

Walterboro City Council
Rescheduled Regular Meeting
March 11, 2013

MINUTES

A Rescheduled Regular Meeting of Walterboro City Council was held at City Hall on Monday, March 11, 2013 at 10:00 A.M., with Mayor Bill Young presiding.

PRESENT WERE: Mayor Bill Young, Council Members: Paul Siegel, Dwayne Buckner, Charles Lucas, Tom Lohr and Bobby Bonds. City Manager Jeff Lord, City Clerk Betty Hudson and City Attorney George Cone were also present. There were approximately 12 persons present in the audience. Council Member Randy Peters was absent.

There being a quorum present, Mayor Young called the meeting to order and gave the invocation. Council Member Lohr led the pledge of allegiance to our flag.

Next, the Mayor congratulated the USC-Salkehatchie basketball team that won the local basketball tournament and announced that they would be going to the state championship.

PUBLIC INPUT ON AGENDA ITEMS:

No public comments were made on agenda items.

PRESENTATION:

Mr. Leonard Matarese, Director of Research and Product Development of the International City Managers Association (ICMA) addressed Council concerning the possibility of hiring his agency to deal with crime and public safety. He stated that ICMA is a 100-year-old business located in Washington, D.C. He stated that his agency comes to the table with not only general expertise in police and fire and emergency management, but we have some really solid experience in management in running a public safety office. It is critical to look at this as a system, not just as a separate fire department or a separate police department, but rather as one system.

He said that his agency works with public administrators and city managers with the mission of providing technical support assistance. His agency provides training to both police and emergency services in order to help make data driven decisions. He also stated that his agency provides data analysis through a team of PHD's to identify workload areas and to also send people into areas they contract with to gather information. When gathering information, his team members need to think three dimensionally when working with municipalities that have integrated police and fire services.

Councilman Lucas stated that it sounds like you will address mostly the management side of everything. Do you address the crime itself? Mr. Matarese responded that his agency will provide a complete analysis of the crime situation. One of the things that we do before we put people on the ground, is that we would ask for a very comprehensive list of documents from the departments that we will review polices, procedures, and operational manuals. So, before we put people on the ground, we will have a good understanding of how the operation runs based upon the policies and procedures in place. Part of our process is to ride along with police officers, or the public safety officers, and do a lot of interviews with the policymakers.

Council Member Buckner asked about ICMA's experience with other municipalities similar to Walterboro. He asked, have you worked with any municipalities in South Carolina?

Mr. Matarese replied that his agency did a project several years ago in Beaufort. We did a police and fire study, and they were looking at the potential for creating a

MINUTES/Page II

public safety department. They chose not to do that. They had a new fire chief. They contracted with a neighboring district, I believe it was Port Royal, and they provided fire services for them, but not re-services. Our forte is working with cities about your size.

Councilman Bonds asked if there were specific problems that smaller communities have as opposed to larger communities? Mr. Matarese stated that one of the challenges facing smaller departments is the inability to specialize. Bigger departments have the funding to do some specialized things, specifically, to do some limited very complex tasks. The challenge in the public safety department is being certain that you are being trained to a kind of level to provide those specialized tasks, and also understanding that there are some things you can't just do at the local level, because it is a smaller agency. It means having a plan in place to reach out to the Sheriff's office, state patrol or a federal agency to provide assistance. It is more difficult for a city manager to run smaller cities than larger cities, because much of the work here he has to do. Whereas in bigger organizations, you can go out to systems people, and the same thing is true in a public safety department. You need to have more generals in the public safety department and what this means is probably a higher level of training is required for the officers themselves so that they can have a broader range of skills to address the same issues that a community like this would face. We know that even the smallest communities are not immuned from some very serious crimes. So, that really raises the level of demand on members of the department.

Mr. Matarese pointed out that there are about 18,000 police departments in the United States and 49% of them have 9 or fewer police officers. 54% have 24 police officers. So, it really does put demands on the Chief and his/her officers to be able to come to the table at any time with a really broad range of skills.

Council Member Bonds asked if ICMA provided any services that are less data driven and more in terms of perception. Mr. Bonds explained that his experience is that often "perception becomes reality," how people feel. You can say we are down 90% in violent crime, but if people don't feel safer, the reality of it is that people don't feel good about the community. Can you do anything beyond the data when it talks about public perception? Public perception is important. That's part of what goes into making a great community where people feel proud and good about their community.

Mr. Maltese replied, you are absolutely correct, and one of the things that research has shown is that people who feel safer are less victimized by crime. People who feel safe about going out and talking to businesses and walking down the streets tend to have less crime than people who are afraid. One of the things we have been very successful at is working with communities to help in refuting where there is a perception of crime by a person who analyzed what's really going on. Maybe there is some serious crime, but we need to talk about that. How do you deal with crime? But if the perception of the public is different from what the reality is, we also have been very helpful in addressing that issue.

Councilman Buckner stated that he is aware that Walterboro is having a problem with crime. We get more than our fair share of crime. Based on what you know about our city and what we are trying to accomplish, where do you see your services being able to best help us? Mr. Matarese answered the first thing is to identifying if you have a problem, identify what the problem is and what the department's response to that problem has been. One of the most critical issues is deployment, making sure that people are working when you need them. We look at departments all over the country that have terrible deployment habits, where the number of officers on duty at any particular moment does not correspond to what the initial workload is. That's where the statistical part, the data driven analysis really comes into play. Really

MINUTES/Page III

understanding what is the workload and do we have the right number of officers on duty throughout the day. Part of the process is really identifying what the workload is and what the deployment looks like, and are you matching up the deployment with the demands for service hours. By allocating appropriately, this frees up your resources to be able to allow you to do some really focused oriented policing. Secondly, not only are we deploying people appropriately, but are we doing the right thing? Are we doing the kinds of things we know work to prevent serious crimes? The other part of it is, are there policies and procedure in place that encourage a department to be as efficient and effective as possible. In a community of this size, we know that there are a very limited number of people committing crimes, and if you can focus on identifying those people by zeroing in on those areas that are going to produce the greatest amount of possibilities, you can be more successful.

Council Lohr said that through reading the local papers, he has noticed that some of the same people are being arrested over and over again, at least in a year's period being arrested for different things. Shootings have been a problem here. If people are repeaters, what can you help us do to zero in on that type of thing? Mr. Matarese responded that research is very clear about this all over the country that a limited number of people commit the majority of crimes. So, the more aggressive your police department is in identifying who those people are, monitoring their behavior, knowing what they are up to, all within the limits of the constitution, the more successful you are going to be. Are you focusing your attention in the areas where there can be a potential for crime for the more return for the investment? He added that is not a smaller city issue, but it is nationwide. We know about the classic 80-20 rule, where 20% of the people commit 80% of the crimes. So, that is one of the things we will look at, are you doing everything to partner up with the Sheriff's Office, the State Police and Federal agencies.

Council Member Lohr then asked if the agency would make any legal or law recommendations based on what you know from other places that have projects that work to address that issue? Mr. Matarese answered, one of our jobs is the research and we have several criminal justice professionals that are former police commanders, so when we identify things and we have research that worked in other communities, we certainly reference them in our reports. That's one of the things that we bring to the table that we are on top of what's going on. I should mention, we are not a consultant firm, we are a professional association. Because we are an international association, not a private consultant firm, we are on top of interacting with people who are doing this kind of research on a regular basis.

Council Member Buckner asked Mr. Matarese what is the difference between the services provided by PERF and the services to be provided by ICMA? Mr. Matarese said I am a member of PERF, and I have the highest regard for the organization. PERF's membership is focused frankly on larger communities. Being a full member of PERF, you would need a 50,000 population or 100 police officers. Much of their work is done internationally. The Board of Directors tends to represent fire driven organizations. We, again, are focused on smaller size communities. To the best of my knowledge, PERF has never done a public safety study. We have personal experience work with public safety departments. This is not a separate police and fire department, but this is a consolidated public safety department.

Council Member Bonds pointed out some of the criticism or feedback that he has received in getting an expert to address crime issues. He asked Mr. Matarese how would you address those concerns I have heard on the streets? Mr. Matarese responded because we are a professional association, not a private consultant, we are not going anywhere. We have been around 100 years. It is not unusual for me to receive telephone calls from City Managers that we worked for 4 years ago on an

MINUTES/Page IV

ongoing basis. We have a full time staff of people that provide these services to our members. We are a resource, and we are not just a private firm that finishes a job and walks away. That ongoing resource is a value to communities.

Council Member Siegel pointed out that the press, at least in Charleston, is broadcasting that we have a crime problem. We don't necessarily agree with the fact and that's why we are here today. We can't be the only small community in America that is having this problem.

Mr. Matarese pointed out that a lot of this is not based on reality, but is based on perception, and so one of our jobs would be to separate the perception from the reality and report to you what we actually find.

Mr. Siegel corrected, I am talking about people with similar types of problems. I mean, we are not having shootouts downtown every day. So, we are not interested in communities who are starting up new police problems and deciding on whether they are going to contract out their services. We are looking for people who are dealing with organic problems in their community and looking for constructive solutions and problems through our department, through community involvement, and just the obvious resources that we have, and to move forward. But one big issue is crime prevention and suppression.

Mr. Matarese replied that cities do not call the ICMA to come in and study their police department if everything is going fine. Cities that contact us and ask us to help them, have some issues, whether it be crime issue, public perception, etc. A good example is a project in Henderson we had. There was a series of incidents involving some police conduct. We went in and did a really comprehensive study, and it turned out that they did everything right. They were a first rate police organization doing the right kind of training, with the right internal affairs, and our report said that. So, I think a big part of the role here would be to identify what the reality is. Tell you what the reality is. The report can be public, and if there is a problem, address the alternative issues to address the problem.

Council Member Lohr asked if there were any other places in North Carolina besides the Rocky Mountains, regardless of sizes, that you have worked with? Mr. Matarese answered that his agency has worked with about 150 cities, and worked in 31 states all over the country.

Councilman Bonds asked, do we pay for services contracted with a plan? I am just wondering if we would need to spend more money to get help with implementation.

Mr. Matarese responded that cities have asked us to come back and evaluate their implementation. We will leave you with a plan, and say it right in our guidelines that this is something that you can implement within the confines of your financial capabilities of doing and it is within the confines of the ability of the people on the ground to be able to do it.

Mayor Young then asked Mr. Matarese if his agency's services would include an assessment of how the City's recommendations would be implemented? Is that a separate contract? Mr. Matarese responded, yes, that would be a separate contract.

When Mayor Young asked if this could be included. Mr. Matarese replied, I don't think that is fair and wise for the city, because you really don't know what the challenge is going to be, and anytime you give a proposal, you want to give it as good of a focus as possible, to keep the cost as low as possible. I suggest that we could do the proposal and do the operational aspects for you, give you a list of things to do and

MINUTES/Page V

if the Council at some point wanted us to come back and take a look at it, we could do that. We want to know what it is that we would be measuring.

Mayor Young then said, I am sure that there may be times as we go through this that Council may ask you to focus on something specific and you would be willing to do that? Mr. Matarese responded, yes, we have the greatest respect for the Council/Manager form of government. So, the best set of circumstances is to have most of that information flowing through one person, the Manager, Mayor or somebody, so that we are not into responding to individual Council Members.

Mayor Young then asked if the agency would look at how the city is reporting its data and making sure that it is reported accurately. Mr. Matarese replied, yes, not only reporting it accurately, but reporting it in a way that the public can understand.

No further remarks were made and the presentation was closed. There was no action by Council on this agenda item.

At this point, Mayor Young closed the meeting for a 5-minute recess.

The meeting returned to open session.

OLD BUSINESS:

There was no Old Business before Council.

NEW BUSINESS:

1. Ordinance # 2013-02, An Ordinance to Annex Certain Property to the City of Walterboro, Tax Map # 147-09-00-084 (property located at 110 Grove Street, owned by First Federal of South Carolina, President Arnold Zipperer, III, First Reading

Economic Development Director Drew Page briefed Council on this proposed ordinance. The annexation petition was signed by Mr. Arnold Zipperer and Mr. Page reviewed it along with the ordinance with Council. Mr. Page requested that the property at 110 Grove Street be annexed into the City Limits and zoned Highway Commercial District.

A motion was made by Council Member Buckner, seconded by Council Member Bonds giving First Reading Approval to Ordinance # 2013-02 as submitted. After a question on the location of this property by Council Member Bonds, a brief discussion was held. Mr. Page pointed out that First Federal of SC has taken this vacant property on Groves Street, which is a residential property. The idea is that since it shares 3 common borders with commercial property fronting on Bells Highway, that this property would be annexed into the city and then they would tie all of these four pieces together to make one commercial site, that might be very attractive for let's say a restaurant or motel, etc. This would be more space to work with.

On a question by Mayor Young, Mr. Page answered that there were about 5 residential properties on Grove Street, and that Grove Street is not a through street, but dead ends. Mayor Young asked if the property should be posted. City Manager Lord replied that posting was not required for annexation. Mr. Page pointed out that this could be done if this was preferred by Council. Council Member Siegel said, I think

MINUTES/Page VI

we should notify the people what our intent is, and at least give them an option to voice an opinion.

The motion then passed with all members present voting in favor, except Council Member Peters was absent and did not vote.

A this point, Council Member Lucas asked the City Manager if staff would put up signs to notify people. Mr. Lord asked if this was Council's pleasure or not. A motion was then made by Council Member Buckner that the signs are put up to notify people. Council Member Lucas seconded the motion that passed unanimously, except Council Member Peters was absent and did not vote.

2. Consideration of Bids Received for Doodle Hill Sidewalk Improvements

Public Works Director Charlie Chewing reported that this is a contract that staff took bids on several weeks ago. It includes a low-to-moderate income section. This will be financed by a CDBG Grant, which means there are no local preferences for this particular contract. We actually had two areas to bid. We had 6 of our streets that were within the base proposal and two other city streets which were in an alternate proposal because we did not know how the bids would come in. A total of 6 bids came in as follows:

Contractor	Amount of Base Proposal	Order of Base Proposal	Base Bid + Alternate Add 1 & 2	Order of Base Bid + Alternate Add 1 & 2
Cherokee, Inc. Columbia, SC	\$135,053.02	1	\$174,273.78	1
BES Construction, LLC Walterboro, SC	\$138,259.80	2	\$183,167.95	2
L-J, Inc. Columbia, SC	\$142,503.80	3	\$189,057.60	5
First Construction Management Hanahan, SC	\$143,335.95	4	\$185,065.55	3
Coastal Asphalt, LLC Conway, SC	\$150,103.84	5	\$186,861.84	4
AOS Speciality Contractors Lexington, SC	\$248,435.00	6	\$304,340.00	6

Mr. Chewing recommended acceptance of the low bid of \$174,273.78 from Cherokee, Inc. for the Doodle Hill Sidewalk Improvements. He pointed out that Cherokee, Inc. submitted the lowest base bid and lowest alternate bid. He told Council that a letter had been received from the City's engineers (B. P. Barber, Inc.), that recommended the acceptance of the low bid from Cherokee, Inc.

Councilman Buckner reminded that Council had given a preference to local bidders, and asked how did the local preference apply to this bid? Mr. Lord responded, as Mr. Chewing has mentioned, this is a federal grant's program, so local preference does not and cannot apply.

MINUTES/Page VII

A motion was made by Council Member Lucas, seconded by Council Member Lohr to accept the low bid of \$174,373.78 from Cherokee, Inc. for the Doodle Hill Sidewalk Improvements. The motion passed unanimously, except Council Member Peters was absent and did not vote.

3. Discussion of Potential Uses of CDBG Funds

City Manager Jeff Lord introduced this agenda item. He stated that at the last Council Meeting, during the CDBG needs assessment hearing, Michelle Knight of Lowcountry Council of Governments communicated that we need to do prioritization of CDBG needs so that we can apply for grants that are coming up.

Mr. Lord pointed out that Council's current listing of priorities was as follows:

1. Public Safety
2. Infrastructure
3. Housing and Village Renaissance.
4. Downtown Revitalization
5. Public Facilities

Mr. Lord then recommended that Council move Public Safety from number one to number four. He said, I do understand that Public Safety is the City's number one priority, but for CDBG eligible activities under what they call "public safety" is very restrictive, as substations and fire trucks are the kind of equipment that are dedicated to only the areas that qualify for CDBG funding and LMI. We are simply not large enough for our organization geographically to be able to have such a designation. However, when we do an infrastructure, village renaissance or a revitalization project, there are public safety elements, especially with the renaissance project. Public Safety is in every aspect of it. So, public safety permeates every grant application we do.

Mr. Lord then recommended the following new CDBG priority needs:

1. Infrastructure.
2. Housing and Village Renaissance.
3. Downtown Revitalization.
4. Public Safety.
5. Public Facilities.

A motion was then made by Council Member Lohr, seconded by Council Member Lucas, to approve the CDBG priority needs as recommended by the City Manager as follows:

1. Infrastructure.
2. Housing and Village Renaissance.
3. Downtown Revitalization.
4. Public Safety.
5. Public Facilities.

In discussing the motion, Council Member Buckner expressed concern that he was not sure that he would agree with Infrastructure being moved to number one. He said, I would rather see Housing and Village Renaissance to be number one, because we do have a housing problem in Walterboro. I would be more in favor of moving the Housing and Village Renaissance up to number one.

Mr. Lord said that the way that the funding hit, is in two different rounds. You have April which is coming up, which is infrastructure and then in the fall, this is when you will do revitalization and Village Renaissance. Right now, we have two Village Renaissance projects going on, the North Lemacks St. Project and the Doodle Hill

MINUTES/Page VIII

Project. You are only really allowed one. You are supposed to have one, but because Public Safety is an issue, the City got two. So, once we close out the Doodle Hill Project, we'll lose one going on at that time. We will have the North Lemacks St. Project going on probably for the next two years. That's not going to be impacted at all. We will not be able to do any more than that, because we are maxed out on one capable project unless we do it on Doodle Hill. So, by moving it up, does not mean we will be able to do more, but in the meantime there are infrastructure projects that we want to apply for. We are interested in applying for a waterline project for Hampton Street to help bring in the water lines for Robertson Boulevard to take care of the inefficiency in downtown, because we took the water tower out. That is something that's coming up and we want to make that application this month. So, having it number one is better for us than having the Housing and Village Renaissance.

The motion then passed with a vote of 5/1 with Mayor Young, Council Members Siegel, Lucas, Lohr and Bonds voting in favor. Council Member Buckner voted against the motion for adoption. Council Member Peters was absent and did not vote.

COMMITTEE REPORTS:

There were no Committee Reports given.

EXECUTIVE SESSION:

A motion to enter an Executive Session was then made by Council Member Lucas, seconded by Council Member Bonds and passed unanimously. The Mayor announced that the meeting will convene into an Executive Session for a discussion of negotiations incident to proposed contractual arrangements.

The meeting then entered into an Executive Session.

The meeting returned to Open Session, and there being no further business to consider, a motion to adjourn the meeting was made by Council Member Lucas, seconded by Council Member Bonds. The meeting adjourned at 12:15 P.M. Notice of this meeting was distributed to all local media and posted on the City Hall bulletin board at least twenty-four hours prior to meeting time.

Respectfully,

Betty J. Hudson
City Clerk

APPROVED: April 23, 2013