

PUBLIC SAFETY COMMITTEE

5:30 p.m., Monday, April 5, 2010

The regular meeting of the Public Safety Committee was held at 5:30 p.m. on Monday, April 5, 2010 in the Training Room of the Public Safety Building located at 30 J.C. Long Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf and Loftus, Chair Bettelli, City Administrator Tucker, Police Chief Buckhannon, Fire Chief Graham, Assistant to the Administrator Dziuban and City Clerk Copeland.

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

2. Approval of Previous Meeting's Minutes

MOTION: Councilmember Loftus moved to approve the minutes of the regular meeting of March 10, 2010 as submitted; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments

Gary Griffin, of WEZL radio station and the representative of the "Ride to the River," was present at the meeting to request approval for the motorcycle ride to traverse the Isle of Palms in its annual ride to raise funds for the North Charleston Recreation Center. The ride is scheduled for Sunday, May 2, and, depending on the weather, there can be anywhere from three hundred to six hundred (300-600) riders. The proceeds from the ride will be used to purchase equipment, uniforms and trophies for a youth baseball tournament put on every year by the North Charleston Recreation Department. Mr. Griffin informed the Committee that this would be the seventh (7th) year that the ride has taken place and that the ride has not been on the Isle of Palms in the past three (3) years. Both Sullivan's Island and Mount Pleasant public safety offices have been contacted, but Mr. Griffin reported that they have not responded to his requests. He further explained that the ride will begin about 1:15 p.m. from the North Charleston Coliseum, and the riders should arrive on the island about 2:15 p.m. The route will take the riders across the Ben Sawyer Bridge onto Highway 703, across Breach Inlet, down Palm Boulevard and turning left onto the Connector. The ride will be fully escorted by the Charleston County Motor Squad; the motor squad will stop traffic at all intersections along the route and re-open the intersections once the last rider has passed through.

Chair Bettelli asked Chief Buckhannon about his concerns for such an event passing through the island on a beautiful Sunday afternoon when there will already be considerable traffic generated by the day-trippers leaving the island over the Connector. Chief Buckhannon responded that the time frame Mr. Griffin was referring to was, generally, the time that the exodus from the beach begins; Chief Buckhannon stated that traffic has been known to back up three to five (3-5) miles on a busy Sunday afternoon exodus.

Lee Gerard with the Charleston County Motor Squad stated that he had accompanied this ride several times and that traffic would be blocked for no more than ten minutes (10 min); he noted that the ride would be very organized in order to impact the communities as little as possible.

Chair Bettelli expressed full support for the cause the ride assists, but, even without events, traffic can become snarled on a beautiful, sunny and warm day for people leaving the island.

Councilmember Loftus commented that the number of day-trippers continues to increase; he expressed that he, too, thought the ride was for a good cause, but the timing for the Isle of Palms was terrible.

Mr. Gerard asked if reversing the route would make any difference to the Committee, and Councilmember Loftus said that it would not.

Chair Bettelli stated that the consensus of the Committee was that they could not support the planned route through the Isle of Palms at the time of day and time of year proposed.

Ryan Buckhannon, 23 Twenty-seventh Avenue, reported to the Committee that one (1) of the City's firefighters had been seriously injured recently in a motorcycle accident in Columbia; he is facing a long recovery period. He stated that he and the management of the Acme Cantina are planning a fundraiser for firefighter Dan Mills on Saturday, April 24 from 2 to 6 p.m., and he was present to request that the Committee give permission for the closure of Pavilion Drive Extension. In order to make the event a family one, they are planning to have a twenty-two foot (22 ft) long fire truck air slide for the children; activities will be fire-related, such as a fire wings eating contest. He stated that a request has already been submitted to SCDOT and he talked with Chief Buckhannon about the event. The only property impacted was the Mims' property, and he has placed a call to them as well.

In response to Councilmember Loftus' questions, Mr. Buckhannon stated that he anticipated having the road closed from noon until 8 p.m., and parking could be in the Acme parking lot and the City lot.

MOTION: Councilmember Loftus moved to amend the agenda to include the closure of Pavilion Drive for a portion of the day on April 24, 2010; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

MOTION: Chair Bettelli moved to approve the closing of Pavilion Drive Extension from noon until 8 p.m. on Saturday, April 24, 2010; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

Mr. Buckhannon stated that he would have the balance of the information, the responses from the Mims' family and SCDOT, for the Ways and Means Committee on April 20. He indicated that tickets for event would be fifteen dollars (\$15.00), which would pay for the barbecue, and there would also be drink specials from Acme Cantina.

Administrator Tucker added that the accident was not Firefighter Mills' fault and that the other driver had no insurance.

Debbie Jones, 813 Ocean Boulevard, commented about the March Public Safety Committee meeting where Chief Graham had indicated that radio communications for the public safety departments would not improve without a tower being erected on the island. She asked if the existing water tower had been considered to eliminate the need for another tall structure; Chief Graham informed Mrs. Jones that the water tower was not tall enough. Chair Bettelli explained that the Charleston County Council had hired a consultant to determine whether the

improvements suggested by Motorola would actually solve the communication problems being experienced all over the county and that the City would not know anything certain until those consultants made their report to County Council.

Mrs. Jones then noted that she recalled that a bike rack would be placed at the Public Safety Building at a cost of four hundred seventy dollars (\$470), but that seven hundred dollars (\$700) had been approved to include the installation. She related that retired or out-of-work contractors or engineers, who live on the island might be willing to donate their time to install the rack, or that, possibly, the firefighters could do the work thereby saving the City the cost of installation.

4. Old Business

A. Update on Public Safety Building

Administrator Tucker reported that, according to the latest report from David Johnson of Cole+Russell, approximately forty (40) items listed on the warranty list have been completed and there are task completion dates for some of the items yet to be completed. Other than the one (1) major problem related to the siding, the other items that have been identified are relatively small. She reported that Chief Buckhannon has been working with Cole+Russell to resolve problems with the lights in Rooms 243 and 244.

B. Update on Civil Engineering for 41st Avenue/Palm Boulevard Intersection

Assistant Dziuban stated that the City has executed both the contract with Sanders Brothers and Notice of Award pursuant to Council action in March. The Notice to Proceed has not been issued because SCDOT has not issued the permit although they have verbally committed to do so. Ms. Dziuban noted that all parties were aware of the time sensitivity of the project. Later in the week a meeting is scheduled with IOP Water and Sewer, Sanders Brothers, Thomas and Hutton, departments within the City, as well as representatives from Charleston County to discuss the possibility of County participation in the project; the County has reviewed the City's plans and expressed interest in the project.

Councilmember Loftus voiced his understanding that SCDOT had approved the project; Assistant Dziuban stated that Administrator Tucker had spoken with Thomas and Hutton today asking that they gently maintain the sense of urgency with SCDOT.

C. Update on Digital Radios

Chief Graham reported that a meeting had taken place with the consultant, Kimball and Associates, hired by Charleston County to validate the Motorola proposal on March 15. The consultants are expected to be on the island this week to see firsthand the problems that exist. She stated her understanding that the consultants would make their report to Charleston County Council within a couple of months; but, with the weather heating up, the radio problems are increasing. She stated that she anticipates a difficult summer since the radio problems will not be resolved.

Councilmember Loftus asked the Chief what the time line was for handling the radio issues; she responded that she fully expects it to be two years (2 yrs) before phases one and two of Motorola's plan are completed.

5. New Business

A. Consideration of Request from Sea Cabins for Lifeguard

Administrator Tucker provided history on this issue as follows:

- Two (2) seasons ago, Charleston County Parks and Recreation Commission (PRC) had requested permission from the City to extend their lifeguarded area to the south side of the pier;
- Since, from time to time, water-related or medical emergencies occur on the south side of the pier, the City thought the PRC request was a good one to provide assistance to emergency responders and granted their request;
- In the letter that approved the expanded area, the City had cautioned that "the placement of the lifeguard stand not block the surf camera" that is located on one of the Sea Cabins structures;
- The surfing club has a "surf cam web cam" that covers the south side of the pier where they have surfed for many years.
- In the season that the City granted this expansion of the guarded area, a conflict arose between the lifeguards and the surfers and kayakers, because the surfers and kayakers had, in recent years, used that area of the beach for those activities and those activities were in direct conflict with the training Charleston County provided for the lifeguards.
- In addition, Administrator Tucker noted that the City and State have regulations that surfing and kayaking are not to take place in areas near swimmers; the same regulation is taught to the lifeguards. (Chief Buckhannon distributed copies of the regulations.)
- Due to the conflict between the lifeguards and the surfers and kayakers and the fact that this put Charleston County PRC outside of its property line – if one were to extend the property line out onto the beach, the City withdrew its approval of having that section guarded and returned to original guarded area.

The Administrator added that, long before the County Park existed, the City had a designed swimming area that was guarded, and, during that period of time, any kind of hard device that could injure a swimmer was not allowed in that area.

Now Sea Cabins, that enjoyed the summer of a guarded beach, is once again appealing to the City to reconsider expanding PRCs jurisdictional area to the south side of the pier. Administrator Tucker expressed her opinion that conflicts would again occur if this request were granted because PRC has made it clear that they must give consistent instructions to the lifeguards.

Responding to Councilmember Loftus' question, Chief Buckhannon stated that the guarded area would extend to the end of Sea Cabins, or approximately three hundred feet (300 ft).

Councilmember Bergwerf commented that, according to the code, surfers are not to be within two hundred feet (200 ft) of the pier; Administrator Tucker agreed that was correct. Chief Buckhannon commented that the existence of the web cam on Sea Cabins presents a conundrum, because it serves to invite people to come to surf, but the lifeguards tell the surfers they cannot surf in the area advertised. Sandy Stone noted that there was a disclaimer on the web cam's website.

Councilmember Bergwerf added that safety is key and that area of the beach is the most crowded.

Chair Bettelli pointed out that, although the lifeguards are employees of Charleston County, the City that is often blamed for the problems that arise out of the conflicts between these two factions.

When asked by Councilmember Loftus whether Charleston County would be inclined to place lifeguards south of the pier, Administrator Tucker replied that she thought they would do so, but would have the expectation that the City would support their actions of running off the surfers and kayakers.

Chair Bettelli added that one (1) reason the City chose to remove the lifeguards from this area south of the pier was that the problems that arose were beginning to place a negative face on the island since the City was deemed to be "the bad guy." Councilmember Bergwerf interjected that these lifeguards were enforcing a law that has been on the books for years prohibiting kayaking and surfing within two hundred feet (200 ft) of the pier; Administrator Tucker agreed and added that they were enforcing their own set of training standards and operating procedures.

Chair Bettelli asked whether there had been any accidents involving surfers and swimmers; Chief Graham responded that there had been, but not in this area of the beach. Chief Graham added that people who go to the County Park area of the beach go there because lifeguards are there. She asked that, if the Committee were to agree to this Sea Cabins' request, that a request be made to the County that the Fire Department/EMS be notified any and every time there is any type of emergency in their guarded area.

Another area of concern, when the City withdrew its support for this area of the beach to be guarded, was that Charleston County PRC was going out of its boundaries because they were stepping out of the extended property lines of the park itself and as to whether or not, when they did that and acted with authority, they truly had the authority if it turned out to be a court matter.

Chair Bettelli questioned that Sea Cabins was making this request for the safety of its guests, and, if so, possibly, Sea Cabins should hire their own lifeguard.

The Chair commented that, as a rule, the surfers were a very careful group who did not endanger swimmers.

MOTION: Councilmember Loftus moved to defer a decision on expanding the guarded areas of the beach until the May meeting; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

B. Consideration of Award of Contract to Lifeguard Medical Solutions in the amount of \$2,837.50 for one (1) AED with wall-mounted storage box, replacement batteries and replacement pads for youth and adults.

Chief Graham stated that this item was overlooked when the Public Safety Building was being outfitted; AED devices, like the one being requested, are located in City Hall, marina and the Recreation Center.

Chair Bettelli asked the Administrator whether this purchase could be paid from the Public Safety Building Contingency Fund; she answered in the affirmative. She commented that there are portable devices on the truck, but, if they are on a call, that leaves the building without this life-saving and easy to use device.

MOTION: Chair Bettelli moved to approve the contract award to Lifeguard Medical Solution in the amount of \$2,837.50 for one (1) wall mounted AED with accessories and fund from the Public Safety Building Contingency Fund; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

C. Review of Operating and Capital Budgets for the Fire and Police Department for FY 2010-2011

Administrator Tucker reminded the Committee that the Budget Workshop was scheduled for Tuesday, April 20 as part of the Ways and Means Committee meeting; therefore, her goal tonight was to focus on the changes from the first review and the highlights. She directed the Committee's attention to page one where they were seeing the revenue side of the budget for the first time. She indicated that lines 42 through 46 were of special interest because, for the first time, several full-time, permanent employee salaries were being paid from accommodation tax funds in order to balance the budget. The Administrator explained that this action is a direct result of the economic conditions the City is experiencing and that, once the economy turns around, these salary expenses will be transferred back to the General Fund. The specifics of these "Transfers-in" are as follows:

From Municipal Acc Fees	\$152,411
Salary and Benefits for 1 Patrol Officer and 2 Firefighters	
From Hospitality Taxes	102,473
Salary and Benefits for 1 Patrol Officer and 1 Firefighter	
From State ATAX	9,326
Salaries for additional summer weekend part-time fire personnel	
From Victims Fund	30,023
Salary and Benefits for ½ of Victims' Advocate/Detective position	
From Municipal Acc Fees	81,307
½ expense for Temp Labor in the Public Works Department	

Overall, the FY11 Revenue Budget is projecting an increase of 3.4% over the FY10 budget.

The Committee was directed to Page 6 of the budget to review the proposed FY11 Police Department Operating Budget.

Police Department Operating Budget

Salaries – Supervisors & employees \$1,309,193

According to the Administrator, a change that is universal to all operating budgets is a decrease in the pool for performance-based wage adjustments from four percent to three and one-half percent (4%-3.5%).

Group health insurance 242,352

The original draft of the FY11 budget reflected an increase of ten percent (10%), but the City has been informed that the group has been moved into the modified pool and will have an increase of five percent (5%).

Based on questions raised at the last meeting about placeholders for general amounts of money, Administrator Tucker assured the Committee that she would present to them at this meeting the types of expenses that occur and are paid from these undesignated funds. For the Police Department, the types of expenses paid in years past include small carpentry jobs, electrical and phone repairs/wiring changes, fire extinguisher maintenance, typewriter repairs, interior painting, computer network maintenance, lock repairs, hurricane shutter repairs and plumbing repairs. The Administrator pointed out that these are general repairs that come up throughout the year, but cannot be anticipated.

Councilmember Loftus asked to be provided with the past twelve (12) months' actual fuel usage by department that he thought would be helpful for the workshop.

Fire Department Operating Budget

Salaries – Supervisors & employees \$1,377,738

The three (3) additional firefighters have been eliminated.

The same universal changes apply to the Fire Department that applied to the Police Department. For the unspecified general maintenance for the Fire Department, in the past these funds have paid for HVAC, plumbing and electrical repairs, typewriter maintenance, fire extinguisher maintenance, fire boards, AED repairs/maintenance and bay door repairs.

Police Department Capital Budget

Administrator Tucker turned to page 37 of the budget to review the Police Department Capital Budget; she explained that this page displays how capital expenditures will be paid from the various City funds.

Fire Department Capital Budget

The same depiction of how Fire Department capital expenditures are distributed to City funds follows on page 38 of the budget.

Councilmember Loftus asked how many miles were on the Ford F-150 truck that was to be replaced; Chief Graham stated that she did not know, but would have the information for the workshop.

D. Consideration of Award of Contracts in Excess of \$10,000 - None

6. Highlights of Departmental Reports

Fire Department

After Chief Graham reported that the Department had responded to a possible fire on Goat Island, Chair Bettelli asked whether flyers could be distributed to Goat Island residents asking that they notify the Fire Department in advance of burning yard debris; Chief Graham responded that she would look into doing that. During the month of March, the Department responded to fifty (50) calls, twenty-seven (27) of which were EMS calls. Fire Inspector Hommel officially assumed his duties on March 9; during the month, he inspected twenty-seven (27) businesses and found one hundred (100) violations. Currently there are thirteen (13) active volunteers. Captain Tetor applied for and received a grant from Lowe's for one hundred fifty-six (156) smoke detectors that will be provided to and installed for island residents at no charge.

Councilmember Loftus stated that he would be interested in seeing a year-to-year comparison of fire inspections as a regular part of the monthly report.

Police Department

Chief Buckhannon reported that, as a result of the Hurricane Disaster Drill, he, Lieutenant Wright, Sergeant Usry and Detective Sergeant Caldwell had taken the NIMS level 300 course and he had taken the level 700 course. The Chief, Sergeant Meekins and Detective Tarr had attended the Wild Dunes Community Association annual meeting on March 14 where they had distributed information on various topics and listened to citizens' concerns. During the month of March, the Department had received thirty-eight hundred thirty-two (3,832) calls, of which twenty-four hundred sixty-two (2,462) were for the Police Department. In March, two hundred seventy-eight (278) traffic stops were made that resulted in one hundred seventy-two (172) tickets being issued. One hundred forty-nine (149) reports were written during the month; of that number, fifty-seven (57) arrests were made, and twenty-two (22) of those arrests were for underage possession of alcohol. The Animal Control officer wrote eight (8) citations, and the Livability Officer issued five (5) citations.

After Chief Buckhannon's report, Councilmember Bergwerf expressed her concern over a letter from an island visitor critical of the Police Department that was originally sent to the Chief and member of City Council; the letter has now become public apparently through an action of a member of Council. She voiced her opinion of the lack of professionalism that was exhibited by the person who "leaked" the letter before the Police Department had the opportunity to investigate and respond.

Councilmember Loftus expressed agreement with Councilmember Bergwerf, as well as his complete support for Chief Buckhannon and the members of the Police Department. Councilmember Loftus stated that he had received a second email referring to the original

complaint the following day from Charlie Aikman, and the Councilmember read the following from Mr. Aikman's communication:

“ If we continue to treat visitors to the Island like this we will scare away our remaining visitors. We are all very familiar with the Island's speed traps but not this visitor refers to 'noise traps.' Even more disappointing, the writer describes himself as a third generation law enforcement officer, yet he describes one of our isle of Palms police officers as 'probably one of the rudest people I have ever encountered.' Charleston has been voted year after year as the friendliest City in the nation, maybe we can go for the honor of the 'unfriendliest City in the nation!' “

Councilmember Loftus condemned the member of Council who distributed the original email before the facts of the case were known.

Chair Bettelli voiced his support for the Police Department and asked the Chief if he wanted to make any comments on the matter.

Chief Buckhannon stated that it was an ongoing investigation and that the officers involved had made statements on the situation; he noted that policies and procedures would not change as a result of this complaint. He stated that there were inaccuracies in the original email that have been addressed and communicated to the complainant; at this time, the Chief is waiting to hear back from him and to receive the information that was requested from him. In addition, Chief Buckhannon commented that the Department takes every complaint seriously and, if it is found that personnel have done something wrong, he wants to know about it to make the necessary adjustments. Conversely, if it is found that the officers did everything they were supposed to do according to established procedures, Chief Buckhannon stated that he would report that to the complainant as well. He also reported that, at times when enforcing the laws, officers may appear rude from the standpoint of the other parties.

7. Miscellaneous Business

Discussion of Raccoons on the Island

Administrator Tucker stated that her goal was for Chief Buckhannon to explain how raccoon complaints are handled and the City's boundaries for dealing with the raccoon population.

Chief Buckhannon commented that the first step in responding to a raccoon complaint is to determine what type of damage the raccoon is doing. If there is damage inside a home, traps will be set to catch it; time is also spent to ascertain how the raccoon is entering the house and to seal the entry. He stated the Isle of Palms Police Department does not capture raccoons doing damage outside a residence. He stated that he had distributed a pamphlet at the Wild Dunes Community Association meeting about how to deal with raccoons inside and outside the home. If a raccoon is captured, it must be taken to a local veterinarian to be euthanized; state laws will not allow the release of a captured raccoon back into the wild. If a raccoon is found to have inflicted a bite upon another animal or a human, the incident must be reported to DHEC.

Councilmember Loftus noted that the numbers vary from year to year as to the numbers of raccoons that are dealt with vary year to year; he asked if the Animal Control officers ever act to cull the numbers of raccoons on the island. Chief Buckhannon responded that trapping of raccoons is a reactionary process and that the numbers seem to be cyclical; he added that, when construction was booming on the island, they received many more complaints about the raccoons as they lost their habitat.

Chair Bettelli reminded the Committee members of the following upcoming events:

- Hazardous Household Materials Collection and Shred Event, City Parking Lot, Saturday, April 10, 2010, 9 a.m. to noon
- Annual Yard Sale, Recreation Center, Saturday, April 17, 8 am to noon
- Disaster Preparedness Expo, Public Safety Building, June 18, 5-7 p.m.

Next Meeting Date: 5:30 p.m., Tuesday, May 4, 2010

Councilmember Loftus asked that the meetings return to City Hall, primarily for ease of parking.

8. Adjourn

MOTION: Councilmember Loftus moved to adjourn the meeting at 7:05 p.m.; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk