

**Public Safety Committee**  
9:00 p.m., Monday, March 4, 2019

The regular meeting of the Public Safety Committee held its regular meeting at 9:00 a.m., Monday, March 4, 2019 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bell and Ward, Chair Buckhannon, Interim City Administrator Fragoso, Interim Chief of Police Usry, Battalion Chief Hathaway and City Clerk Copeland; a quorum of the Committee was present to conduct business.

1. Chair Buckhannon 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: Councilmember Bell moved to approve the minutes of the regular meeting of February 7, 2019 as submitted; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.**

3. **Citizens' Comments**

**Request for City-sponsored event status for 100 meter Fun Run, fundraiser to support the IOP VFW and 14<sup>th</sup> Airlift Squadron Pelican Booster Club, on Saturday, April 13, 2019**

Captain Anna Herndon representing the 14<sup>th</sup> Airlift Squadron at Joint Base Charleston stated that they wanted to hold a fundraiser for their Booster Club, a non-profit group that exists to assist military members and their families, specifically through events for deployed members, gathering care packages and other morale boosters. She described the Fun Run as more of a 100-yard dash. She reported that they have already spoken with the VFW and The Windjammer; they would start with the short run, and then return to the VFW or The Windjammer to eat breakfast and socialize.

They want to leave the smallest footprint for the smallest amount of time; they are expecting no more than one hundred (100) attendees but not all are expected to run. They will have their own medical supplies and trained personnel as well as their own security. Captain Herndon said that they were well aware of the City's policy of no alcohol on the beach and they will make it abundantly clear to those participating.

Responding to Interim Chief Usry, Captain Herndon said that they plan to be on the island between 6:30 a.m. and 7:00 a.m. to set up, and the race time will be set as they get close to the actual date and have a better idea of low tide.

Interim Chief Usry stated that this event will not require service of the Police Department, and the parking lot and street kiosks are operational.

**MOTION: Councilmember Ward moved to approve the VFW and the 14<sup>th</sup> Airlift Squadron event on Saturday, April 13<sup>th</sup> as a City-sponsored event; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.**

Interim Administrator Fragoso informed the Captain that the next step will be a final approval from City Council that meets at 6:00 p.m., Tuesday, March 26<sup>th</sup> and that it would be good if she attended

to answer any questions Councilmembers might have. The only requirement remaining was to provide the City with a Certificate of Insurance with the City named as an “additional insured.”

Ted Mcknight, 2 Shad Roe, stated that he had come before the Public Safety Committee two (2) years ago about the same issue and nothing has been done; therefore, he was going to give his presentation again. His background was as an attorney with the last twenty-four (24) years as a district attorney in Pennsylvania. His issue was parking on Palm Boulevard at the beach access at 54<sup>th</sup> and 55<sup>th</sup> Avenues; in the past, parking in that area was not a problem, but the new parking regulations have pushed people there. He noted that, between 20<sup>th</sup> and 41<sup>st</sup> Avenues, parking has a four-foot (4) setback and, what appears to be, a twenty-five or thirty-foot (25 – 30 ft.) setback at intersections to provide a line of sight; both of which he acknowledged to be for safety. Although the four-foot (4 ft.) restriction did not apply to parking at the far end the of the island, people try to do it anyway and the result is that a person exiting the beach access to get to a car parked on the opposite side of the street cannot possibly see if cars are coming from either direction. As an example, he described a mother with more than two (2) children in-hand and one (1) or more running ahead – that child cannot see whether it is safe to cross or not. He said that it was a tragedy waiting to happen. He opined that, despite the Beach Management Plan’s requirement for parking t beach accesses to public access to the beach, some unique regulations should be made for parking at the beach accesses on the north end of the island. Mr. McKnight added that he would like to receive a text or an email about what the Committee decide to do or not to do; he gave his email address as [tedmcknight8@gmail.com](mailto:tedmcknight8@gmail.com).

Jim Raih, 3904 Cameron Boulevard, thanked Interim Chief Usry for her years of service to the City; he noted that she was a wealth of information and that she be pumped for as much information as possible. He voiced his preference for crushed shell over ROC for stabilizing the shoulders of the road; although he thought the crushed shell was more expensive, he noted that it packed down better than ROC and looked better. He stated that the Waterway Boulevard multiuse path would be a good use of Greenbelt Funds. On the subject of beach handicap accessibility, he said that his wife has MS and that anything the City could do to make the beach more accessible for the handicap would be appreciated. He expressed his support for the Fun Run approved earlier because it was for a good cause, but he thought the day was coming when the City was going to have to turn groups away. He recalled that a list of events was approved several years ago to avoid taking on new ones.

#### **4. Old Business**

- A. Update on implementing a pay-to-park system on Palm Boulevard**
  - 1. Update on stabilizing product**
  - 2. Update on Stantec feasibility study**

Interim Administrator Fragozo stated that she and Chair Buckhannon attended a meeting in the Stantec offices along with SCDOT and their traffic engineers for a presentation by Tru-Grid of their permeable pavers, a modular, flexible system that can be filled with gravel. She said that the City was evaluating the product for use as a stabilizing product for the shoulders of Palm Boulevard if it were to meet SCDOT requirements for an improved surface for a pay-to-park system. According to the Interim Administrator, this product was one hundred percent (100%) permeable, would delineate spaces, improve the surface, and help with drainage. The City was waiting for Stantec’s proposal for a feasibility study that would provide the true cost of implementing the use of a product like this; she was told that the cost was approximately two dollars ninety cents (\$2.90) per square foot, exclusive of installation. Installation by a certified and licensed contractor would increase the cost to five or six dollars (\$5 – \$6) per square foot.

Tru-Grid did offer to install their product in a location in the City for a test; she and Chair Buckhannon agreed that the test area should be one that was constantly used. The Interim Administrator said that she would be working with them to select the location and allow a season for people to get used to it before any decision was made. The Committee has talked about using the product on the shoulders of the road, but she envisioned other applications, such as the marina parking lot or the municipal parking lot. Such a use would be some time in the future when funds were available for innovative and creative solutions to create a systematic and organized parking plan that would also help to manage stormwater.

The Interim Administrator commented that the SCDOT representatives appeared to be very receptive and excited about the product, and they mentioned some applications where they could also use the product.

Chair Buckhannon again stated that, if the pay-to-park system were to be implemented along Palm Boulevard, it would apply to everyone not just to visitors, but, at the same time, this product would eliminate the man hours dedicated to putting down the white line delineating four (4) feet from the road and the individual parking spaces. He also reported that the Tru-Grid product was approved as ADA compliant.

Councilmember Bell said that the parking problems to be solved were an overcrowding issue, a public safety issue and a State compliance issue with how much parking the City must provide for complete public access to the beach. He remarked that the City was probably providing four (4) times the amount of parking required to get State funding. One (1) problem with pay-to-park along Palm Boulevard was that some residents did not have sufficient parking on their property and use the right-of-way on Palm for any overflow. The Councilmember thought that some of the beach access parking could be eliminated in a responsible way and the City would still meet the State's required number of parking spaces. He opined that the focus of Council should not be revenue generation from parking, but the focus should be public safety, and, for those residents who needed the rights-of-way for parking, he opined that some areas on Palm could be identified as "No Parking."

Councilmember Ward stated that he would like to look into restricting parking between 41<sup>st</sup> and 57<sup>th</sup> Avenues, and he asked that the subject remain on the agenda until it was resolved. He did not think a resident should have to lecture the Committee because it was not doing what it should to address a problem that he brought to the Committee's attention two (2) years ago.

Interim Administrator Fragoso recalled that Chair Buckhannon asked about imposing the four-foot (4 ft.) requirement between 41<sup>st</sup> and 57<sup>th</sup>; she reported that because of the location of the swale ditch, the City would be eliminating parking in some areas. To do this would have consequences with the Beach Management Act; she stated that the City must be very careful not to significantly impair public access to the beach. To address Mr. McKnight's concern about vehicles being parked too close to the beach accesses in Wild Dunes that require crossing the street, the City could install some signage restricting parking, on both sides of an access, within twenty or thirty (20 – 30) feet of a beach access. The City would be losing parking spaces, but the signs would create a buffer from the beach access oaths and create a line-of-sight for those crossing the street. This would require SCDOT approval so an encroachment permit had to be issued before the signage could be installed, but she was confident it could be done for public safety reasons.

Councilmember Bell wanted to see a map eliminating all parking in theory that was possible and work back from there.

Since signage has been such a sensitive issues on the island, Mr. McKnight suggested putting any new beach access parking signs on the same post that has signage on it now. Interim Chief Usry said that SCDOT made the signage rules, but she would ask if this would be possible.

**B. Update on public transit initiative**

The Interim Administrator reported that a meeting has being scheduled for Monday, March 11<sup>th</sup> with the food and beverage businesses and the COG to discuss the public transit initiative and to gauge their interest level; the businesses will also be updated on the changes to the plastics ban being considered and what changes they would be asked to make. The COG has received approval from CHATS to buy the vans, and SCDOT approval was expected from their meeting at the end of the month. With approval from these agencies, the pilot program should be active for this summer season. She stated that she would update Council after the March 11<sup>th</sup> meeting.

**C. Update on Waterway Multi-use Path**

Since the City has been successful in the past in securing funds from CTC and TST funding, the Interim Administrator recommended that the City submit the improvements to the Waterway multi-use path as its priority project with the next round of funding. Based on the number of projects currently underway, Charleston County has been late in getting the requests out for this year. She noted that this project would not be eligible for Greenbelt funding.

**D. Discussion of coyote management**

On Friday, March 1<sup>st</sup>, nine (9) traps were removed from their locations to be properly cleaned for re-deployment; last week, another coyote was trapped making a total of three (3) for 2019. The City has received its Depredation Permit and the island's trapper will operate under the City's permit. In the month of February, only four (4) sightings were reported.

Chair Buckhannon reported that he has had contact with Jim Westerholt, the Forestry and Wildlife Chair for the Horry Georgetown Technical College, and he has offered assistance to the City. He stated that the only way to get a rein of the situation was to get an estimate of the number of coyotes the City was dealing with; Mr. Westerholt offered his class to count them without using DNA. He explained that what he has done in the past was to place students throughout an area and to blast the siren from an emergency vehicle causing the coyotes to being howling; the students then count the different howls they hear.

Since the Wild Dunes Community Association annual meeting was upcoming, Councilmember Bell voiced hope that the Coyote Coalition would be present and would get a clarification on Wild Dunes' response and reaction to the coyote complaints of their residents.

Chair Buckhannon reported that he has sent Mr. Westerholt the City's coyote information and the website location for additional information, and Interim Administrator Fragoso indicated that she had his contact information to arrange a meeting with him.

**D. Discussion of beach handicap accessibility**

Interim Chief Usry referred to State law that she had cited at the February meeting saying that the City must provide access and the City has the means to do it, but the law falls short in that it does not define a cart. If the City were to move forward with allowing golf carts with handicap passengers on the beach, she needed to know if the City would consider a permitting process

and whether or not the City wanted to charge a fee for it. She added that she was working with the City Attorney to get the details of the Sullivan's Island program; if permitting was required, they could be tracked in the existing residential decals system. She expressed her preference that the golf carts only be allowed to access the beach at specified beach accesses, preferably the emergency accesses; that they be required to stay within fifty yards (50 yds.) of the path they utilized; the cart must be registered with the State; and they must have the handicap placard issued by the DMV. If Council approves golf carts on the beach for the handicapped, City ordinances would require a minor change.

Referring to golf carts on the golf course, Councilmember Bell said that they have flags that can be seen from a distance; he thought that would be much easier for residents to have than decals.

**MOTION: Chair Buckhannon moved to suspend the rules to allow Dr. Smiley to join the discussion; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.**

Jim Smiley, 16 44<sup>th</sup> Avenue, said that the City has been "fooling" around with this issue since September 2018 and appears to be making little, if any, progress. To him, the City was only going to provide limited access to the beach for the disabled; he did not understand limiting where a handicapped person could go once they reached the beach. He stated that, within fifty yards (50 yds.) of the beach access was in the soft sand where the golf cart or motorized wheelchair could most likely mire down; he also questioned why the disabled would not be allowed to go up and down the beach to enjoy it to the fullest extent. He stated that State law did not say "regulate access" but it says that you "shall not prohibit" access. He then asked what the City was going to do with motorized wheelchairs, and Interim Chief Usry explained that motorized wheelchairs were not regulated by the State.

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The problem the City was trying to avoid was having individuals who were not handicapped taking golf carts on the beach.

The City's ordinance was mimicking the Sullivan's Island ordinance, and the concern over the definition of "motorized cart" might be addressed in their ordinance reducing the time the City would have to spend seeking legal opinions. Interim Administrator Fragoso was confident that if needed an ordinance could be drafted for First Reading at the March Council meeting.

**F. Status of engaging a law enforcement consultant to conduct an independent assessment of management operations in the Police Department**

The Interim Administrator reported that proposals have been requested from four (4) individuals, i.e. one (1) to a person recommended by the Municipal Association, one (1) recommended by the Center for Public Safety Management, and two (2) others recommended by a former Chief of Police for the City of Charleston. The proposals are due this week, and she will go through them to ensure that they include what the City wanted to accomplish.

**5. New Business – None**

**6. Highlights of Departmental Reports**

The Fire and Police Departments' monthly reports are posted to the City's website.

Councilmember Bell recalled that, last year, he had asked that the monthly reports be shortened to include only items on which the Committee should take action or abnormalities that occurred the previous month and why.

The Interim Administrator said that she was working with HR Officer DeGroot to establish training for all department heads. She agreed that the reports contain a lot of good materials for the department managers in running their departments, but not necessarily information that Councilmembers needed to know to allow for informed decision making. She praised Director Pitts who has been proactive in reducing reporting; his Public Works monthly report has been reduced to a one-page dashboard report.

**7. Miscellaneous Business**

Next Meeting Date: 9:00 a.m., Monday, April 1, 2019 in the Conference Room

**8. Executive Session**

**MOTION: Chair Buckhannon moved to go into Executive Session at 10:12 a.m. in accordance with S.C. Code Section 30-4-7(a)(1) to discuss employment matters related to the search for a new Police Chief; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.**

The Public Safety Committee returned to open session at 10:32 a.m., and the Chair announced that the Committee had not taken a vote or any other action while in Executive Session.

**9. Adjournment**

**MOTION: Chair Buckhannon moved to adjourn the meeting at 10:33 a.m.; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk