

**PUBLIC SAFETY COMMITTEE**  
5:30 p.m., Tuesday, October 12, 2010

The Public Safety Committee held its regular meeting at 5:30 p.m., Tuesday, October 12, 2010 at the Public Safety Building, 30 J.C. Long Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmember Bergwerf and Loftus, Chair Bettelli, City Administrator Tucker, Fire Chief Graham, Police Chief Buckhannon and City Clerk Copeland. There was a quorum present to conduct business.

1. Chair Bettelli 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**

Councilmember Loftus indicated that a correction needed to be made to Item 1; "Chair Loftus" should read "Chair Bettelli."

**MOTION: Councilmember Loftus moved to approve the minutes of the regular meeting of September 9, 2010 as corrected; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

**3. Citizens' Comments**

Buzzy Bramble identified himself as a member of the Men's Auxiliary for the VFW and stated that he was seeking the Committee's approval for the VFW to hold a turkey shoot using Daisy BB guns on Wednesday, November 17 through Friday, November 19, 2010. Mr. Bramble explained that the event would be a fundraiser for the VFW to fund something special for service men over the holidays. He described the area of the VFW that would be used, how it would be set up and the safety precautions they have prepared. If approved, the VFW was also asking that the event be advertised on the Connector boards.

Councilmember Bergwerf asked Chief Buckhannon if the event was legal; Chief Buckhannon responded that "discharging a firearm in the City is not legal." The Chief added that the Daisy BB gun firing a projectile is considered a firearm.

After a period of discussion, Chair Bettelli asked that the VFW withdraw its request for this year, that it devise a detailed plan with drawings of the setup and the distances involved to present for next year and that a group from the VFW meet with the Chiefs to ensure their concerns are covered. Administrator Tucker suggested that VFW research how Mt. Pleasant handles the turkey shoots in the City, because Mt. Pleasant has the same ordinance. The Administrator also recalled that the City has not approved requests for turkey shoots in the past because they are counter to the City's ordinance.

**MOTION: Chair Bettelli moved to reorder the agenda to go to Item B under New Business asking for permission to close a portion of Cross Lane; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

**5. New Business**

**B. Consideration of Request for Closure of Cross Lane on Saturday, October 30, 2010 from 1 p.m. to 7 p.m.**

Steve Bryant, 213 Forest Trail, distributed a sketch of the Forest Trail/Cross Lane area for the Committee members' reference. Mr. Bryant noted that they had gotten permission from City Council last year for this reason; he described the event as a neighborhood gathering and fundraiser for East Cooper Community Outreach (ECCO).

In answer to Councilmember Loftus' inquiry, Mr. Bryant indicated that four (4) homes are on Cross Lane, one (1) that is vacant.

Councilmember Loftus stated that he was completely behind events that create a sense of community.

**MOTION: Councilmember Loftus moved to approve the closure of Cross Lane as presented; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

Chief Buckhannon asked what would be used to block the road; Mr. Bryant said that they had coordinated with the Police Department to use cones that the Fire Department had picked up after the event. Chief Buckhannon suggested that the same be done this year, but he asked that the Fire Department wait until sundown to pick up the cones.

Administrator Tucker suggested that the Chair consider re-ordering the agenda to consider item A under New Business at this time; she explained that Director Page was attending the meeting particularly for this discussion.

**MOTION: Chair Bettelli moved to reorder the agenda to consider Item B under New Business, a request from the Charleston Running Club; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

**A. Consideration of a Request for Prediction Run from Charleston Running Club to be held at 7 p.m. on Saturday, August 6, 2011.**

Administrator Tucker noted that no one from the Running Club was present, and she speculated that Mr. Baxter, who initiated the request, had not been notified of the meeting change.

Chair Bettelli stated that this event is not included in the City's list of approved annual events.

Administrator Tucker noted that the Committee has begun "to realize that, when you open the door to events here, it becomes an event per week." The Administrator related that she had communicated with Recreation Director Page for her comments on the Prediction Run as it would impact the City's annual Beach Run based on the similarity and timing. Reasoning behind establishing the list of approved events was twofold; the first reason was the frequency

of requests coming to the City, and the second reason was that, as the events grow, the drain on the City's resources grows. The Administrator concluded that she had requested that the Recreation Director attend to express her opinion on the event.

Director Page stated that, as scheduled, the Prediction Run would take place only two (2) weeks after the IOP Beach Run, which she described as unique because it is the only one (1). She noted that the Beach Run had been moved to July from October because people confused it with the Connector Run; she voiced the opinion that the Prediction Run would "take away" from the IOP Beach Run.

Councilmember Loftus asked the Director whether she could support the Prediction Run if the Running Club chose a date that provided for more separation from date of the IOP Beach Run, maybe in the off-season. She stated that she would not be opposed if it were not close to the City's event.

Chair Bettelli agreed with the Director that the IOP Beach Run was unique and expressed the opinion that "any beach run belongs to the City no matter when it's held. . ." The Chair then quoted from the e-mail request as follows:

"We charge an entry fee to cover costs, and any additional cash goes to support the Running Club's activities."

The Chair noted that the event would not be supporting a charity.

Director Page suggested that the Running Club could hold the Prediction Run in conjunction with the City-sponsored Beach Run; however, the Running Club would not receive any cash proceeds from it.

**MOTION: Chair Bettelli moved to deny the request for the Prediction Run as described, but encouraged the Charleston Running Club to combine efforts with the IOP Recreation Department for a joint run; Councilmember Bergwerf seconded.**

Councilmember Loftus wanted to encourage a run on the island in the off-season to draw people to island and to generate activity for local businesses.

Administrator Tucker commented that, if the Running Club coordinated with the Recreation Department on a beach run, they would not be required to make a request through the Public Safety Committee. If they want to hold an event in the off-season, separate from the Recreation Department, they will need to get approval from the Public Safety Committee.

**VOTE: The motion PASSED UNANIMOUSLY.**

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

### **A. Update on Digital Radio Tower**

Administrator Tucker related that, based on comments made at the September City Council meeting, she sent a letter to Charleston County Administrator explaining that she did not believe that a one hundred eighty to two hundred thirty foot (180-230 ft.) tower on the Isle of Palms would get approval. In the letter she asked that the radio staff at Charleston County investigate alternatives that would provide the island with the service needed without the construction of a tower on the island. From dialogue with Dickie Schweers and members of the Committee, the Administrator has learned that the task was given to the radio staff, but she has not received a response to her communication. Concerns expressed at City Council were the following:

- Council was not convinced that a tower on the island was the only solution to the problem; and
- A zoning change would be required to construct a tower to the required height, and, in the period for public comments, the Administrator thought little support would come from the community.

Chief Graham noted that construction of a tower on the island was not just to boost the signal on the island, but was to block the interference coming on shore from the ocean.

Councilmember Loftus complimented Administrator Tucker on the quality of the correspondence with the Charleston County Administrator. He asked whether the City had been approached by Charleston County in the initial phases of the digital upgrade to determine whether the City wanted or needed a tower.

Chief Graham explained that, in 1997, the City had joined with Charleston County for the analog radio system; the County upgraded to digital, and, in 2008, the City of Isle of Palms switched over to the digital system. During testing of the digital systems in May of 2008, problems were detected and reported to Charleston County. Immediately after switching, Mount Pleasant and the Isle of Palms joined forces in seeking an answer to the problems. After multiple complaints, the Chief learned that, if the problem was coming from inside a building, it was not a problem with the radio system because the digital system had not been designed for in-building coverage. Following meetings held all over Charleston County, Charleston County and Motorola agreed that a problem existed with the digital communications system, and Motorola brought various engineers to the area to determine the source of the problem. Several approaches were made to "optimize the system" from tuning the radios to redirecting the signal from towers. Chief Graham stated that the initial proposal from Motorola did not include a tower at the Isle of Palms, and Motorola would not guarantee that the island's problems would be solved by the actions described in that proposal. When the County requested a solution to the IOP problems, Motorola would only guarantee a solution with the placement of a tower on the island because of the amount of interference from the ocean.

Chief Graham related that, prior to changing to digital, studies of radio frequencies had indicated the need for a tower on the Isle of Palms. The Chief expressed the opinion that, had the City not complained, but accepted the problems as inherent to the digital system, the City would not be facing the decision about a tower on the island.

Chair Bettelli also thanked the Administrator for her letter to the County; he expressed the opinion that the letter might get the answers from Charleston County that the Committee had been seeking for months – alternatives to a tower on the island.

Councilmember Loftus asked when Charleston County would be voting on the proposal from Motorola; a meeting is scheduled for November when Charleston County Council will be asked to approve the Motorola request and fund the contract.

Councilmember Bergwerf posed the question that was asked at City Council – Can the City go back to analog? Chief Buckhannon commented that the solution was not that simple in that the analog is being phased out in favor of digital and getting parts for it are a major concern.

#### **B. Update on Public Safety Building**

Administrator Tucker reported that Cole+Russell has tasked the mechanical engineers with coming up with a recommended solution for the third floor; the “fix” is expected to be adding de-humidifiers. The City continues to withhold money from Mashburn Construction, and assuming that the anticipated solution is put in place, it will remain to be tested in the hot season before being accepted.

#### **C. Update on Abandoned Vessels**

Administrator Tucker reported that Assistant City Attorney McCullough has drafted an amendment to the existing code that clarifies that the “Hobie Cat’ style sailboats which are operable and kept in good working condition” can be left on the beach overnight.

The two-page (2 page) memo relates to a new ordinance that outlines the manner in which the City would deal with abandoned boats on private property; the Administrator noted that she had a couple of changes she wanted to see in the proposed language and that Chief Buckhannon might also have changes. If the Committee approves of the approach taken, then a new ordinance and the amendment could be included in the agenda for the upcoming City Council meeting.

Chair Bettelli summarized that the new ordinance provides for posting the vessel in question, giving the owner thirty (30) days to remove the vessel and, after that period of time, giving the City the authority to remove the vessels and to charge the owner for the expense of removing it. The Chair expressed that the ordinance as proposed contains all of the issues about which the Committee had concerns.

Administrator Tucker added that this new ordinance is very similar to the ordinance the City has regarding abandoned vehicles.

**MOTION: Chair Bettelli moved to recommend the amendment and new ordinance to City Council; Councilmember Bergwerf seconded.**

Councilmember Loftus voiced support for the amendment clarifying Hobie cats on the beach, but he explained that he was concerned about the ordinance as it relates to private property and property rights. He offered a situation where an individual has his boat in his driveway as he saves to replace the motor or another situation where an individual has a sailboat in his yard that he is reconditioning; would these vessels be in violation of this ordinance since neither is seaworthy?

Chief Buckhannon responded that the key phrase in the proposed ordinance is “that present a health or safety concern;” since the vessels in Councilmember Loftus’ scenarios do not present either condition, the owners would not be in violation.

Another scenario offered by Councilmember Loftus if the user of a sailboat as a focus of a homeowner’s landscape; would that boat be considered landscaping or an abandoned vessel? Chair Bettelli thought that such a boat would be considered landscaping; he described an actual case in Mount Pleasant where an old truck with the hood up and filled with plants in a resident’s yard was ruled to be a part of the landscaping for the property.

Councilmember Loftus asked that Chair Bettelli withdraw his motion and Councilmember Bergwerf her second in order to act on the Ordinance 2010-13 and the memorandum outlining a proposed ordinance on abandoned boats separately. Chair Bettelli and Councilmember Bergwerf withdrew their motion and second as Councilmember Loftus had requested.

**MOTION: Chair Bettelli moved to recommend Ordinance 2010-13, amending the code on abandoned personal property, to City Council for approval; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

Councilmember Loftus expressed the need for more study and discussion on the memorandum outlining an ordinance about abandoned vessels on private property; he state that his concern was taking away property rights.

**MOTION: Chair Bettelli moved to recommend the memorandum outlining an ordinance on abandoned boats on private property to City council for approval; Councilmember Bergwerf seconded and the motion PASSED on a vote of 2 to 1 with Councilmember Loftus voting against the motion.**

## 5. New Business

### C. Consideration of Request for Lower Speed Limit

Administrator Tucker commented that the City receives, from time to time, conflicting requests concerning the speed limit on Palm Boulevard. SCDOT recently lowered the speed limit on Palm from Breach Inlet to the Post Office to thirty-five miles per hour (35 mph) at the request of the City, which is the speed limit on the bulk of the island. The Administrator stated that she was in receipt of a request to make the speed limit on Palm Boulevard between 41<sup>st</sup> Avenue and 57<sup>th</sup> Avenue thirty-five miles per hour (35 mph) to make it consistent along all of Palm Boulevard. But, over time, the City has received conflicting requests for that particular stretch or road; currently the stretch is posted at thirty-five miles per hour (35 mph) in some places and

thirty miles per hour (30 mph) in others. The Administrator was of the opinion that the persons who want a consistent thirty-five mile per hour (35 mph) speed limit live primarily in Wild Dunes.

In addition, Administrator Tucker referred to a conversation she had with Arnold Karig, who was present for the Public Safety Committee meeting, when he had expressed the opinion that the speed limit on that stretch of Palm Boulevard should mirror the limit of the side streets.

Administrator Tucker concluded her comments reminding the Committee that Palm Boulevard is an SCDOT road; therefore, they would make the final decision.

Chief Buckhannon agreed that the speed limit along Palm Boulevard is confusing, and, for that reason, he has approached SCDOT about establishing an island-wide speed limit. He noted that Waterway Boulevard is twenty-five miles per hour (25 mph), but the side streets are thirty miles per hour (30 mph). The Chief commented that, along one section of Palm between 41<sup>st</sup> and 57<sup>th</sup> Avenues, the speed limit heading north differs from the speed limit heading south, so he stated that he would like to see the speed limit consistent going in both directions for that stretch of road.

Councilmember Loftus asked if speeding was more of an issue for the Police Department along Palm Boulevard between 41<sup>st</sup> and 57<sup>th</sup> Avenues; Chief Buckhannon replied that people do tend to speed up a little in that area because there is less traffic.

With agreement from the Committee members, Chair Bettelli opened the meeting to comments from the residents, in attendance, who live in and travel the area being discussed.

Councilmember Loftus interjected that the board of the Wild Dunes Community Association had voted unanimously for a speed limit of thirty-five miles per hour (35 mph) for Palm Boulevard.

Mary Thomas, 5813 Back Bay Drive, stated that she normally drove the speed limit; she also reported that a new sign has been installed along Palm making the speed consistent traveling in both directions.

Arnold Karig, 5102 Palm Boulevard, stated that he considers Palm Boulevard to be like any residential street on the island; therefore, he believes the speed limit should be twenty-five miles per hour (25 mph). He stated that, once drivers pass the entrance to Wild Dunes, they accelerate; he noted that he had asked the Administrator to install a sign "Reduce Speed Ahead" to notify drivers that the speed limit is lower. In Mr. Karig's opinion, the speeding in that section of Palm Boulevard was a serious problem.

Chair Bettelli charged Chief Buckhannon with contacting SCDOT to find out what speed limit they would recommend for that the section of Palms Boulevard between 41<sup>st</sup> and 57<sup>th</sup> Avenues.

Jim Owens, 2805 Palm Boulevard, recommended that the City look into placing a STOP sign, a YIELD sign or a solid white line at the intersection of 21<sup>st</sup> Avenue and Palm Boulevard for persons wanting to turn left from Palm onto 21<sup>st</sup> Avenue. After relating an incident involving a Beach Services Officer ticketing a car for parking closer than four feet (4 ft.) from the roadway,

incorrectly in Mr. Owens' opinion, he suggested that all officers should be issued rulers to ensure that tickets are warranted.

Mr. Owens concluded his comments by thanking the Committee for their work regarding the abandoned catamarans; he added that the enforcement arm of DHEC has also gotten involved in the issue.

## **6. Highlights of Departmental Reports**

### Fire Department – Chief Graham

Chief Graham reported that on September 25, the Fire Department covered for the Awendaw Fire Department as they worked a structure fire; while in Awendaw, they responded to one (1) medical call. On the same day, Department personnel responded to a request from Sullivan's Island Fire Department for two (2) children in distress in the water; the children were on shore when the IOP crew arrived.

For the month of September, the Department had a total of eighty-six (86) calls, and fifty (50) of them were EMS calls. The Fire Inspector conducted one hundred twenty (120) inspections in the month and found two hundred seventy-one (271) violations. Fifty-three (53) pre-incident surveys were completed using the new software.

The Chief reported that the most significant expense to vehicle maintenance was the replacement of six (6) tires on Tower 1. The quarterly preventative maintenance of Department vehicles was completed in September.

Chair Bettelli inquired about the response time with Charleston County EMS; Chief Graham stated that the response time has been more sluggish than the IOP Department is accustomed. As a result, the City's Department has made arrangements with the Mount Pleasant Fire Department to respond to the Isle of Palms in life-threatening situations.

Councilmember Loftus reported hearing that the County's response time has slowed and asked whether she knew what has changed to cause the slower time. Chief Graham stated that the two (2) spare trucks previously available in the busiest part of the day were taken out of service as personnel were hired to fill positions vacated due to promotions. The Chief added that island personnel have found issues with the way calls have been handled by the consolidated dispatch center.

### Police Department – Chief Buckhannon

Chief Buckhannon highlighted a call on September 7 when a vehicle was stopped in Wild Dunes with an invalid paper tag; the vehicle had been purchased two (2) years ago and had never been registered. The driver was in possession of a forged bill of sale and had no insurance on the vehicle; he was charged with Falsify DMV document, Failure to Display Tag and Operating an Uninsured Vehicle.

In April, a Wild Dunes visitor reported the theft of a bicycle valued at twenty-three hundred dollars (\$2,300); on September 21, the bicycle was located on Craig's List as for sale by an island resident. IOP police contacted the seller by phone, returned the bicycle to the owner and charged the seller with Petit Larceny.

Chief Buckhannon, Lt. Wright, Sgt. Caldwell, Sgt. Meekins and Sgt. Usry visited the monthly Keenagers' meeting where they gave a presentation entitled "Crime Prevention through Environmental Design" followed by a question and answer period; approximately sixty-five (65) people attended. The Chief reported that the Department has worked with Wild Dunes' security personnel and presented the programs several times in Wild Dunes, and police staff has arranged to make this presentation to the rental companies and the Exchange Club.

During the month of September, IOP telecommunicators received thirty-four hundred eighty-nine (3,489) calls; twenty-five hundred five (2,505) were for the Police Department and one thousand twenty-five (1,025) were service calls.

One hundred fifty-seven (157) traffic stops produced seventy-one (71) tickets.

Two (2) officers are attending Crime Prevention School.

The Livability Officer wrote five (5) citations for noise violations.

Councilmember Bergwerf asked Chief Buckhannon about the on-line survey that the Police Department has on the website; the Chief reported that the Department had received one hundred sixty-nine (169) responses. Some the comments from the survey will be included in the Police Department report for October.

Councilmember Bergwerf inquired about the source of the survey; Chief Buckhannon commented that the Department is required to survey residents every three (3) years as part of the accreditation process.

## **7. Miscellaneous Business**

**Next Meeting Date: 5:30 p.m., Tuesday, November 9, 2010.**

## **8. Adjourn**

**MOTION: Councilmember Bergwerf moved to adjourn the meeting at 7:01 p.m.; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk