

## **PUBLIC SAFETY COMMITTEE**

9:00 a.m., Monday, July 1, 2019

The Public Safety Committee held its regular meeting at 9:00 a.m., Monday, July 1, 2019 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Present for the meeting were Councilmembers Bell and Ward, Chair Buckhannon, Administrator Fragoso, Fire Chief Graham, Police Chief Cornett, Building and Planning Director Kerr and 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 June 3, 2019 as submitted; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

### **3. Citizen's Comments**

Bob Miller, 3 Fairway Village Lane, reported that the blue markers for the hydrants are missing in Wild Dunes. He stated that in a meeting of the Coyote Coalition, they reviewed information they found to be particularly helpful, and he wanted to share it with the Public Safety Committee. He reported that Justin Miklaus has gathered information regarding the island's coyotes for the past three (3) years and has been able to track trends. The data shows that not seeing coyotes this time of year was very normal; the coyotes are not scouting for food for their pups primarily at night. They will reappear in the fall as the pups leave the dens to fend for themselves.

Stuart Colman, 10 Live Oak Drive, stated that he was speaking for his Wildwood neighbors in their opposition to the emergency gate proposed for Wild Dunes; he read from prepared comments that are attached to the historical record of the meeting. The Wildwood residents asked "City Council to protect the Wildwood Road neighborhood and deny any request by WD to allow a gate to access Wildwood Road."

Barry Murphy, 2 – 20<sup>th</sup> Avenue, addressed the Committee about "a dangerous situation," the crosswalk from the landside of Palm to the ocean side where the small lake is located; he noted that the section of Palm Boulevard there was four (4) lanes wide. He recounted an attempt to cross Palm to go to the beach when he and his wife were nearly hit by a car. He guessed that more golf carts come down that part of the island using 20<sup>th</sup> Avenue to cross over Palm Boulevard which they accomplish in two (2) parts waiting for traffic to slow or stop for the completion of the trip across. He also commented that a crosswalk was available just around the corner near the Lutheran Center with what appeared to be raised brick in the road and a flashing yellow light; he asked that this undesignated crosswalk be given the same treatment.

Mary Beth Heeke, 19 Sand Dollar Drive, stated that she would like the crosswalk at 43<sup>rd</sup> Avenue to be pointed out to drivers in some way; she asked the Police Department last summer to place a sign in the middle of the road identifying the crosswalk.

**MOTION: Councilmember Ward moved to suspend the rules of order and to move Item A under New Business up for discussion; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.**

**5. New Business**

**A. Discussion of Wild Dunes' request to SCDOT for the creation of an emergency exit from Morgan Cove's Drive to Wildwood Road**

According to Administrator Fragoso, Dave Kynoski reported that application for an encroachment permit from SCDOT for an emergency exit onto Wildwood Road; the exist would have a locked swing gate affixed to the existing fence. She understood that the concept came from the power pole that fell and blocked the exit from the community; this emergency gate would eliminate a recurrence of that problem. She stated that the City has been assured that it will not be an ingress and egress from the new hotel and the community. She noted that nothing in the PDD document would prevent them from adding this emergency gate and that City Council has no right to deny or regulate it. The Wild Dunes Community Association notified the City of the application for the encroachment permit and the alternatives gates they submitted for SCDOT to select one (1).

**MOTION: Councilmember Ward moved to inform SCDOT the City is not in favor of the addition of an emergency exit as [proposed by Wild Dunes; Councilmember Bell seconded.**

Director Kerr explained that the proposed emergency exit would not be allowed under the terms of the Planned Development District (PDD) because it would be considered a major change, and the City would be required to convince a judge that the addition of a locked, emergency third gate would qualify as a major change.

Councilmember Bell stated for the record that almost the entire Wildwood community was present to voice its opposition to the addition of an emergency exit placement as described.

Administrator Fragoso stated that she did not know the status of the encroachment permit, but Councilmember Bell added that the survey markings were already in place. The Administrator told the Committee that encroachment permits, typically, do not call for public comment period. Since the exit was to be identified as an emergency exit, the Administrator thought it would be appropriate to hear from Chief Graham and Chief Cornett, representatives of the public safety departments, comments on any benefit to the City.

**VOTE: The motion PASSED UNANIMOUSLY.**

Chair Buckhannon asked the Administrator to contact SCDOT to find out about the permit status.

Chief Graham preferred to make a site visit before commenting, as did Chief Cornett.

When Chair Buckhannon asked if a firetruck could use the exit, Administrator Fragoso reported that exist would be wide enough for one (1) lane of vehicular travel; she did confirm that the exit would be the widening of the existing golf cart path.

Councilmember Bell recalled that the path went to the current terminus of the aluminum gate and interferes with the golf course. When restating that the path was there, he thought it was likely

not to change and terminated on 41<sup>st</sup> Avenue. He saw the path as a shortcut to allow people to exit Wild Dunes in unforeseen circumstances unlikely to happen again in the foreseeable future.

Chair Buckhannon encouraged the Wildwood community residents to contact SCDOT to voice their opposition to the Wild Dunes' encroachment permit for the emergency exit and that they could contact members of the Committee if they needed contact information for SCDOT.

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

##### **A. Update on development of new standards for dilapidated structures**

Director Kerr referred the Committee to the redlined ordinance noting the proposed changes and stated that he and Attorney Copeland had selected sections of the International Property Maintenance Code they thought could be added to the City Code. The Director noted that the City would want to adopt the Property Maintenance Code in total because it was written in relation to inhabited residences and would allow an owner to close up and secure the residence then leave it vacant for an undetermined amount of time for future repairs. The changes wanted to the City Code relate to vacant structures; therefore, sections were selected that could apply to residences on the island. The problems identified in the residence which has generated many complaints are peeling paint, rotted wood, an unfiltered pool and the ability to carry the structural load; they are addressed in the amendment proposed. He did inform the Committee that he saw challenges with enforcement; for instance, homes on the island could be litigation that could drag on for years, and the City has been told to leave it as is for the jurors to see. The Director stated that he and the attorney were unable to find a legal way "to put teeth" in the ordinance to allow some structures to stand as long as they are in litigation, but enforce against others. When this ordinance amendment is adopted, the issue would become, if the owner replaced the rotten wood, painted where it was needed and turned on the pool filter, whether this Committee be satisfied with that result.

According to Councilmember Bell, the island has six (6) or so houses, ignoring litigation, in various states of disrepair; he suggested that the owners of these properties be advised that the ordinance amendment was in the approval process and that enforcement would follow. They have been notified ahead of the livability officer knocking on the door, corresponding with them or writing as ticket.

**MOTION: Councilmember Bell moved to approve the amendment as presented and to recommend that it be put before City Council for adoption; Councilmember Bell seconded and the MOTION PASSED UNANIMOUSLY.**

##### **B. Status of surveillance camera at Breach Inlet**

Administrator Fragoso reported that she spoke with Andy Benke at Sullivan's Island, and he was willing to share in the monthly cost. She also stated that staff was still gathering pricing.

Chief Cornett reported that he had gotten a quote for eight thousand dollars (\$8,000) that would be for the camera and installation, so he told the Committee that they should plan for pricing in that range. He noted that to share the feed with the Fire Department would be simple, and he could arrange for them to view all of the cameras if they wanted.

##### **C. Discussion of installing bike lanes from 41<sup>st</sup> to 57<sup>th</sup> Avenues**

Administrator Fragoso informed the Committee that she spoke to SCDOT to arrange a meeting to discuss the City's repeated request for bike lanes on both sides of Palm between 41<sup>st</sup> and 57<sup>th</sup> Avenues and to let them know that it has become a priority for Council.

Councilmember Bell said that he found adding bike lanes along a road that already has vehicles parking erratically perplexing. He asked if thought had been given to what it would mean.

According to the Administrator, the rights-of-way were wide enough to extend the road for a bike lane, and parking has already been changed to parallel on both sides of the street. The real issue with the addition of bike lanes was the significant infrastructure cost. She noted that this project was in the City's Comprehensive Plan and has been talked about for a while, but it would be a complex project. She was hopeful that the project could be accomplished with funding from the City, SCDOT, and possibly some of the cycling non-profit groups in the area; it would likely be a project phased over multiple years. Additionally, the bike lanes would also create a significant amount of maintenance for the City.

Councilmember Bell commented that the addition of a bike lane would be a buffer between vehicular traffic and people parking.

The Chair opined that bike lanes could be installed when the City next comes up on SCDOT's list of roads to repave.

Before this project could begin, the palm trees in the right-of-way would have to be removed and/or relocated, as well as other encroachments.

The Chair recalled from the June City Council meeting that a gentleman emailed Councilmember Kinghorn about a cyclist who experienced a serious bike accident when he hit plastic debris on the Connector and fell; the communication also included the following comments:

"Smart, proactive public servants recognize that providing bike lanes and ensuring that they are maintained in good condition and kept free of debris is a plus for residents and visitors, is easily done, and, while having some cost, is not nearly as expensive as paying settlements to injured persons because public use areas have not been responsibly maintained. . . . I suggest that the Isle of Palms increase the number of bike lanes, actively evaluate the condition of all bike lanes and shoulders being used by cyclists and take the necessary action to be able to assure the public that the IOP is a safe place for cyclists."

Chair Buckhannon indicated that he had ridden over the Connector to see the amount of debris collected on it and taken his golf cart down some of the bike paths on the island to see for himself what condition they were in; he definitely saw a need for maintenance to both.

The Administrator reminded the Committee that the City has a street sweeping company under contract; they routinely sweep the Connector and Front Beach and a few other locations as well; they also come when the City is having special events, i.e., the Connector Run, the Front Beach Fest or the Holiday Festival.

The Chair thought that while sweeping was good for the streets, the bike paths had creeping vegetation that needed to be cut back. He thought the City could possibly arrange for the landscaping contractor to cut back certain ones on a regular basis or possibly rotate between certain bike paths; he opined that the heavily used bike paths like do not need the level of maintenance that the less travelled ones did.

Councilmember Ward added that he thought that bike lanes would push cars further from the intersections of side streets with Palm Boulevard. When large SUVs park fifteen feet (15 ft.) from an intersection, he said that it was nearly impossible to get a clear line of sight; he looked forward to moving vehicles further back from the road.

**D. Update on construction of crosswalks from 41<sup>st</sup> Avenue to the 2<sup>nd</sup> gate at Wild Dunes**

Based on the increased volume of traffic attributable to the construction of the new hotel, the City has asked SDOT to study the feasibility of crosswalks from 41<sup>st</sup> Avenue to the second Wild Dunes' gate.

Councilmember Bell related that crossing Palm Boulevard was nearly impossible from the beach-side into the flow of traffic from Wild Dunes; making a right turn out of the neighborhoods was simpler. He interpreted this as a Wild Dunes problem; the majority of people leave Wild Dunes onto a 35 mph road and exhibit no courtesy at all, whether it is stopping for a golf cart or a car; they will not stop.

The Administrator reported that signs have been installed at the beach accesses in that part of the island that provide a twenty foot (20 ft.) buffer on either side of the access path giving greater line of sight for pedestrians crossing into Wild Dunes.

Speaking to the general lack of courtesy visible in much of today's society, Councilmember Bell asked what could be done through social media and the City's website thanking visitors for coming and contributing to the local economy and at the same time reminding them that the Isle of Palms remains a residential community.

Chief Cornett said that, when he has ended recent media interviews, he has ended them delivering a similar message that "we want people here, but we want people to understand that this is home to a lot of people and we want it to remain beautiful and to remain a place where people want to live when the visitors leave."

While on the subject of crosswalks, Chair Buckhannon commented that the crosswalk at 20<sup>th</sup> Avenue was dangerous because of its location – it is right at the point where the road goes from one (1) lane to two (2) lanes. He was aware that state law was that someone must be in the crosswalk before a driver was required to stop, but he thought the City could do something to make it safer for pedestrians. He was interested knowing the cost of activated crosswalk signals. He did not understand why it was not stamped like other crosswalks on Palm Boulevard.

Administrator Fragoso recalled that, after SCDOT micro-surfaced the street, they painted the crosswalk, but the job was not up to City standards.

She told the Committee that she would look into how to increase the visibility of that crosswalk.

Councilmember Ward recalled previous efforts for improvements to the crosswalk at 20<sup>th</sup> Avenue, but SCDOT refused the request because a crosswalk was a block away at 21<sup>st</sup> Avenue. This request must be a continuous request until SCDOT changes its position.

The Administrator noted that federal statutes in addition to the State regulations about the placement of crosswalks that SCDOT must consider when issuing a permit.

**E. Update on SCDOT encroachment permit for Palm Boulevard golf cart path**

The Administrator stated that staff has looked into getting an encroachment permit and run into an issue that must be resolved before submitting a permit application; the golf cart path has, over the years, meandered onto Beachside property. The City will have to get an easement from Beachside in order to follow its current path, and the Administrator does not anticipate that being problematic.

**F. Update on possible outsourcing of beach patrol contractor**

After talking with Chief Cornett, Chair Buckhannon learned that he has a plan whereby IOP BSOs can be assigned on the beach for the enforcement of this City's Code. In the early days after Chief Cornett took office, he met with the various positions in the Police Department; from his discussion with the BSOs he learned that having ten (10) BSOs was too many and six (6) was a more realistic number. Assuming that more BSOs can be hired to take the number to ten (10), he could assign four (4) to the beach and designate six (6) to enforce the parking plan and to direct traffic. The only problem he has incurred is that the light service vehicles the City owns for driving on the beach are not reliable enough to use meaning that these four (4) officers will not have the mobility they would have otherwise. He said that the need for more reliable beach vehicles would be addressed in a future budget.

**G. Update on backup at the gate and parking at the County Park**

Chief Cornett reported that he had met with Cynthia Wilson and she would arrange to open the park a bit earlier in the mornings, but would not advertise it, in an effort to eliminate the traffic backup on 14<sup>th</sup> Avenue on weekends and holidays when parking on the island is strained. As the idea to allow visitors to pay for parking as they leave, Ms. Wilson explained that they do not have the infrastructure to do that. She did say that the County parks system was considering adding parking kiosks at the parks in the future.

**H. Discussion of golf cart registration**

Councilmember Bell stated that he had asked that this item be on the Agenda and commented that it was a multi-faceted issue, from driving them after dark to underage driver and other issues. He opined that the rentals on the island that include a golf cart for use by the renters were a big contributor to the problems; he felt certain that a key to the cart was on the counter when the renters arrived with no instructions on its use or the state and local laws that regulate them. He has watched BSOs writing tickets for golf carts, but the cart could have been purchase second- or third-hand and the latest owner did not know it had to be registered with the State. So the ticket was meaningless because the owner could not be located so he could go back to his renter for payment. He would support City efforts to get the unregistered, unlicensed and underage golf cart driving; he would prefer to see an education program over a massive ticket writing campaign.

The Chair noted that several golf cart rental companies operate on the island and they were diligent in explaining that drivers of golf carts must be sixteen (16) years of age and have a driver's license.

Chief Cornett reported that, when guests check-in at Wild Dunes, they are given a brochure that covers regulations they will be expected to follow while on the island. He added that the Department has brochures and handouts that they could distribute to the rental agencies on the

island and encourage them to stress the regulations surrounding golf carts. Since the golf cart thefts that occurred last month, he advocated for the City to require that the carts be registered just as other residential vehicles on the island; the registration would be free and the owner could be given a residential sticker like the one for his automobile or truck. This action would provide the Police Department with information about who owns which golf cart – information they did not find readily available when solving the rash of golf cart thefts occurred.

The Administrator stated permitting processes like this were a burden on staff and the community, but she agreed that it was worthy of consideration.

**MOTION: Chair Buckhannon moved to suspend the rules and to reopen Citizens' Comments; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.**

Eddie Shepard, 4 – 20<sup>th</sup> Avenue, stated that “crosswalks are a disaster waiting to happen.” He informed the Committee that Edisto Beach requires the registration of golf carts, and he suggested that the City contact them to understand their process.

When Councilmember Ward said that he gets a sticker for his golf cart when he gets the residential sticker for his vehicle, Administrator Fragoso stated that in order to get a residential sticker, the owner must show proof of insurance and residency. If someone comes to get a sticker for his golf cart and cannot provide proof of insurance, his vehicle is not registered with the state.

Councilmember Bell pointed out that many owners of rental properties are not residents of the island, therefore, cannot get a residential sticker.

According to Councilmember Ward, properties rented through VRBO, Airbnb, etc. advertise that they provide use of a golf cart; he stated that he did not believe anything other than the key to the golf cart was left for the renters but that no documentation about the use of it or the island's regulations was made available to the renters.

Councilmember Bell suggested that the Committee send this issue to the Real Property Committee who could establish a requirement that golf carts provided with a rental property must be licensed, insured and registered.

Chief Cornett would also start a social media campaign to educate people about the proper use and the regulations regarding golf carts.

Betty Murphy, 2 – 20<sup>th</sup> Avenue, stated that beginning and ending of the crosswalk her husband referenced was not straight across, but at an angle.

Councilmember Bell reported that it was nearly impossible for a vehicle to turn left into the traffic going toward Wild Dunes; for whatever reason, people will not stop.

Chair Buckhannon asked that a signup sheet be provided for persons wishing to speak; he would like to get name and email address to follow up with them after the meeting.

## **5. New Business**

**B. Consideration of approval of Mutual Aid Agreement with the Town of Sullivan's Island**

Chief Cornett reported that, shortly after starting to work, he sought out the City's Mutual Aid Agreements with surrounding communities to make sure they were current; he informed the Committee that any mutual aid agreement signed before 2016 would not be valid today because they reference laws no longer in effect. He found that the valid agreements were with Mount Pleasant and the City of Charleston; the City does not have a valid agreement with Sullivan's Island.

**MOTION: Councilmember Ward moved to approve a Mutual Aid Agreement with Sullivan's Island; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.**

**C. Discussion of raising chickens on the island**

Chair Buckhannon reported that a resident of Wild Dunes was cited for raising chickens, and the Chair questioned that the governing covenants of Wild Dunes would allow chickens to be raised inside the gates.

The Administrator reached out to Wild Dunes and found that they do not allow chickens inside the gates; she stated that City Code Section 6-2-5 does not allow raising chickens within the City limits.

**D. Discussion of plans for July 4<sup>th</sup>**

Chief Graham reported that the Fire Department would begin increasing its number of on-duty personnel on Tuesday and Thursday July 4<sup>th</sup> would be "all hands on deck," and she planned to have extra personnel for the weekend after. Anticipating scorching heat, the Department would stock up on water and Gatorade to keep everyone hydrated. For crowd control, the Chief has spoken with the Sheriff's Department, EMS, Rescue Squad and the South Carolina Guard. Personnel will begin moving people off the beach around 6:00 p.m. Chief Cornett has also arranged for additional help for traffic control from Charleston County.

According to the Administrator, the fireworks show will begin at dark, 9:00 p.m. to 9:15 p.m. The City's social media sites have been filled with information about parking.

Chief Graham informed the Committee that this was the third year of a three (3) year contract with Munnerlyn Pyrotechnics; therefore, she will advertise an RFB very soon.

The Chair thought the Front Beach lots would fill up quickly; therefore, he asked the Administrator to coordinate with local radio and television channels about the status of parking on the island and to coordinate traffic control on the other side of the Connector with Mount Pleasant,

Chief Cornett has a traffic control plan he will implement, and the Police Department would have a presence on the beach. He added that he has requested officers on motorcycles for mobility should there be an accident on the Connector.

**6. Highlights of Departmental Reports**

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

**7. Miscellaneous Business**

**Next Meeting Date: 9:00 a.m., Monday, September 9<sup>th</sup>, 2019 in the Conference Room**

**8. Executive Session – not needed**

**9. Adjournment**

**MOTION: Councilmember Bell moved to adjourn the meeting at 10:24 p.m.;  
Chair Buckhannon seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk