

Aiken City Council MinutesSPECIAL CALLED MEETING

March 16, 2020

Present: Mayor Osbon, Councilmembers Brohl, Diggs, Girardeau, Gregory, Price, and Woltz.

Others Present: Stuart Bedenbaugh, Kim Abney, Sara Ridout, Charles Barranco, Gary Meadows, Tim O'Briant, John Carman, and Shiann Sivell, of the Aiken Standard.

CALL TO ORDER

Mayor Osbon called the special meeting of March 16, 2020, to order at 12:00 P.M.

RESOLUTION 03162020Coronavirus  
Covid-19

Mayor Osbon stated there was one item on the agenda under Petitions and Requests – A Resolution declaring a State of Emergency in the City of Aiken.

Mr. Bedenbaugh stated with Gov. Henry McMaster declaring a State of Emergency in South Carolina on Friday, March 13, staff has met with the Mayor and the City Attorney to develop an appropriate response for the City of Aiken to protect our residents. With the Governor's declaration that all public schools, including pre-schools, primary, secondary, technical and higher education institutions closed through at least March 31, he and the City Attorney had drafted a resolution for Council consideration.

The resolution will allow for appropriate emergency measures to be implemented based on recommendations from the City Manager and Public Safety. At this time, the following are recommend:

1. All recreation buildings will be closed to the public from March 16 through March 31.
2. All recreation activities, including, but not limited to, City-sponsored sports league games and practices and tournaments are canceled from March 16 through March 31.
3. We will recommend that all permits, licensing and payment transactions be handled online, by US mail, or over the telephone, though we will not at this time cancel in-person transactions.
4. All City-permitted or licensed events will be canceled through March 31.
5. Municipal Court is canceled through March 31. Any scheduled bench trials or matters involving juries will be rescheduled.
6. Staff will be encouraged to maintain federal Centers for Disease Control and Prevention [CDC] close contact not closer than six (6) feet when interacting with customers where appropriate or applicable.
7. Basic City functions will continue, including core Public Safety functions, pick up of garbage, recycling and yard debris, utility repairs and landscaping.

Mr. Bedenbaugh read the resolution.

RESOLUTION 03162020A RESOLUTION DECLARING A STATE OF EMERGENCY IN THE CITY OF AIKEN DUE TO THE CORONAVIRUS DISEASE 2019 [COVID-19]

WHEREAS, the virus commonly known as COVID-19 has begun infecting South Carolina citizens; and

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WHEREAS, reports from the federal Centers for Disease Control [CDC] and South Carolina Department of Health and Environmental Control [SCDHEC] indicate certain actions are necessary to prevent the wide spread of COVID-19; and

WHEREAS, the Governor has declared a state of emergency exists within the State of South Carolina and has ordered that all public pre-schools, primary schools, secondary schools, technical colleges and public colleges and universities be closed; and

WHEREAS, the City of Aiken is cognizant of COVID-19 being a highly contagious disease even for those individuals who are asymptomatic; and

WHEREAS, the Aiken City Council is responsible for meeting the problems and dangers to the City of Aiken and its residents resulting from emergencies of any origin and may issue policies such as proclamations and regulations concerning emergency relief and related matters which, during an emergency situation, shall have the full force and effect of law; and

WHEREAS, a state of emergency may be declared by the Mayor and /or City Council if it finds an emergency has occurred, or that the threat thereof is imminent and extraordinary emergency measures are deemed necessary to cope with the existing or anticipated situation; and

WHEREAS, the Mayor, in consultation with emergency officials, the Public Safety Department and City Manager, determined that a state of emergency exists in the City of Aiken and that extraordinary measures are warranted in order to allow a proper response to keep citizens of the City of Aiken safe; and

WHEREAS, City Council desires to ratify and concur in the declaration of the Mayor.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Aiken, that a state of emergency exists in the City of Aiken and, in accordance with Section 2-40 of the Aiken City Code, hereby directs the City Manager and appropriate emergency response personnel to take all necessary and appropriate measures to provide for the safety of the General Public.

ADOPTED by the Council of the City of Aiken at a special/emergency meeting held this 16<sup>th</sup> day of March, 2020, at which a quorum was present and voting.

Mayor Osbon asked for a motion to adopt the resolution. Councilwoman Diggs moved, seconded by Councilwoman Brohl, that Council approve the resolution declaring a state of emergency in the City of Aiken due to the Coronavirus disease 2019.

Councilman Girardeau stated he would like to discuss the resolution. He asked if the declaration was necessary. He pointed out that there is no one in the Aiken area who has contracted, that we know of, the Coronavirus. He thought the resolution declaring a state of emergency was out of an overabundance of precaution. He pointed out that we have done all the things that we are planning on doing without declaring a State of Emergency.

Mayor Osbon stated he felt, in discussing the matter with the City Attorney and the City Manager, that it gives them a sense of direction from Council. What Council would be passing is in line with what DHEC and the Governor's Office has been conveying to us. He noted that the City Manager could make those decisions, but he felt adopting the resolution puts Council's support behind the City Manager and for our City.

Councilman Girardeau stated he was concerned that we are adding to the issue. People are already upset as it is. He felt perhaps we could have gone about it in a different way rather than declaring a State of Emergency. He felt declaring a State of Emergency sounds like everybody is sick, but that is not the case.

Councilwoman Diggs stated that could change quickly.

Mayor Osbon stated if we take an abundance of precaution and take the steps and no one contracts or gets the disease, then that is great as that is what we want to happen. If we wait until the point where we get like some other communities and countries, and react when we see it, then we are behind the curve.

Councilman Girardeau asked if we are suggesting that any of our citizens stay at home at this point. Mayor Osbon responded that if they feel they are at risk he felt we are. He felt that is exactly what the Governor said.

Councilwoman Diggs stated as a person that is immuno-compromised because of her lupus, she had already taken the rest of the month off from work. She pointed out this is her last day out. She noted that we have people that could be infected, but may not know it yet. She felt the declaration is a preventative measure. It is better safe than sorry.

Councilman Girardeau stated he understand the safe and sorry, but he does not want to add to the panic that seems to be going about and getting a little bit worse every day. Doom is not necessarily there. The children may get sick, but they may be fine. It is our older people who are more vulnerable to the disease. He said we need to get that across, but at the same time there will be some people who will take it to too far and be overly concerned over things. Nobody wants to be sick.

Mayor Osbon stated he was very impressed with the City Manager and the senior leadership team as they met and went through their concern for still providing services for our citizens, but at the same time not putting our citizens or our employees at risk. It was a very thoughtful process, and he was very pleased with the leadership team and the City Manager's Office with the way they put steps together. He noted that would have happened without the resolution for a State of Emergency. He felt adopting the resolution would make it have the support of Council going forward.

Councilman Girardeau stated he has no problem with any of the processes that have been suggested that we do. He said he felt some of the items needed to have been done before now, such as letting people be able to pay on line without having to pay a fee. He said he was glad that is getting done. However, he felt declaring a State of Emergency really raises this up to a different degree. He said it is too late now, as it is out there.

Mayor Osbon pointed out that the Governor did that yesterday, declaring a State of Emergency for the state.

Councilwoman Gregory stated she would like to add some comments. She pointed out that many years ago she worked for an emergency response. Sometimes the terminology can be frightful to people. However, it is the terminology that is used by government entities whether it is for funding, preparation, precaution, or prevention. The reality is that the terminology may be a little scary, but the fact is that regardless of the terminology processes have to be set in force. She felt it is important for staff, who are the true leaders in these types of scenarios that are at the forefront of everything that is going to happen and take place, to have the autonomy, the empowerment, and support of Council to make these on the spot decisions which will occur. She pointed out that unfortunately based on what we are seeing, it looks as though it will become a real problem, but she hoped not. She pointed out also that the country is doing it; states are doing it; cities are doing it; and South Carolina is doing it. So why do we think Aiken is different and should not follow suit. She felt Aiken should follow suit. She pointed out that Aiken is a prepared city. We are an informed community. It does not matter how small we are, and we should follow suit because it is the appropriate approach at this time. She stated she prays to God that nothing develops in the City of Aiken. She pointed out that she is in the health care industry, and she feels there are infected people in Aiken, but she hopes not. She pointed out that she is also immuno-compromise so she takes the matter a little bit more serious. She noted that her Mom is also immuno-compromise, and she has a dear friend that has children that unfortunately are locked up in their homes right now because they have severe immune issues. She pointed out that we don't know enough about this virus. She said she appreciates the precautions. She is sorry to the community that the terminology sounds scary, but a lot of this is for resource

reasons and for funding purposes. It is not that there is a ravage situation in the City of Aiken. It is just the technicalities that will be taking place.

Mr. Bedenbaugh stated that State of Emergency is referred to in the City Code so we are bound by the terminology.

Councilman Woltz stated that he would like to add a couple of things. He noted that in item 3 of the items recommended by the City Manager, it says "we will not at this time cancel in-person transactions." He felt to protect our employees that we should limit transactions to the drive-thru and not let people come into the lobby. He felt that item should be changed to "that payments can be made through the drive-in, by mail, on-line, but not person-to-person."

Mr. Bedenbaugh asked if we want to include that for building permits or any face-to-face interactions. He said we pride ourselves on providing a full array of customer service and Council has been very clear about that. We will be glad to cancel in-person transactions and can do that effective this afternoon.

Councilman Woltz stated he also felt that we should announce that we will be holding our next Council meeting—that it will be video; it will be on TV; they can watch it, but we won't allow the galleries. If we are closing everything else, why would we want to bring crowds of people to Council.

Mayor Osbon pointed out that Greenville and Columbia have both taken public input electronically at their Council meetings.

Councilwoman Gregory stated she would recommend that the City advertise that in areas so that it is visible to the community.

Mr. Bedenbaugh stated if we are going to do that we would encourage comments via email. He felt that would work the best versus other ways. We could have that tracked during the meeting.

Councilman Woltz stated, hopefully this issue will be short, but if it continues to be a problem we should look at some way to help aid some of our businesses that are hurting through relief some way or another. He felt we should be thinking about that.

Mayor Osbon stated we have staff looking at some numbers to see what we can come up with.

Councilwoman Gregory stated we need to remember that the City of Aiken is a retirement community, and based on the science and statistics coming out, we are at a very vulnerable state because of the fact that we are a retirement community. The science shows that the most affected people are the elders 65 years and above. We need to be very mindful about that.

Councilman Girardeau stated he could not image anyone not knowing what's going on, but he supposed it helps. He asked for the March 23 Council meeting if we are going to have the meeting without any debate from the people who are pro or con. He noted there will probably be some items that would have both sides with comments.

Mayor Osbon stated he felt it would be pertinent for Council and staff to review the agenda items. He pointed out that we are talking about holding our gatherings to 50 people or below. He said some items may have 100 people. He said we may have a vote with a separate public hearing when things are clear. He said staff will work that out for us. He said for those agenda items that we know there will be a lot of public interest and we need the input, we may wait until we can have the public hearing with input.

Mr. Bedenbaugh stated we could postpone some items. He said one item that is scheduled is single-use plastic bags. He pointed out that Mr. Carman had asked about the item being on the agenda. He felt that is an item where there would be a lot of interest.

Mayor Osbon stated that is something we need to have a discussion about, but we need to bring the discussion back to what we are here to vote on today.

Councilwoman Gregory stated she felt that second readings need to be evaluated. First readings can be touched on and addressed, but second readings she felt we need to consider moving or shifting.

Councilwoman Brohl stated it always falls on leaders regardless of whether they are city, state or national, to walk the fine line between abundance of caution and avoiding panic. She pointed out we want our citizens to know that we are not panicking, to Councilman Girardeau's comments, because that only causes more problems. The proposed action is being taken to avoid that so if later on things come up we are prepared. We have to work closely. There may be other things that we have to do as time goes along if this escalates in our area.

Mayor Osbon pointed out the timeline at this time is two weeks. At that point we will evaluate and hope that things can get back to normal. Protecting our citizens is very important.

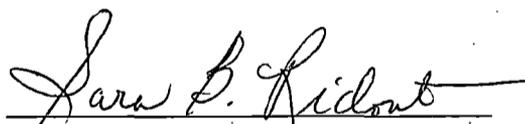
Councilwoman Price asked Mr. Bedenbaugh to address the employees' pay in terms as to whether that will be impacted.

Mr. Bedenbaugh stated there is a federal bill that should be signed this week which will address some of the issues regarding pay. At this time, similar to the ice storm issue, if there are individuals who have to miss work due to circumstances related to child care or they fall in certain categories at-risk, we are evaluating that on a case by case basis. If the employee has leave, they would take leave. Sick leave and annual leave are for circumstances like this. If they don't have leave, we will work with them on an individual case by case basis.

Mayor Osbon called for a vote on the motion by Councilwoman Diggs, seconded by Councilwoman Brohl, that Council approve the resolution declaring a State of Emergency in the City of Aiken due to the Coronavirus disease 2019. The motion was unanimously approved.

#### ADJOURNMENT

There being no further business, Councilman Woltz moved, seconded by Councilwoman Diggs that the meeting adjourn. The meeting adjourned at 12:19 p.m.

  
Sara B. Ridout  
City Clerk