar. He pointed out South Carolina is a right to work state. He said Chief Barranco works at the pleasure of the Mayor and the City Manager. Mr. Pearce pointed out Chief Barranco works at the pleasure of the City Manager. He pointed out everybody else basically is at will employees, so job security is only as secure as someone not wishing to get rid of you. He said he was not advocating a union as he has no use for that. He said the Maryland law is golden, solid and perfect. He said it is one of the most perfect laws he has seen written. He said it allows everybody from the rank and file through the rank of Chief and elected Sheriff the same breaks as criminals have if there is an administrative violation, a brutality complaint or even a criminal complaint. The law sets out trial

boards, how they are composed, what powers they have, what powers the Chief would have after that, subpoena power, etc. He said it is a great law. He felt something like that law should be looked at for the city level and used as a guideline. He felt the law may solve the grievance problem. He said it would give them the confidence that they can sit down person to person and speak what is really on their mind. They continue to perform in spite of all that is going on because they are dedicated and highly trained.

Mr. Gaddis stated his heart is broken for what the Public Safety Department went through in the last two years. He said in 1972 through 1981 he had 5 of his brothers shot and killed in a 9 year period and 4 more wounded. He said that is a burden you never lose. He said there were two in Aiken back to back. He said it is a pain that never goes away.

Mr. Gaddis stated his next statements were regarding the pay. He pointed out in Maryland they had county income taxes on top of paying 7 ½% into the retirement and 20% for the medical care. He said he cleared 50% of what he made. He said the starting salary in Montgomery County, Maryland, with an AA degree minimum, is \$1,000 more than what welfare starts at for a family of 4, which is \$48,000. He said the cost of living there is obscene. He said he could live good down here on a 60% disability pension. He said he was very glad to be in Aiken. It is the best place he had ever lived. He said for the most part he has no complaints with the Public Safety Department or the Sheriff's Department. He said he had known Mike Hunt since he was a Sergeant at Public Safety. He said he was looking at fundamental fairness. He said he knows money is an issue; it is tight; and there is a budget. He said he was not familiar with the One Cent Sales Tax, which funds big budget items. He said there has to be money somewhere to pay the officers who are doing two jobs, fire and police. He said there may be 20 departments in the country who have Public Safety with everyone else having a Police Department and a Fire Department. He said the City of Aiken has officers who do both jobs. He said having said that he knows it takes a toll on the officers, especially with the heat in the area and the heat at a fire, and then after the fire is out the officers go back on patrol. He said the officers may work a house fire in Crosland Park. They get a call of a burglary in progress in Gem Lakes. The officer has just put his uniform back on and when the officer pulls up the person bails out and runs and the officer has to run 6 blocks after spending two hours on a fire call. He said we are asking the impossible. We are asking for heart attacks. He said the officers need a 50% pay bump right now. He said he had not spoken to any officers about that. He said the officers are doing two jobs here where in other places they are paid for one job only. He said he felt the Public Safety concept was an outstanding use of funds because 90% of a paid firefighters time is spent sitting in the Fire Station. They do train, mop, drill, etc., but they have to be at the Fire Station. He said he would like to see the city hire another 20 officers so they could take care of many other crimes. He said the officers already do a great job with the manpower they have. He pointed out a Community Relations Division helps work in the communities and helps clean up the areas. He also mentioned the work the Public Safety Department does with the Coffee with the Cops, the programs with the children, etc. He said they are on the right track with the Community Services. He said he did have criticism for charging for gas mileage from the officer's house to the station for take home cars. He said that is an issued piece of equipment. He said that is like renting a gun to work. He reviewed a pilot program that he participated in in 1974, when 25 officers were picked for the personal patrol vehicle program where they took the vehicles home. He pointed out that program put vehicles in neighborhoods and the crime rate went down with police vehicles in driveways of the homes. He said take home cars in the areas are a great tool to help with crime. He said, however, to charge the officers 20 cents a mile for mileage to the station is ridiculous. He felt that needs to be stopped. He also reviewed how the shot guns need to come out of the trunks and be secured between the bucket seats so the officers don't have to go to the trunk to get a gun as things happen quickly. He said that is what happened to Sandy Rogers. He said that was an ambush at 7:30 on a Saturday morning in a park. He said she was experienced and could handle that. It was an assassination. He said some things are preventable.

Mr. Gaddis stated the officers need more money. He felt it could be found somewhere. He said he knows there is a rainy day fund somewhere. He wondered if increasing salaries would be eligible for a One Cent Sales tax. He said he did not know the procedures. He said that is the complaint he has heard. He said morale is down because

you can be fired without cause in South Carolina. He pointed out where he came from they had the Maryland Civil Commission Act of 1933. They had the FOP which is similar to a union, but not a union. They pay minimal dues. It is a no strike contract. It is for bargaining for pay and benefits only. He said the president of the local is one of the officers. He said it is not the SCIU or AFLCIO, the Teamsters, etc. which he has no use for. He said this worked out well in Maryland. It has built in protections for the government, as the officers cannot strike. They have to sit down and work out what is fair. He said officers are not going to leave when they have tenure of 10 years, as they have responsibilities like house payments and kids in college. He pointed out people have retired here and bought expensive homes. There is golfing here. Aiken is 2 ½ hours from the mountains, from the ocean, from Atlanta, and from Charlotte. He said Aiken is the perfect place. He said people have moved here and they expect certain things. He said he wants good services to continue. He said Council may have to raise taxes. He said he knows that is a bad word, but it may have to be done for the officers sake. He said if they don't have protection people will leave. He said he reads the blotter and the arrests each day. He said it is getting busy. He said statistics don't always tell the whole story. He felt if the grievance issue could be solved people would be happy to talk but give them the protection from the right to work stuff. Mr. Gaddis said he cares about the officers and he knows how hard they work. He said he felt there could be fairness on both sides. He said the officers are doing two to two and one-half jobs, and they should be paid more.

Ms. Jane Page Thompson, 240 Knox Avenue, said that Councilwoman Price brought up a good idea of a citizens advisory board. She said they can't advise on personnel issues, because only personnel can be on the grievance committee for personnel. She said she would divorce the conversation from Public Safety. She pointed out City Manager Pearce had said that Public Safety's turnover rate is a little lower. She said as a person who physically goes into a lot of the city and county departments as a part of her job, she has noticed turnover in a lot of areas where she was surprised to find it. She said she had asked why the person was gone, because they did know their job really well. She said the comment she heard was because of the way the city's hire within system works. There are a lot of people at the top, either because of the TERI program or because of the longevity of the way the structure of employment has worked. She said the city is losing really great young folks who have been here in the 5 to 7 year range, because there is no upward mobility for them to grow in their career. She said we have lost some great people. She said those citizens who go into the various departments are not City Councilmembers, wives or husbands of City Councilmembers, and may not be recognized as such and may get a little bit better attention. She said possibly having a focus group of key citizens, much like what Public Safety does for the reevaluation every five years for accreditation. She said if the City Manager is responsible for this problem possibly some of the citizens should be able to help Council figure out how they can help the City Manager overcome some of these problems. She said she hoped that Council would add that matter to their agenda at the Horizons Retreat on Friday.

#### HITCHCOCK PARKWAY WIDENING

##### Bicycle Path

Mr. Tom Lex stated he was a resident of the City of Aiken and Chairman of the Aiken County Bicycle Pedestrian Advisory Committee. He said the point he wants to make is that the Aiken County Bicycle Pedestrian Advisory Committee strongly recommends that the Hitchcock Parkway scope, in whatever form it takes, must include provisions for bicycling and walking.

He said they had heard some rumblings that there is a move afoot to take those provisions out. He said the Aiken County Bicycle Pedestrian Advisory Committee wants to go on record as recommending that those provisions remain in the scope. They could be anywhere from the sidewalks with designated bike lanes to multi-purpose paths for walking and biking. It does not matter which one of those is built. The point is that the County does have a Bicycle-Pedestrian Plan that was developed in 2012. He pointed out City Council unanimously endorsed that plan in a resolution in November, 2012. That plan includes the recommendation for bicycling and walking on Hitchcock Parkway. He

said with a new project now is the time to make sure that those provisions get incorporated or maintained in the project.

Mr. Lex stated the City Natural Resources Element, previously referred to as Open Space Plan which is under development, strongly supports bicycling and walking. He said just like the Bicycling-Pedestrian Plan which was developed with significant citizens input through public comments, public meetings, the Natural Resources Element also has citizens' input, and it recognizes that provisions for bicycling and walking on Hitchcock Parkway support the goals and objectives of that proposed plan. As far as the benefits overall, there are numerous national studies that point out the significant benefits, both from the economics of health and environmental, when a community has bicycling and walking. Cities in South Carolina such as Greenville, Spartanburg, Columbia, Rock Hill, and Hilton Head are already designated as bicycle-friendly by the League of American Bicyclists. He said he sees no reason why Aiken should not join that list, since we are such a great community and should be up there with other communities in the state, especially from the standpoint of economic competition.

Mr. Lex stated the National Association of Builders and Realtors, when looking at 18 attributes that designate or dictate whether a community is livable, has identified that biking and walking is number 2 on the list of the 18 attributes. He said that is well above even ballfields, soccer fields, etc. He said the City of Aiken Strategic Plan developed a couple of years ago identified as a long term goal to become bicycle friendly. That being the case, he felt from a vision standpoint progress will occur if we have a vision of what can be as opposed to being locked into what has always been. What can be is that Aiken can become bicycle-walking friendly, and we need to start by keeping those provisions in the Hitchcock Parkway Project.

Mr. Pearce asked Mr. Lex if he had shared those comments with SCDOT at the public meeting they had in December, 2013. Mr. Lex reported that they had a number of people at the meeting on December 5 who provided those comments. Comments were provided in writing. He said what he was most upset about is that he has had discussions with the SCDOT Project Manager, pointing out that even though the Bicycle-Pedestrian Plan had a multi-use path, for the purposes of efficiency in terms of the footprint for that project, if it made sense to put sidewalks and designated bike lanes as opposed to the multi-use path that would be fine. Either way would work. However, when they came out with the plan, they had the sidewalks, but no designated bike lanes. He said he feels very strongly that having the designated bike lanes along with the sidewalks sends a strong message to the population out there that bicycles are allowed on our roads, as opposed to bicycles don't belong in the road. He said that is not correct. State law specifically states that bicycles have the same rights as well as the same responsibilities as motor vehicles on the roads.

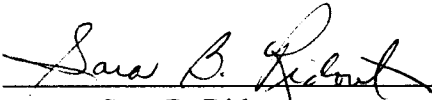
Mr. Lex stated that is how they feel. He said we need to keep the sidewalks and bicycling provisions in the Hitchcock Parkway project.

#### INCLEMENT WEATHER

Mr. Pearce pointed out the city would be on regular schedule on Tuesday. The weather situation would be monitored and a decision made by lunch time on Tuesday about the operations.

#### ADJOURNMENT

There being no further business, the meeting adjourned at 8:58 P.M.

  
Sara B. Ridout  
City Clerk