

TOWN OF MOUNT PLEASANT, SOUTH CAROLINA
SPECIAL MEETING
RECREATION COMMITTEE
Wednesday, May 2, 2018
Municipal Complex, Committee Meeting Room, 3rd Floor
100 Ann Edwards Lane, Mount Pleasant, SC 29464

Minutes

Members Present: Gary Santos, Chair; Tom O'Rourke, G. M. Whitley

Staff Present: Eric DeMoura, Steve Gergick

Mr. Santos called the meeting to order at 10:30 a.m.

1. Public Comments

Mr. Aaron Lemke, 1155 East Park View Place, Mount Pleasant said he was there to support the coaches and parents of the Mount Pleasant Recreation Department (MPRD) Developmental Soccer Program. He said it was a soccer program within the Recreation Department that offers children to pursue competitive soccer in a Recreation Department environment without the time commitment and financial burden of the travel leagues. He thanked them for extending the discussion and listening to all the view points on the United Soccer Association Mount Pleasant (USAMP) contract under consideration for renewal. He said the request is from the parents of Coach Decker's Developmental Soccer Teams. He said their request is that the Developmental Soccer Program with the Mount Pleasant Recreation Department be extended beyond its current top age of U14. He said U15 and U16 and older teams should be allowed to stay in the Mount Pleasant Recreation Department and continue to use Mount Pleasant fields for practices and games. He said they want Mount Pleasant Recreation Department teams to be able to participate in any appropriate competitive league and not be restricted to play in the Coastal League. He said it was their belief that older age developmental programs have restricted during recent years due to the non-compete clause in the USA Mount Pleasant contract signed in 2011 and currently under consideration for renewal. He said for them to consider that Mount Pleasant is currently losing the registration fees that Coach Decker's older teams pay to private programs after they reach age U14. He said if the cost to play in other

leagues is higher than the Coastal League. He said that slight fee adjustments could be made for this accommodation. He said their team will organize and pay for any travel required and not the Mount Pleasant Recreation Department. He said that their request should not pose any additional cost burden on the Mount Pleasant Recreation Department but in fact increase revenue. He said they are not asking the Town to build more fields or subsidize a travel team or incur additional expenses. He said they simply want good, competitive soccer for all ages under the Mount Pleasant Recreation Department umbrella.

Mr. O'Rourke asked Mr. Lemke what made him think that the Committee would not do the things that he just said like offer programs.

Mr. Lemke said they offer the program, but they cannot fully use the program. He said they are hindered by competing against USAMP.

Mr. O'Rourke asked in what way and if they were hindered this year.

Mr. Lemke answered in the affirmative.

Mr. O'Rourke asked in what way were they hindered.

Mr. Lemke said they cannot play in the same competitive leagues that they can play in.

Mr. O'Rourke asked if that is what they want to do.

Mr. Lemke answered in the affirmative as that was what they want to do.

Mr. O'Rourke said he was not understanding it. He said he does not understand why they cannot continue in the league they are in.

Mr. Lemke said there is a contract that does not let them play in certain leagues because of the contract the Town has with USAMP.

Mr. O'Rourke asked if the Town of Mount Pleasant cannot offer that program.

Mr. Santos said they talked about that the previous day.

Mr. O'Rourke asked why they would think they cannot. He asked if they were told the Department could not offer the program.

Mr. Lemke said that were told they could not enter into some leagues that they wanted to enter into with this developmental program.

Mr. Gergick said they have a Developmental Program that allows people to travel in a travel program. He said that goes up to age U14 and beyond that they would go into the Open League. He said the Recreation Department is in the Coastal League which only goes up to age U14. He said it was U9 to U14. He said the current agreement with USAMP is that MPRD will not offer competitive similar programs to USAMP programs listed below which includes Select League. He said if the Department moved into the Open League that would be in competition with that. He said they have had some discussion and that can be modified in any new contract so there is not a concern about the Department being in the competitive league.

Mr. Matt Job, 222 West Coleman Boulevard, Mount Pleasant said he was 99 percent sure that that do not have one team currently playing in the Open League. He said there is probably a little communication gap in there, but they support exactly what the Town is requesting. He said they do not make the Town's program but felt Mr. Gergick will work it out.

Mr. O'Rourke asked if it was something the Town wanted to do why do they need their support.

Mr. Gergick said that previously it was prohibited by the contract.

Mr. Santos said that no one on the Committee or administration was there when that contract was made. He said that as everyone can hear they are able to do that and will certainly look into doing that.

Ms. Caroline Peltia, 90 Ponsbury Road, Mount Pleasant said she was speaking from the perspective of a Mount Pleasant Recreation Department U14 soccer fan and team manager for multiple years. She said she understood that historically that there was a need for a non-compete clause so that a private elite soccer program could get started and be successful in Mount Pleasant. She said that has happened. She said that USAMP is a solidly established program with wonderful programs and tournaments. She said that MPRD Soccer is simply a lower cost, less intense alternative, not a threat to this program. She said to be clear in soccer they are not talking about a huge number of teams that will stress Town resources. She said that currently there are only two U13 and two U14 Mount Pleasant Recreation Department soccer teams. She said this

was a total of fewer than 75 children and all are Mount Pleasant residents. She said that a natural year to year attrition occurs in sports, so the numbers are likely to decrease as the children age. She said that in other words, children will not be breaking down the doors to join U15 or U16 teams but MPRD would be able to provide a great service to the ones that have played with Mount Pleasant Recreation since grade school, love soccer, and wish to continue without being forced to join a private club. She said that think it could be easily accomplished by removing the non-compete clause with Mount Pleasant Recreation allowing older MPRD teams to register and then select an appropriately competitive league in which to play. She said she thought the Coastal League was part of South Carolina Youth Soccer Association (SCYSA), the State soccer league. She said that currently if they are in the Coastal League our Recreation Department pays a fee of \$400 to SCYSA for their services and to participate. She said they would stay under the Mount Pleasant umbrella and register in an open league or whatever league SCYSA offers and instead of sending \$400 to the Coastal League at SCYSA, Mount Pleasant Recreation would send \$500 to the Open League all under the SCYSA umbrella. She said she did not think it would pose any administrative burden on Mount Pleasant. She said they would need to generate a few rosters, have ID's that they currently have, and let them continue to play with the Mount Pleasant Recreation Department.

Mr. Santos said everyone heard Mr. Job say that they have no issues with the Department being able to have a program with older children. He said he thought they were moving in the right direction.

Ms. Meghan Alexander, 47 Frogmore Road, Mount Pleasant said she was at the meeting the previous day and thanked the Committee for calling a Special Meeting to go over the details as it is very functional. She said one of her questions was whether they would have access to the practice fields.

Mr. Santos said the Town owns the fields.

Ms. Alexander said that right now they do not necessarily have access when they would like to have access because they are competing for the same practice fields. She said she was the mother of a 13-year-old and her

son has played with Mount Pleasant Recreation Soccer since he was five years old. She said she really wanted him to be able to continue to play with his teammates in a competitive environment without being forced again to join a private soccer club. She said that registration for the fall 2018 soccer season will probably start at the beginning of June, so she wanted to respectfully request of the Committee that the USAMP contract be modified prior to its expiration at the end of July so that they can appropriate decisions in their planning for the teams. She said that while it might be difficult to modify the contract with regard to other private soccer clubs perhaps moving MPRD teams from this clause could be a simple adjustment in the short run. She said also for them to at least let them know what the decision was in the executive committee.

2. Continued discussion regarding consideration of contract extension request from United Soccer Academy Mount Pleasant

Mr. Gergick said they had a meeting with several entities that are involved in the discussion and have interest as stakeholders in the use of the fields. He said he thought that they had been able to come up with agreed upon solutions where people of different areas are able to use the facilities and have access to them to meet their needs and be able to move forward. He said that previously there was the question of whether there was a desire from the Committee to extend the agreement and if that is the case they have a draft agreement that he could go through with them with some proposed changes to the modified agreement.

Ms. Whitley asked if it was correct that if the agreement was not renewed then it would basically become an open system of market level rent for whoever comes to the Town first to rent the fields.

Mr. Gergick answered in the affirmative. He said that they would make sure that the MPRD program needs are met and beyond that any excess field space that was available would be available to different groups to be able to utilize.

Ms. Whitley asked if it was possible to have an additional U15 or U16 for the fall.

Mr. Gergick said he would have to find out if they could get that done in the fall and said they should be able to. He said all it would be doing is

extending their developmental program that ends at age 14 and it would just extend that. He said he did not think it would be a problem as in particular it is actually one team, one coach that are already together. He said he thought they want to stay together and continue to compete together and he thought it would be easy to implement. He said they do have the field space that would be able to accommodate it and that would not be a problem.

Ms. Whitley asked if USAMP had done as Council had asked and acquired land and are working to get fields on the ground. She asked if it was possible for all the teams to be accommodated maybe not to the fullest extent but to where they are all having access to the fields. She said she did not want to destroy USAMP by saying they now no longer have any fields to practice on. She said that Mr. Gergick had met with the stakeholders and asked in that solution if they were all on board with sharing the facility.

Mr. Gergick said they were able to leave the meeting in agreement of what their needs were, what USAMP's needs were, and making sure some concessions were made to different areas to accommodate other group's needs as well.

Ms. Whitley asked if out of that meeting did it include a renewal of the contract in some form or did that say that they are going let the contract expire and move forward from there.

Mr. Gergick said the discussion on renewing the contract and the terms in which it would be renewed include adjustments of hours and times and dates, to allow access by other groups.

Ms. Whitley asked if the rental rate for the fields go to market with the new version of the contract.

Mr. Gergick said that had not been decided and was left open for discussion and they did not make a decision on that. He said it was more on availability of space and what was available, and can all group's needs be met and they were able to come up with an agreement on that. He said discussion of the rates would be a Committee decision on where they want to go with that.

Ms. Whitley said it was wonderful that they had this meeting and they had been able to come up with a solution that seems to work for all the stakeholders. She said her personal sense is that it should also be a fair market rate for whoever is coming to the fields.

Mr. Santos said the issue was the deal was made years ago before any of them were on the Committee and now all this has come up and they are moving forward and it needs to have some study. He said there has not been time to budget or do anything. He said that USAMP has agreed that when they finish building their facility they are welcome to open it as well for people being able to play at their facility. He said there is talking taking place, but he said they do not feel that right now was the time to talk about it. He said because they had the meeting coming up they were able to work it out to where they are all happy that they are getting playing space and that was the goal, so they could move forward, and everyone would know that their programs are not going to be disrupted because of playing space. He said they did not talk about it yet, but it will be up for discussion between the Committee. He said the idea was to make sure every knew they have a place to play.

Ms. Whitley said they have accomplished that with the meeting that Mr. Gergick held. She said that since they are discussing the contract extension she said she did not see why they should not discuss the non-compete. She said she thought the non-compete would be removed in the contract in the new version. She said that the last issue and get guidance in what they think is whether they want to continue having USAMP pay a lesser rate than the Town is charging the other stakeholders.

Mr. Santos said that is going to be another discussion and they did not due it earlier because they thought the largest issue was making sure everyone had fields to play on. He said they may have to involve the attorneys on that which is why he had Executive Session put on the agenda in case they needed to go in executive session to talk about the legal issue.

Ms. Whitley asked if Mr. Santos wanted to defer on the issue until the next month.

Mr. Santos said until the Council Meeting if they wanted so they can discuss it further. He said they could also defer it until the next month at

the Committee Meeting. He said that the key is for everyone has a place to play and that was the whole idea behind the meeting to get everyone together. He said finances are going to be between the Town and them. He said everyone wanted to make sure that they could continue to play and that was the focus of the meeting and they did talk about who was paying what. He said they wanted to make sure that they were allowed to have the participants continue doing what they wanted to do as well as others including Low Lax as they have lacrosse participants as well. He said they wanted to make sure everyone had playing and practice time and then they could address the other issue later. He said the focus was making sure everyone had fields to play on.

Mr. O'Rourke asked when they were going to address the fees.

Mr. Santos said they can address it whenever they wanted to address it. He said they just got out of an hour and a half meeting of talking about this and did not have time.

Mr. O'Rourke said he liked the fact that they dealt with the priority of making sure people have a place to play and that was good. He said he wondered if they are going to have a discussion about USAMP fees or discuss all department fees or all department rental fees for all groups that are outside using the Town facilities.

Mr. Santos said that was not part of their meeting.

Mr. O'Rourke said then it was going to be another discussion where they tackle this thing and there are five other things that they pretend are not going on right now. He said he did not see how they could deal with one thing without dealing any private outside group that uses the Town facility and the fees that they pay. He said he did not think it was an easy discussion and it was going to take them time. He said that at the end of day they have a group there with a contract that needs some type of an answer. He said he was sure they will end up just dealing with this and coming up with a fee, but they just kick the can down the road again and are not addressing what needs to be addressed and that is all fees, all outside groups, all facilities in the entire Town.

Mr. Santos said to Mr. O'Rourke that they could go into executive session if he wants and talk about it and then come back and tell everyone what they decided.

Mr. O'Rourke said they are going to leave there today by saying they will talk about fees later. He said they need to let the group know where they are with that contract. He said if they want to go back and talk about fees they can do that, so they can have a motion. He said this was painful and they need to try to get past this, so they can move forward wherever it ends up. He said that if they have a fee discussion at a Council Meeting it would be a nightmare with a lot of other people that have not been involved with any of this.

Ms. Whitley said that the contract was expiring and if they do not renew it it will be gone entirely and favorable pricing for USAMP will be gone entirely if the contract expires. She asked Mr. Jim Hinchey if they needed to go into executive session in order to discuss Council Member's opinions on whether or not these fees should be changed. She asked if that was something for executive session or could that be discussed publicly.

Mr. Hinchey said if it was a policy decision it could be discussed publicly. He said if they want to receive legal advice concerning any restrictions or concerns from a legal perspective he was prepared to provide that information. He said if they want to discuss some contract negotiations and their specifics that could do that in executive session as well.

Mr. Santos said this was a contract that the Town has with them which is why he put Executive Session on the agenda in case they were going to talk about changing that contract. He said it was OK and they could do but wanted to put in on there, so they could get legal advice about changing the contract.

Ms. Whitley said that legally they are not restricted, and they can make whatever contract they want. She said the contract was expiring in July. She said that are not legally restricted in whatever terms as the Town owns the fields and the Town's decision as a policy matter what those rental rates should be. She said she agreed with Mr. O'Rourke that they can address this issue now rather delay it for another month.

Mr. Santos said they are talking about changing the contract. He asked Mr. Jim Hinchey if that was correct.

Mr. Hinchey said if they want to discuss the contract negotiations and negotiating the terms of an agreement.

Ms. Whitely moved that they go into executive session at 10:52 a.m. Mr. Santos seconded the motion.

Mr. Matt Job asked if he could add a comment in consideration of the executive session. He asked that they keep in mind that what they were asked to do was to financially extend themselves in an area that they were not already financially extended. He said they are now having to debt service a lease and they are going to have a capital improvement cost that is also going to be accompanying that as they built it. He said from a practical stand point it would be very taxing and probably impractical if not impossible to carry both. He said in the best interest and the intent to extend the agreement to get them to an end result to get the complex built they have financial limitation. He said this was a transitional period for them and with the current lease with MPRD they did not anticipate any increases. He asked that they please take that into consideration.

Mr. DeMoura asked Mr. Job what their organization's budget year was. He asked if it was a January 1 year or a July 1 year. He asked when their fiscal year was.

Mr. Job said it was May 1.

Mr. Santos said they have already started their budget year. He said they had a motion and second to go into Executive Session and they would not be long.

Ms. Whitley said they did not vote on the motion.

3. Executive Session to discuss a contractual matter involving a contract extension request from United Soccer Academy Mount Pleasant, if needed

Mr. Santos said they had a motion and a second and asked if all were in favor. All were in favor. Executive Session began at 10:54 a.m.

4. Post Executive Session

The Committee returned from Executive Session at 11:34 a.m.

Mr. Santos said they were out of Executive Session and no votes were taken.

Ms. Whitley said that after receiving legal advice in Executive Session she made a motion that they delegate the authority to the Recreation Department to negotiate individual use agreements to the stakeholders with a consistent fee. Mr. Santos seconded the motion. All were in favor.

Mr. O'Rourke said the goals are consistency which is important. He said the goal is not putting an existing contract in a negative position. He said the goal is working with every other group to figure out how the Recreation Department and not someone who already has a contract of solving those needs. He said that by the time the individual agreements are agreed upon it is going to be the way that most people are going to be accommodated and happy. He said that by the time they are done this is going to help the Department be able to manage this issue and be able to utilize outside groups that serve our citizens. He said at the end they are giving the Recreation department the opportunity to individually come up with agreements with all groups that are going to use the Town's facilities.

5. Adjourn

There being no further business, the meeting adjourned at 11:36 a.m.

Respectfully submitted,

Karen Bedenbaugh, 5/2/18