

Aiken City Council MinutesWORK SESSION

March 27, 2017

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

Others Present: John Klimm, Stuart Bedenbaugh, Gary Smith, Ryan Bland, Tim O'Briant, John McMichael, Michael Smith of the Aiken Standard, and about 5 citizens.

CALL TO ORDER

Mayor Osbon called the work session to order at 6:26 P.M. and stated Council had three items to discuss at the work session – Public Safety personnel – retirees, Richland Avenue W improvements from Vacluse Road to Gregg Avenue, and update on downtown redevelopment citizens advisory team.

RICHLAND AVENUE W IMPROVEMENTS

Vacluse Road

Business Area

Gregg Avenue

Mr. Klimm stated he would like to move the Richland Avenue W. improvements from Vacluse Road to Gregg Avenue for discussion first. He said this item had been brought to him by Councilman Dewar.

Councilman Dewar stated the matter is an issue of maintenance of Richland Avenue W. from Vacluse to the end of the business district, not all the way to Gregg Avenue. He also thought two other members of Council had been approached in the past about Richland Avenue W. A petition was signed by about a dozen of the business people along Richland Avenue expressing concern about the lack of maintenance in that area. There are no specific requests. He said he would like to refer the matter to the Planning Commission for their ideas. He said it could entail a buffer media similar to the other end of Richland Avenue W. towards the by-pass or traffic, street lights, sidewalks, etc. that could spruce up the area. He noted Richland Avenue W. is a vital part of the community and some of the business people feel they have been left out. They are not on the mailing list for Aiken Downtown Development Association as they are not a part of the downtown businesses. He felt staff should look at the area to see what we can do for Richland Avenue W. He asked that the Planning Director look at the area and consider some improvements. He said possibly staff could email the businesses in the Richland Avenue W. area to keep them informed as to what is going on.

Mayor Osbon stated he had also been approached by some of the property owners. It was noted that some businesses have been in the area for 40 years.

Mr. Klimm stated he would request that the matter be referred to the Planning Director so he could give some potential concepts, and then take it to the Planning Commission.

PUBLIC SAFETY PERSONNEL - RETIREES

Public Safety Officers

Mr. Klimm stated the second issue deals with the Department of Public Safety and our retirement policy.

Chief Charles Barranco stated he wanted to bring the matter of retirees in Public Safety to Council to make sure Council is aware of what is going on and some possible solutions that may come to Council. Chief Barranco stated he is requesting that the city policy limiting to five years that the Retire/Rehire Public Safety Officers can work after retiring

under the State Retirement Plan, be amended to allow a temporary extension. The request is only to benefit the City and not any particular one person. Also, this request has arisen due to the unavailable funding to reflect city revenue growth for temporary positions that has been discussed with Council over the last two budget cycles and then the unforeseen vacancies other than the Retire/Rehire positions. He noted specifically paragraph 7 of the City's Retire/Rehire Policy under Terms, Program Eligibility, which states that "Retiree/Rehires may continue to serve with the city in their rehire capacity up to five years." Their continued employment is subject to the terms set forth in the policy provisions in the Employee Handbook.

Chief Barranco pointed out that currently they have three vacancies in Public Safety. Also, one officer is out on military deployment, one officer on light duty due to injuries, two officers on administrative leave, and seven officers in training in various levels of the training. He noted that having fourteen people not in their assigned positions is a concern to him. He said basically they have moved all of the Community Service Division to the Patrol Division so we are staffed in the Patrol Division. Also, there are pending retirements with one in April, five in June, one in October, and one in December, 2017. He noted the Public Safety Department is currently allocated 87 sworn positions, which includes the grant position. Seventy-three positions are currently filled with a fully staffed officer and not in other positions. He said if we don't take action soon we will have up to seventeen positions that we will be down which is about 20% of our staffing level.

Chief Barranco stated staff is proposing and asking that Council consider that the Retiree/Rehire officers be allowed to continue employment with the City until new officers can be fully trained and functioning to their full duty with conditions. All of the conditions of the current policy would remain in effect except for paragraph 7 which regards the terms of the program eligibility. They must be fully productive capacity officers because some of those who are currently on the Retiree/Rehire Program may be in one of these different areas, whether it may be military leave, light duty, etc. They would not be eligible to stay on beyond their five years because they are not in that capacity. They must be in good standing with the Department of Public Safety, including all training and certifications. Participants must have a minimum of satisfactory on the city's most recent Employee Performance Appraisal. Participants must be recommended by the Department of Public Safety Director and approved by the City Manager. Then that would be reviewed on an annual basis. If staffing is still below that level, he would go back to the City Manager and ask for another extension or they would in turn be retired.

Mr. Klimm stated there are some legal questions. Mr. Klimm asked Gary Smith, City Attorney, if the city is open to jeopardy if we choose one officer and allow him to participate in the program and then for whatever reason not allow someone else to participate. He said he would assume that most of the officers are in a protective class over 45 and may be members of other protective classes.

Mr. Smith stated in talking with Chief Barranco the only people who may be subject to not being reinstated for more than the five year period, are people who do not qualify for duty right now. He said if that is the case he did not know why the City would be expected to continue someone who is not qualified anyway.

Councilman Dewar asked if they were all qualified. Mr. Smith stated if they are all qualified, we would need to go through the Employee Handbook and satisfy all the obligations in the Handbook.

Mr. Klimm asked if the employees have any inherent protections that allows them to participate in the Retiree/Rehire Program if the Chief does not choose them. Mr. Smith responded that he did not think so if they are not qualified for the position. He said, however, that does not say that someone won't call an action against the City because they feel they have been treated unfairly.

Mr. Klimm asked Chief Barranco how many positions he was requesting additional in next year's budget. Chief Barranco responded there are no additional positions in next year's budget. Mr. Klimm asked Chief Barranco if no additional positions in the budget was his recommendation. Chief Barranco pointed out that he had requested additional temporary positions in the last two budget years, but because we are here now, it would not make any sense to ask for additional staffing positions because the retirements are here now. Mr. Klimm asked how many open positions Chief Barranco could fill next year. Chief Barranco stated he expects to fill three of the open positions in the next month or so. However, they won't be fully trained for up to a year.

Councilwoman Price stated we are really not dealing with the real issues. The real issue is why are we training people, and they are leaving before they really get started. Chief Barranco stated we did have a couple of people who made it through training and decided it was not for them. Councilwoman Price stated she was not sure we are putting enough people in the system to secure our safety needs for the community. Also, she stated we talk about \$40,000 as a great salary for Public Safety Officers. She said she is hearing from folks that given this climate our officers' lives are on the line every second of the day. She said \$40,000 does not cut it for the value of some of the neighborhoods they are protecting. She suggested that we need to look at our salaries and getting enough people on board that will stay. She said we need to pay our officers \$45,000 to start.

Councilman Homoki stated he was concerned about the back end. He said basically we want to get Lieutenants and Captains from inside. That would be an incentive to stay if promotions are from inside. Getting some of the command staff that retired to come back might be a disincentive for some of the other officers who might be working towards getting a promotion from inside and they may start looking elsewhere. Chief Barranco stated that is why a limit was put on the recommendation and the need to revisit every year. He pointed out the recommendation is not to replace the program that is in place, but is a temporary solution. It is not something to do away with the five year plan. He said the recommendation is because we have a significant number of people that are not in their current assigned positions or in training.

Mr. Klimm stated we have to be very mindful of the fact that we have employees who have worked hard and played by the rules and waited for promotional opportunities who might be impacted if we use this too much. He said it is bad to lose employees to retirement, but it is equally as bad to lose an 8 or 12 year employee who has been a good, hard worker, and dedicated worker and now he sees the opportunity for promotion going out the window.

Chief Barranco stated that currently none of the command staff members are assigned and here. They have decided if this was available they would not take advantage of it.

Councilman Ebner stated five years ago this matter came up. He asked if Chief Barranco needed extra money to keep the line flowing. Chief Barranco stated he did. Councilman Ebner pointed out that we are down 12 or more people. He noted that it takes up to a year for training. Chief Barranco stated we do not have 17 extra people in the pipe line. He pointed out there are 7 in training now, and they are in the process of hiring for the three vacancies. He pointed out that when they talked before money was placed in the proposal for the budget. He said this was specifically to address the Retiree/Rehires, and we proposed to do 5 additional temporary positions ahead of time. He said we did that, but unfortunately it was not funded at the time. Councilman Ebner pointed out that he asks the same question every time about sworn officers at budget time. He said the question needs to be raised in the Council meeting at budget time.

Councilwoman Diggs asked if anyone on the list was interested in the change in the Retiree/Rehire program. Chief Barranco stated he had not approached anyone specifically, but was waiting to get input from the City Manager and Council.

Councilman Dewar stated Council was provided an excel spreadsheet in January with command structures. He pointed out that the information now reflects that no one has been hired from March, 2016, to January, 2017. Chief Barranco stated that is not correct.

Councilman Dewar stated he would like to propose that Council defer this matter to the next Council meeting and get the current data. He said Chief Barranco had talked about potentially seventeen vacancies, and he does not see based on the information when the last ones were hired. He felt Council needs an update on the information. He said he finds it astounding that no one has been hired between March, 2016 and January, 2017. Councilman Dewar stated the proposal takes away promotional opportunities for people who want to stay.

Regarding the 17 positions, Chief Barranco stated that does not mean we have 17 vacancies. It means we have people in training, people deployed, and people fully trained but they are not in their assigned positions at this time. Councilman Dewar pointed out that the budget says the department should have 86 sworn officers. If they are deployed, injured or some place else they are not part of the 86. They have to be subtracted from the 86. Chief Barranco stated he cannot hire officers for the positions while they are in that status. Councilman Dewar stated we are thinking the department is fully staffed, and there are a lot of people who are not available to work. He said he would just like to have current data. He asked for a true picture of the department.

Councilman Dewar pointed out that with regard to Councilmember Price's comment about money and the budget. When we made the salary adjustments a lot of senior staff people feel like they are not getting paid for the experience they have versus the new hires. Some of the new people are making money too close to someone who has been around the department for 10 years with a good record. He said he hoped that could be addressed during the budget. Councilman Dewar stated he would like to know all the information as to how many of the 86 are here and present for duty.

Councilman Dewar asked if the law had changed regarding the police retirement regulations. As far as the proposed policy Councilman Dewar stated five years is in the policy, but he heard Chief Barranco state we would look at the policy annually. Chief Barranco stated if we extended the time for any of the Retiree/Rehires we would look at the situation on an annual basis for those who had already retired. He pointed out that the way South Carolina structured the new retirement system, you can't apply for Retiree/Rehire until you are 57 years old or only make \$10,000 a year. He pointed out that it is not profitable for officers now. It was pointed out that the City of Aiken had imposed the five year limit for officers who did the Retiree/Rehire Program. The City of North Augusta does not have the five year limit on the Retiree/Rehire Program.

Chief Barranco pointed out the change in the Retiree/Rehire program was that initially officers who retired under the Retiree/Rehire program did not pay into the Retirement System. Now the retirees/rehires have to pay back into the Retirement System.

Councilman Dewar noted the people on the list given to Council have signed up for the five year program. Then the program ended in January, 2013. He said he thought the law changed to allow people in this category to remain working and collect their retirement pay not subject to the \$10,000 limit. Mr. Smith pointed out that the benefit had been changed for those people who retired after January, 2013. There was a requirement for those who did the Retiree/Rehire after 2013 for them to contribute to the retirement plan.

Councilwoman Diggs asked if we had ever offered incentives for someone who might be interested in coming to Aiken who has already been through the academy. Chief Barranco stated occasionally we have hired some who have already been through the Fire Academy or the Police Academy. Rarely is it both. He stated the incentive was to start at a higher pay.

DOWNTOWN REDEVELOPMENT

Citizens Advisory Team

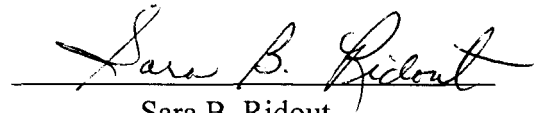
Mr. Klimm stated he wanted to update Council on the Citizens Advisory Team for the Downtown Redevelopment and noted they had met once and have an upcoming meeting. He said the Citizens Advisory Team is advising him initially on two items. One is on the

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architectural design and the second is potential retail use for the development that is being proposed. The first meeting went well, and a series of meetings is scheduled which he hopes will lead to some type of schematics that Council can look at in the near future to get some sense of what is being proposed.

ADJOURNMENT

The work session adjourned at 6:51 P.M.


Sara B. Ridout
City Clerk