

PUBLIC SAFETY COMMITTEE

4:00 p.m., Monday, February 5, 2018

The regular meeting of the Public Safety Committee was held at 4:00 p.m., Monday, February 5, 2018 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bell and Ward, Chair Smith, Administrator Tucker, Fire Chief Graham, Police Chief Buckhannon, Assistant Administrator Fragoso and Clerk Copeland; a quorum was present to conduct business.

1. Chair Smith called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. Approval of Previous Meeting's Minutes

MOTION: Chair Smith moved to approve the minutes of the regular meeting of January 9, 2018 as submitted; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

3. Citizens Comments

Consideration of Making Strides Against Breast Cancer Walk, Saturday, October 27th, 2018 as a City-sponsored event – Mandy Oglesby, Community Development Manager, American Cancer Society

Ms. Oglesby stated that the Making Strides Walk is the American Cancer Society's signature community event and that all of the funds raised go toward their various initiatives. For the past three (3) years, the event has been held at the North Charleston River Front Park, for 2018 they wanted to feature the beach at the Isle of Palms. The anticipated number of participants is between eight hundred and one thousand (800 – 1,000) people.

Administrator Tucker explained that the City has a list of approved annual events, meaning that the various groups do not have to go before City Council each year for approval. Council took the action to limit events to those on this list several years ago because the City gets numerous requests to hold walks, runs, etc. on the beach from very worthwhile groups. This event is not on the list, but Council could add it to the list or approve it for this year; for events that are approved, the sponsor of the event must provide a certificate of insurance naming the City as an additional insured.

Other happenings on the island around the date of the Cancer Society plans to hold this event are the Connector Run the first Saturday in October, Ghostly Tide Tales that will be the week before and the Halloween Carnival on the 31st, and all require significant involvement by the Police and Fire Departments.

Ms. Oglesby confirmed that they would like to have Ocean Boulevard closed from the County Park entrance to the beach access path at 9th Avenue for a period of thirty to forty-five (30 – 45) minutes as the race begins.

The Administrator noted that they would have to get a permit from SCDOT to close the section of road right in front of the Park and the section of Ocean between 10th Avenue and the 9th Avenue beach access.

When asked for her recommendation, the Administrator replied that she preferred not to add any new events to the approved list, and she acknowledged that it was difficult turning away such worthy causes. The Administrator stated that City Council frequently approves occasions when a request is made by a reputable group to film on the island because they happen sporadically, last only a couple of days and seldom require City resources.

Ms. Oglesby stated that they wanted to leave North Charleston and would hope that, if the 2018 event was successful, it could be repeated annually here on the island.

When Councilmember Ward asked if they had asked Mount Pleasant about holding their event, Ms. Oglesby replied that they wanted a beach walk.

Councilmember Ward agreed with the City Administrator about keeping the list as it is.

Councilmember Bell stated that he struggled with turning away the American Cancer Society and would be more comfortable with a decision made by the full Council.

MOTION: Councilmember Bell moved to take the Cancer Society walk to City Council to decide about granting City-sponsored status; Chair Smith seconded.

Councilmember Bell added that to turn them away could have a serious downside in terms of negative publicity.

VOTE: The motion PASSED on a vote of 2 to 1 with Councilmember Ward casting the dissenting vote.

Administrator Tucker told Ms. Oglesby that the Council meeting would be at 6:00 p.m., Tuesday, February 27th in Council Chambers on first floor.

Councilmember Ward suggested that the City should have a waiting list of events in case any should come off the list for whatever reason.

Curtis Kendall, 21 – 42nd Avenue, asked that the Committee consider prohibiting contractors from working on Sundays; he believes that the noise generated by the contractors was “negatively affecting the quality of life” for residents. He opined that the contractors are showing up on Sundays because the City’s ordinances are not strong enough and they have learned how to get around them. In his particular case, it was the third weekend before he realized that no work was being done during the week and to place a call to the Building and Licensing Department of the City when he learned no permit has been issued. According to Mr. Kendall, the contractor is generating trash on the weekend that he is leaving on the street rather than hauling away.

Mr. Kendall stated that 42nd Avenue does not get the four foot chalk line like Palm Boulevard, but parking has picked up on 42nd and down through Wild Dunes. These parked cars are blocking the line of sight for residents as they try to pull out of their driveways.

Mr. Kendall reported from a newspaper article about legislation being considered for short-term rentals in the City of Charleston that stated owners of new homes will not be allowed to rent them for the first five (5) years it is occupied. He stated that owners of the large homes being built on the island are financing the loans based on the future earnings from renting the property; if the City were to adopt similar legislation as the City of Charleston, possibly fewer of the large residences would be constructed on the island.

4. Old Business

A. Consideration of coyote control measures

Administrator Tucker initiated her comments with an invitation to everyone to the City-sponsored Coyote Expo from 5:30 p.m. to 7:00 p.m., Thursday, February 22nd at the Rec Center; representatives from DNR, USDA Wildlife Services, trappers and other resources will provide information and answer questions.

The Administrator reported that the City's trapping efforts have increased and that the City is no longer using the box traps; the City is now using the soft leg traps, which do not cause injury to fur-bearing animals, and five (5) have been deployed in three (3) locations including cameras to verify sightings and to identify locations with increased coyote activity. The traps are checked on a daily basis.

Chief Buckhannon stated that activity is currently concentrated along Waterway Boulevard. The Department is working with Wild Dunes relative to the sightings they have had. Councilmember Bell stated that Wild Dunes has not been very successful in their trapping efforts.

Chair Smith commented that the City is using a company different from the one (1) in Wild Dunes, and they were optimistic about success because of the location of their traps since they have seen evidence of the coyotes nearby.

Administrator Tucker informed the Committee that staff has opened a dialogue with Dr. Kilgo, an expert and a federal employee out of the Savannah River Plant; he has done a lot of work with wildlife management. Informal discussions have occurred about finding someone from a research group, not necessarily Dr. Kilgo, to come to the island to study the island's coyote population and determine some quantifying data. He appears to be very interested, but he may not be able to attend the Expo.

In addition, the Administrator has spoken with the USDA Wildlife Services about a coyote hunt; accepting that would be a radical step, they do not advise that course of action. They said that a hunt was very complicated in an urban area because trespass agreements must be obtained from citizens because a coyote might be injured in one (1) location but actually die on private property. The person with whom the Administrator spoke was clear that they would charge the City whether they were successful or not and the minimum charge would be around five thousand dollars (\$5,000).

The City's trapping efforts so far have cost four thousand eight hundred eighty dollars (\$4,880), and the camera cost eight hundred seventy-two dollars (\$872). It works out to be around a thousand dollars (\$1,000) a month.

Chief Buckhannon added that the removal/disposal fee for fur-bearing animals, not just coyotes, was two hundred dollars (\$200) each.

According to Councilmember Bell, the Wild Dunes Community Association (WDCA) is not likely to continue their trapping efforts, and, if that turns out to be true, any efforts the City puts forth will fail because the entire island is not being addressed.

B. Update on efforts to remove encroachments from rights-of-way

Chief Buckhannon reported that three (3) more lots have been added to the list, bringing the total to sixty-three (63); officers are working with the owners of twelve (12) locations to bring them into compliance.

C. Status of clearing overgrown lots

Chief Buckhannon stated that one (1) more unkempt lot has been identified, bringing the total to thirty (30); officers continue to work with nine (9) property owners.

D. Discussion of improved cyclist access

Chair Smith indicated that she wanted to discuss improved cyclist access as it related to the City's TST requests. She told the Committee that she spoke with an island resident who is familiar with the TST grants, and he stated that the City would have a better chance to receive project funding if the City included some amount of funding for it.

This resident also asked the Chair if the City had an island-wide plan for cycling like Charleston County.

Administrator Tucker stated that the Council of Governments (COG) has been working for about a year to create biking trails where there is connectivity throughout the County, including the Isle of Palms. The Bike to the Beach program has a designated path on the island; it goes from Breach Inlet to Ocean Boulevard and on to 14th Avenue across Palm and to Waterway Boulevard.

In the past, the City has been successful in getting funding from both the Transportation Sales Tax Committee (TST) and the County Transportation Committee (CTC) when funds were identified on the budget for project requests, but the City has also been relatively successful when it did not contribute funding. Although the City does not have any future plans for bike paths on the island, the Administrator voiced the opinion that the more the City can direct cyclists to bike lanes and out of the lanes of traffic the safer the island will be.

E. Discussion of parking at the Rec Center and consideration of an amendment to the parking ordinance related to "No Overnight Parking" for locations adjacent to and within City-owned properties

Councilmember Bell stated that, since the last meeting, he has studied current ordinances and definitions and has learned that the subject of parking at City-owned properties is already addressed; in his opinion, the discussion needs to be about enforcement. He stated that he found nothing in the code that allows for construction vehicles or recreational vehicles to park on public property overnight, but he does know of several locations where the ordinances are not enforced. He voiced a desire to discuss with Council where the responsibility lies; he indicated that he does not believe that it belongs under livability, and he does not think having the Police Department tackle it was an issue – he said that it might be as simple as instructing officers to write citations when they see violations.

The Administrator stated that some things could be better enforced if there was signage so people would know that they cannot do what they are doing, and another complication to enforcement is, when people move the vehicle or boat or RV around, they have found a way to work around the law.

Councilmember Bell did not understand why a sign was needed when an ordinance was in place, and Chief Buckhannon said that the public has the expectation to know the South Carolina laws, but the public has no expectation to know the laws of the Isle of Palms.

5. New Business

A. Consideration of a change to the City's noise ordinance related to construction hours and days of the week

Chair Smith said that she spoke with several contractors on the island who gave her their perspective on the issue of the days of the week and hours they are allowed to work.

In Councilmember Bell's opinion, the City was very lenient in that construction is allowed on the island seven (7) days a week from 7:00 a.m. to 7:00 p.m.; he thought that to mimic the construction days and hours that Sullivan's Island has adopted, i.e. 8:00 a.m. to 6:00 p.m. Monday through Friday, 10:00 a.m. to 4:00 p.m. on Saturday and no work on Sunday, would be a logical change.

MOTION: Councilmember Ward moved to change construction days and hours for contractors to 8:00 a.m. to 6:00 p.m. Monday through Friday, 10:00 a.m. to 4:00 p.m. on Saturday and no work on Sunday and to ask the City Attorney to draft an ordinance; Councilmember Bell seconded.

Although it falls to the police Department to enforce the noise ordinance, Director Kerr confirmed that construction that does not generate noise, such as painting, would not be prohibited under the change proposed.

Chief Buckhannon added that the noise ordinance is enforced in Wild Dunes the same way it is enforced elsewhere on the island.

Councilmember Bell noted that the change would not affect do-it-yourself projects by homeowners; the change was intended for permitted contractor work.

Councilmember Ward told the Committee that the existing construction days and hours ordinance was adopted after Hugo when people were trying to get back into their homes.

From her discussions with contractors, Chair Smith reminded the Committee that the contractors were working either for current City residents or for future City residents, and that the 7:00 a.m. start time allowed their workers to get to the job site without dealing with rush hour traffic. For these reasons, she had no objections to the 7:00 a.m. start and a 6:00 p.m. end to the day Monday through Friday.

Councilmember Bell voiced the understanding that the workers arrive at 7:00 a.m. to set up for the day; the issue is one of noise control, noise creating disturbance before 8:00 a.m.

Amendment: Councilmember Bell moved to amend the motion to allow construction by contractors from 7:00 a.m. to 6:00 p.m. Monday through Friday, 10:00 a.m. to 4:00 p.m. on Saturday and no work on Sunday; Chair Smith seconded.

Councilmember Ward stated that he has a problem with telling people what they can do, particularly when they have bank loans and are trying to meet deadlines.

The Administrator reported that the City gets few complaints about construction noise, and the two (2) current complaints are more about having a break from the construction than the actual construction noise.

Councilmembers Bell and Ward withdrew the amendment and second, respectively.

Amendment: Chair Smith moved to amend the motion to allow construction by a contractor from 7:00 a.m. to 6:00 p.m., Monday through Friday, 8:00 a.m. to 6:00 p.m. on Saturday and no work on Sunday.

The amendment failed for lack of a second.

Amendment: Councilmember Bell moved to allow construction by a contractor from 7:00 a.m. to 7:00 p.m., Monday through Friday, 8:00 a.m. to 4:00 p.m. on Saturday and no work on Sunday; Councilmember Ward seconded.

Director Kerr pointed out that the most frequent problems with construction noise are the City's projects, for instance dredging, beach restoration, paving, etc. – some of which run twenty-four (24) hours a day – and he asked that the Committee keep that in mind as they work through this issue.

VOTE on the AMENDMENT: The amendment PASSED UNANIMOUSLY.

VOTE on the AMENDED MOTION: The amended motion PASSED UNANIMOUSLY.

B. Discussion of seasonal traffic routing

The Chair chose to delay this discussion for the March meeting

- C. Consideration of contract awards to Benson Ford Nissan in the amount of \$49,756 (\$24,878 x 2), state contract pricing, for two (2) 2018 Ford Interceptor Sedans (Page 25, In 112 – Municipal Accommodations Tax Fund, Police Dept. Capital Outlay, \$64,000) and an award in the amount of \$25,083, state contract pricing, for one (1) 2018 Ford Interceptor Sedan (unmarked) (Page 28, In 278 – State Accommodations Tax Fund, Police Dept. Capital Outlay, \$32,000)**

MOTION: Chair Smith moved to award contracts to Benson Ford Nissan in an amount totaling \$74,839 for 3 2018 Ford Interceptor sedans; Councilmember Ward seconded.

Chief Buckhannon stated that each of the vehicles has over one hundred thousand (100,000) miles and they are six (6) years old.

VOTE: The motion PASSED UNANIMOUSLY.

6. Highlights of Departmental Reports

Fire Department – Chief Graham

On January 3rd, Fire Department personnel responded to an auto accident on Palm Boulevard at 6th Avenue; the accident was the result of icy road conditions, and no one was injured. On January 22nd, personnel responded to a report of an outside fire at the Sea Cabins beside the pool area; the fire in the pine straw, which was caused by a wire with worn sheathing, was quickly extinguished and the property management company was notified. During the month of January, personnel responded to sixty-five (65) calls; of that number, sixteen (16) were EMS calls. Sixteen (16) fire inspections were performed that found forty-one (41) violations. Personnel averaged approximately thirty (30) hours of training in January. Among the more expensive vehicle maintenance items were the annual pump tests for all of the trucks at thirteen hundred seventy-five dollars (\$1,375); extensive work to the ladder truck estimated at over sixteen thousand dollars (\$16,000) and all but one thousand dollars (\$1,000) paid by the insurance company; and brake work to Rescue 1008 at approximately fourteen hundred dollars (\$1,400).

Chief Graham reported that an RFB has been advertised for the replacement of the 2003 model seventy-five foot (75 ft.) ladder truck; bids will be opened on Monday, March 5th. The truck recently passed the bladder test, but significant defects were found; to repair them will cost in the neighborhood of one hundred thousand dollars (\$100,000); the work must be done at the factory in Florida and will be out of service nine to twelve (9 – 12) months. Dealing with a reputable broker, the City was offered one hundred fifteen thousand dollars (\$115,000) for the truck a year ago when the problem was unknown, but, with the truck now needing one hundred thousand dollars (\$100,000) in repairs and the City being without a truck for nearly a year, the numbers are much less favorable. The City has been offered twenty-five thousand dollars (\$25,000) for the truck as is with the buyer making the repairs.

For the benefit of the new Councilmembers, Administrator Tucker explained that the City's policy is to budget for funds to be set aside, or reserved, each year so that the purchase of large vehicles, such as fire trucks and garbage trucks, can be accomplished without financing of any kind. In the

ten-year plan, this fire truck was not scheduled to be replaced in this fiscal year, but because of the condition of the truck, it has been moved up in the replacement schedule, and the truck originally scheduled for replacement will be deferred a year. Typically, once ordered, the manufacturer takes approximately a year to produce a new fire truck. The estimated cost of a new truck is between eight hundred twenty-five thousand and eight hundred fifty thousand dollars (\$825,000 – 850,000).

Chief Graham recounted that, when this truck was purchased in 2003, the City did not have a fire station, and the trucks were constantly exposed to the elements because they were stored out in the open and later moved into tents, which provided minimal protection. The electronics on the trucks were damaged from the salt air.

When Councilmember Ward asked if the City had accumulated the full eight hundred thousand dollars (\$800,000), the Administrator replied that the FY18 budget reserved two hundred thousand dollars (\$200,000) for the down payment, but the balance would be available when the truck was delivered in FY19.

When the fire equipment is housed inside, the useful life should be about twenty (20) years, but, with the impact of the salt air, the useful life is closer to fifteen (15) years. Battalion Chief Eagle stated that the engines get a lot of wear and tear because they sit stationary with the engine running for long periods of time; the trucks do not have a lot of miles on them, but they have a lot of hours on them.

Police Department – Chief Buckhannon

On January 11th, nine (9) vehicles were entered illegally in the area of 20th to 22nd Avenues and the next evening another car was entered and a checkbook was stolen; all of the vehicles were unlocked; residents and visitors need to be more vigilant about locking vehicles and homes. In the month of January 2018, officers wrote one hundred seventy-three (173) “Property Security Check Notices,” as well as nineteen (19) “You Could Have Been the Victim of a Crime” notices. The Communications Specialists answered a total of four thousand two hundred thirty-eight (4,238) calls, and, of that number, three thousand seven hundred fifty-four (3,754) calls were for the Police Department. Officers made a total of three hundred twenty-five (325) traffic stops, and sixty-six (66) of the stops resulted in tickets; officers responded to fifty (50) reports of livability violations. Of the seventeen (17) arrests in the month, five (5) were for narcotics violations; the Animal Control Officer wrote four (4) citations. The bulk of the overtime in the month was for providing security to the Beach Renourishment Project that occurs during the daylight hours seven (7) days a week. Twenty-four (24) coyote sightings were reported in the month.

7. Miscellaneous Business – None

Next Meeting Date: 4:00 p.m., Monday, March 5th, 2018 in the Conference Room.

8. Executive Session – Not necessary

9. Adjournment

MOTION: Councilmember Ward moved to adjourn the meeting at 5:43 p.m.; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk