

PUBLIC SAFETY COMMITTEE

5:30 p.m., Tuesday, June 9, 2010

The regular meeting of the Public Safety Committee was held at 5:30 p.m. on Tuesday, June 9, 2010 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf and Loftus, Chair Bettelli, City Administrator Tucker, Fire Chief Graham, Police Chief Buckhannon, Assistant to the Administrator Dziuban and City Clerk Copeland. Guests attending the meeting were Bill Tunick and Walt Smalls from Charleston County, Greg Saylor of Motorola and Denise Kuntz, Tony Queen and Bill Gorgone of Crown Castle USA Inc.

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 May 4, 2010 as submitted; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

3. **Citizens' Comments - None**

4. Old Business

A. Update on Digital Radio Antenna

Chair Bettelli acknowledged that the guests were present to provide information regarding the proposed two hundred thirty (230) foot antenna to be erected on the island. Chief Graham commented that there have been several meetings on the digital radios since the May Public Safety Meeting and that she and the Motorola engineers had visited the alternate site that Mayor Cronin had suggested. The site had been looked at earlier and had been determined to be too small. The Chief reported that Charleston County representatives had also met with members of the IOP Water and Sewer Commission regarding the water tower. At this point, she turned the discussion over to Bill Tunick, Director of Radio Communications for Charleston County.

Mr. Tunick stated that, in his opinion, the most substantive meeting had been with George Gross and Bill Jenkins of the IOP Water and Sewer Commission where discussions took place on a "business partner" constructing a communications tower adjacent to the water tower, relocating the cellular carriers from the water tower to the communications tower and entering into a revenue-sharing arrangement. Mr. Tunick indicated that the Commission appeared to be amenable to the idea, and that, should a revenue-sharing agreement be established, the water tower could be removed and replaced by a communications tower. Mr. Tunick added that a meeting was scheduled for Thursday that would include Charleston County, Water and Sewer representatives and the representatives of Crown Castle, who do site development, construct towers and develop revenue-sharing plans, to work out possible business arrangements.

The tower location considered to be the best by the Motorola engineers to be the best is at the water tower. Mr. Tunick explained that there are three (3) communications shelters "containing hundreds of thousands of dollars worth of equipment" for four to five (4-5) cellular carriers who

have antennae mounted on the water tower; “to replicate or move that equipment and the shelters to a new site would add, at least, half a million dollars to the project.” By staying within a few hundred feet of the existing tower, these antennae could simply be relocated to the new communications tower at a minimal cost.

Chair Bettelli confirmed with Mr. Tunick that the new tower would be constructed on City property and added that there was concern with the height of the tower and the fact that the tower would be the first sight of the island as people come over the Connector.

On the subject of the tower’s height, Mr. Tunick stated that the engineering analysis had indicated that a minimum of two hundred thirty (230) feet was required, but that three hundred (300) feet would be preferable.

Chief Graham stated that locating the communications antenna at the site of the water tower was the Motorola engineer’s first choice to get optimum coverage for the Isle of Palms and assist with coverage at Sullivan’s Island and Breach Inlet; she added that the second choice was the County Park and the third choice had been Wild Dunes.

Administrator Tucker asked for clarification on the relationship between Charleston County and Crown Castle; she noted that, as a public entity, Charleston County would have to go through the formal procurement process to select a vendor to construct the towers and expressed interest in knowing if that process had already occurred. Mr. Tunick responded that the procurement process had not occurred; therefore, the vendor to erect the proposed IOP tower could be a vendor other than Crown Castle. Presently Charleston County’s business relationship with Crown Castle is that the County has two (2) tower leases with them. Mr. Tunick informed the Committee that Crown Castle owns three (3) towers – at Six Mile, Folly Beach and Mount Pleasant/Awendaw – that the County is strongly considering leasing because they are in locations that Motorola has indicated would provide the best coverage for Mount Pleasant, Isle of Palms, Sullivan’s Island and Awendaw. Charleston County is also working with other tower vendors for towers in the constellation, such as Edisto Island, North Charleston and Johns Island.

Since Crown Castle owns the towers, Administrator Tucker wanted to know what Charleston County was buying from them; Mr. Queen of Crown Castle explained that the County would be leasing tower space, i.e. putting County equipment on an existing structure that is managed and maintained by Crown Castle. Based on that information, the Administrator concluded that the City of Isle of Palms and the IOP Water and Sewer Commission could construct its own tower and lease it to Charleston County; Mr. Smalls, of Charleston County, agreed.

Another question posed by Administrator Tucker was whether or not an engineer, if hired by the City of Isle of Palms and presented with the facts regarding the digital communications problems, would reach the same conclusion about the need for the placement of a two hundred thirty (230) foot tower on the island. Mr. Saylor responded that any opinion the City might receive would be very similar to the one offered by Motorola’s engineers; Mr. Saylor did indicate that the engineer would be “dealing with finite resources about the placement, the alternative placements of those sites,” but he assured the Committee that Motorola had worked with the County and looked at the options very carefully. He repeated that the Motorola

proposal is their best solution to addressing the issues and assured the Administrator that three (3) shorter towers in three (3) locations on the island would create phasing issues, therefore, not accomplish the desired goal.

Administrator Tucker was clear that objections being raised by the Committee were mild in comparison to the objections that would be received when construction of a two hundred thirty (230) foot tower on the island was announced to the residents. She also put forth the idea that the two hundred thirty (230) foot tower was, in some way, retribution for City's complaining about the constant problems with the digital system.

Mr. Smalls tried to allay Administrator Tucker's concerns by stating that the County's long-range plan is to have Motorola engineer a working system, and, to that end, the County had hired a consultant to check Motorola's work. The County would bring the engineers' work forward to County Council as the solution~~e~~.

The Administrator further explained that the City was dubious of any solution offered by Charleston County and Motorola because of the communication problems that the City's Public Safety personnel have experienced since agreeing to become a part of the County's change to digital radio service. Mr. Smalls commented that, "once the solution is validated and put out, the Isle of Palms" could choose not to have the tower. Mr. Saylor of Motorola noted that Motorola's design was to meet the criteria of performance that has been issued by Charleston County and the user's group; Administrator Tucker asked that he review those criteria for the Committee.

Mr. Saylor explained that certain of the expectations laid out for Motorola were well beyond those required of the original design, for instance, in-building penetration is a "must" to be accomplished with the expansion program, audio quality (how much a transmission has to be repeated) requirements have been substantially increased and, for the coastal communities, overcoming the impact of noise levels coming in from co-channel users, particularly in the hot summer months, which are "extremely high." Mr. Saylor stated that Motorola's ability to meet those goals was marginal without the tower; therefore, the decision was made to place the tower on the island to meet the level of performance demanded by the users.

Councilmember Loftus questioned why the tower for the Isle of Palms was not a part of the original proposal; Mr. Saylor explained that the original systems was referred to as "a technology refresh" that called for no new towers. Mr. Saylor clearly stated that Motorola had met its contractual obligations for the initial upgrade to digital radio communications for Charleston County.

The subject of the tower's location was again addressed by Councilmember Loftus; he did not understand how a tower placed one and one half (1½) miles into a seven (7) mile long island would solve the communication problems. He voiced his opinion that the tower should be located closer to the Wild Dunes community where the greatest density of people resides. Mr. Tunick commented that an IOP tower would be a major contributor to the in-building coverage in Wild Dunes, but he added that there are two (2) other towers in the system that will enhance both the Isle of Palms and Mount Pleasant. He noted that the Six Mile tower is being re-built to a height of three hundred (300) feet that will enhance the IOP tower in the north end of the

island, as will the third tower which is to be constructed on Highway 17 where Mount Pleasant and Awendaw meet. Mr. Tunick explained that a radio can receive signals from three (3) towers at one (1) time and add them up to maximize the signal. He also indicated that the reasoning for the tower location in the Front Beach area was the concentration of tourists and beach and ocean rescues.

Administrator Tucker countered that, if the beach could be reached by the Awendaw and Six Mile towers that were in Mount Pleasant on the north end of the island, the logical conclusion would be that the beach on the south end of the island could be reached by a tower on the other side of the Connector, not on the Isle of Palms.

Mr. Saylor stated that a database of available tower sites exists and that the County had done its due diligence in identifying alternative sites that were subsequently looked at by Motorola's engineers in efforts to avoid constructing new towers. He did agree to review other options one more time, but he re-stated that he did not believe the performance expectations designed into the expansions would be met on the Isle of Palms without a tower on the island.

Administrator Tucker stated that the City wants a system that works, to be able to talk in buildings and on the beach, but the City does not want a two hundred thirty (230) foot tower. The Administrator said that she has a difficult time believing that there is not another way to accomplish those needs and that she expected the residents to feel the same way.

Chair Bettelli voiced the general feeling that the City has been "burned" once when it bought into a digital system being told that it would function as well, if not better, than what the City was using at the time, but that has not been the case.

Administrator Tucker related that the City has been working with SCE&G on its future plans for transmission and re-routing of lines due to deficiencies in service on the north end of the island; she explained that they have seriously looked a available property on the other side of the Connector. The Administrator suggested that the County contact Mr. Westmoreland of SCE&G to determine if some available property had been overlooked that would be suitable for this tower.

As discussion continued about the ways the towers would work together, Mr. Tunick stated that all towers within a ten (10) mile radius would contribute to the strength of transmissions.

Councilmember Loftus expressed his concerns over a tower of this height being built on a barrier island that is battered by storms, other than hurricanes, with very strong winds. Mr. Gorgone of Crown Castle explained that the towers can be engineered to fall within a specific radius; he stated that towers do not fall from the base, but tend to fold over on themselves, for instance.

Chair Bettelli concluded that the City had made its position clear to everyone so that, when they return with the solution, it should be well substantiated and have assurances that the City will receive great service from it.

Chief Graham stated that, no matter how many or how tall the towers, she will not be surprised if public safety personnel cannot communicate in The Villages, for example; the towers will not overcome structural limitations.

Administrator Tucker urged the engineers to look for an alternate property not on the Isle of Palms.

Chair Bettelli thanked everyone for attending tonight's meeting and listening to the Committee's concerns. He added that the City wants "to provide the best public safety possible to the citizens of the Isle of Palms."

B. Update on Public Safety Building

Chief Graham reported that, over recent months, both water and sewer problems have been found and addressed, but the possibility remains that flooring in the lobby will have to be removed to facilitate a repair to the main drain line. Cole+Russell has been informed that the repair cannot be done in June and preferably will wait until after the busy season.

Due to air conditioning problems, the air temperature dropped to forty degrees (40°) Fahrenheit, it could not be raised and the unit finally stopped working. An employee of DWG changed some parameters to the system and made other adjustments, and the problems appear to be resolved. On the third floor, the temperatures would get quite warm periodically; the technicians were continually adding freon, but stated there were no leaks in the system. Apparently one section of the system was not checked, and, when it was, the problem appears to have been corrected. When water appeared in the bay in the fall, the flashing was replaced on the building; a hard pounding rain will prove whether the problem has been fixed. Pursuing a strange odor last week, a closet where one (1) of the air conditioning units is housed was opened, and condensation was found around the unit and water was pooling in the light fixtures. Later in the afternoon, someone from Mashburn came and removed ceiling tiles to find water raining down onto the ceiling tiles. An engineer from DWG has determined that warm air is getting in over the bay wall and worked its way into the open space above the ceiling tiles causing the serious condensation problem. This situation was on the punch list, and, as such, should have been fixed by now. With the excessive temperatures expected over the weekend, the request has been made to expedite the repairs and to replace the tiles.

3. Consideration of Request from Sea Cabins for Lifeguards

Administrator Tucker stated that the assignment for the City Attorney was to review the City's code relative to swimming, surfing and state laws relative to the pier as they relate to the conflict the City experienced in the past when the lifeguarded area extended beyond the boundaries of the County Park south of the pier. Based on her research, the City Attorney opined that the City has jurisdiction from the high water mark to some distance into the water; the only thing the lifeguards could enforce, and remain within the law, were City codes. The conflict that occurs when the lifeguards are outside of their jurisdictional property lines is that the standards the lifeguards are issued under Charleston County Parks and Recreation (PRC) are different from the City's code. By example, if a person were challenged in the water that he/she could not swim/surf in a particular place because he/she did not meet the County's standards for

lifeguarding, and the IOP Police were summoned – if the challenge was to PRC standards and not those of the City code, then the Police Department would not be able to take any action to backup the lifeguard. If the City were to allow the expansion of the guarded area, the City would run the risk of creating that type of conflict, and the conflict would be created again because, historically, surfing occurs on the south side of the pier.

The City Attorney concludes her opinion with the following:

“Further, if there is an altercation between a County lifeguard and a beachgoer, and a Public Safety Officer or City Police Officer is called, then the City Officer would have the authority to override the lifeguard’s decision if the lifeguard was acting in excess of his or her jurisdictional authority. The City ordinance provides that the lifeguards will be subordinate to City Officers.”

Councilmember Loftus expressed his opinion that the City’s police officers have more important issues to deal with to be tied up on the beach resolving issues between lifeguards and surfers or swimmers; Councilmember Bergwerf agreed.

It was, therefore, agreed that it would be in the City’s best interest not to pursue any action on this request from Sea Cabins.

5. New Business

A. Discussion of Timing of Purchase of ATV for Fire Department

Administrator Tucker corrected the Agenda to indicate that the purchase would be for multiple ATVs for both the Police and Fire Departments.

Chief Graham explained that the reason she was interested in getting an order processing for the ATVs was that the Bobcat ATV, presently on state contract, has an aluminum frame that the Departments have found to stand up to the salt air better than the steel frames. At present, a limited number of the aluminum frame models remain available; the new models will have a steel frame. The Chief noted that these vehicles are in the FY 11 budget for the Departments and that purchases would actually take place after July 1, 2010. According to Chief Graham, the City can save approximately twelve hundred dollars (\$1,200) per unit by purchasing through the state contract; Chief Buckhannon commented that this price was very close to that paid six (6) years ago. Chief Graham stated that the total purchase would be for four (4) units – one (1) for the Police Department and three (3) for the Fire Department.

MOTION: Councilmember Loftus moved to recommend to Ways and Means the award of a contract to Bobcat for four (4) Bobcat ATVs in the amount of 9,933.20 each, or \$39,732.80; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

B. Discussion of Purchase of Victim Advocate Camera in FY10 Budget

Administrator Tucker stated that one (1) reason this item was presented to the Committee was that the FY11 budget that contains this item has not been approved yet, but the Administrator did not want to authorize a purchase that would lock the item into the budget that has not been approved. The Administrator indicated that there are funds available in the FY10 budget to cover a portion of the total cost referenced in the FY11 budget, and, she pointed out that there are limitations on what Victim Advocate funds can be spent.

Councilmember Bergwerf inquired about the proposed uses of the camera and the need for the expensive lens; Chief Buckhannon stated that one (1) use would be one-to-one images of bodily injuries – a ring-type lens similar to the one (1) used by medical professionals.

MOTION: Chair Bettelli moved to approve the purchase of a Victim Advocate camera and a portion of the accessories from the FY10 budget; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

C. Discussion of Traffic Enforcement Related to 21st Avenue

Chair Bettelli referenced the letter from Robert Johnston on traffic issues on 21st Avenue that was sent to Director Pitts and asked Chief Buckhannon to comment.

Chief Buckhannon agreed with certain assertions made by Mr. Johnson that 21st Avenue is one of two (1 of 2) residential streets with striping; the striping is on these streets because they connect to Waterway Boulevard. The intersection that Mr. Johnston refers to is an offset intersection, and, because this street is DOT owned and maintained, to install any type of STOP sign there would require SCDOT approval. Through the striping and offset intersection, SCDOT has made the decision not to add STOP signs; another reason for the existing setup is that the bicycle path comes into Waterway Boulevard at this place. The Chief added that he has not received any complaints in recent history regarding 21st Avenue, but he has, from time to time, received complaints about speeding traffic along 21st Avenue.

Chief Buckhannon commented that 21st Avenue actually benefits from a lower speed limit than the parallel streets because it is posted at 25 mph; streets with no posted speed limit have a speed limit of 30 mph, according to state law.

The Chief remarked that Mr. Johnston has never called him to complain about speeding on 21st Avenue; when such complaints are received, the Chief indicated that he sets up special traffic enforcement.

When asked by Chair Bettelli for suggestions, Chief Buckhannon stated that, since there was one (1) 25 mph sign on the street, possibly SCDOT would add another if it were requested by the City. The Chief then repeated that to pursue any other of Mr. Johnston's requests would require action by SCDOT pursuant to some type of study, and Chief Buckhannon seemed doubtful that SCDOT would do a study at this time.

When asked by Councilmember Loftus about the possibility of a "KIDS AT PLAY" sign, Chief Buckhannon responded that the area does not meet the specifications for such a sign. Residents could put such a sign in their own yards, but the signs could not be in the right-of-way or put out a sign that would look to be controlling or directing traffic according to the Chief.

Chief Buckhannon agreed to pursue additional 25 mph signage through SCDOT and to step up enforcement on the street.

C. Consideration of CTC Project Requests

Assistant Dziuban explained that this was an annual request from the Charleston Transportation Committee (CTC) for projects that fall into any of the following categories: rocking, paving or improving earth roads; road drainage; road signage; striping; improvements to intersections; sidewalks and bike paths. With the deadline of June 18, a letter has been drafted that lists the projects suggested by the Public Works Committee; historically, the Public Works and Public Safety Committees are asked to submit projects for consideration by CTC. In 2009, the City's Number One priority was the 54th to 57th Avenues Drainage Project, and the City was awarded one hundred thousand dollars (\$100,000) toward it. As stated in the draft letter, the City is again seeking funds for the project, but it is referred to as the 52nd to 57th Avenue Drainage Project and explains the expanded scope of the project and progress made toward it. Other projects included are improvements to and expansion of the 21st Avenue handicapped parking area and the paving of Cassina Drive, the earthen road next to Pelican Cleaners. At this time, Assistant Dziuban asked if the members of the Public Safety Committee were in agreement with the draft letter, wanted to add or replace a project or wanted to re-prioritize the projects.

Councilmember Loftus voiced his opinion that opportunity should be used to highlight the serious problem that exists of getting off the island resulting in the urgent need for the Connector to be widened to four (4) lanes to Highway 17. He acknowledged that the project would be in Mount Pleasant, but he thought this would be a forum to heighten awareness to the County of the need since people from all over the County come to Isle of Palms to enjoy the beach. Before concluding his comments, Councilmember Loftus indicated that the serious traffic backups that occur on the weekends are a very real safety issue for the island.

Administrator Tucker suggested that an alternate approach for bringing this issue before the people involved in getting the project accomplished would be to write a letter to be sent to CTC board members, the Mount Pleasant Council, SCDOT officials and, possibly, the membership of the Council of Governments expressing the City's support and need for getting this road widened.

Councilmember Loftus agreed with the Administrator's suggestion and asked that an item be added to the City Council agenda to draft a proposal requesting that the widening of the Connector become a priority for the County.

MOTION: Chair Bettelli moved to support the projects requests as stated in the June 10, 2010 letter to CTC; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.

E. Discussion of Preparations for Disaster in the Gulf of Mexico

Administrator Tucker related that all discussions have been very informal to this point because there is not now, and may never be, an imminent threat to South Carolina's beaches. Despite that situation, public officials need to be ready and prepared to take appropriate action should the oil reach the state's coastline. The Administrator reported that South Carolina DHEC has started taking samples of the Isle of Palms' beach to establish a baseline related to the presence of oil. In addition, conference calls are taking place among response agencies in the area about every three (3) weeks; most of the discussions center on training opportunities to begin to train volunteers about how to react and what to do in case tar balls have to be removed from South Carolina beaches. The Administrator reported that ocean currents are being closely monitored, and the state appears to be safe for the next couple of weeks.

Administrator Tucker stated that her desire has been to attend a preparation meeting involving all emergency manager types and city/town administrators from the coastal communities that could be impacted by such an event with the Coast Guard and South Carolina DHEC; after a conversation today, she expressed optimism that such a meeting would occur. The goal of the meeting would be to discuss the protocols that are in place and what would be done if the worst were to happen, such as where the resources are to collect the materials from the beach, what to put out, how much to put out, who and where the vendors are, what the protocols are for notification, what kind of authority exists, who has to declare that authority, etc. The Administrator is hopeful that a meeting will take place in the next couple of weeks.

F. Award of Contracts in Excess of \$10,000- handled earlier in the meeting

Administrator Tucker respectfully asked to be excused at this time for personal reasons; there was no objection from the Chair.

6. Highlights of Departmental Reports

Fire Department – Chief Graham

As the season gets into full swing, the Fire Department personnel were involved in locating many lost adults and children and in several water missions, assisting both Charleston County and the Coast Guard, during the month of May. The Department received one hundred (100) calls, and thirty-six (36) of them were EMS calls. Thirty-nine (39) violations to the Fire Code were discovered in the twenty-one (21) fire inspections. Chief Graham spent several minutes explaining the problems that have been found on Boat 1, which is a 1988 model; after determining the costs of repair, the decision will be made about repairing or replacing it. Three (3) new part-time firefighters have been hired to assist with the additional coverage over the summer months, and Engineer Eric Bolen was named Fireman of the Year by the Exchange Club. As a result of the grant Captain Tetor got from Lowe's, the Fire Department personnel are actively involved in installing and replacing fire detectors in residences on the island.

MOTION: Chair Bettelli moved to reorder the Agenda to proceed immediately to Miscellaneous Business because he would have to leave momentarily; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.

7. Miscellaneous Business

Chair Bettelli stated that the request for the July 4th Parade was an annual event for residents on the south end of the island; Chair Bettelli referred to it as “a non-impact event.” Chief Buckhannon noted that Police Department vehicles lead and end the parade, as well as direct traffic at the Exchange Club to ensure that participants get safety across Palm Boulevard.

MOTION: Councilmember Loftus moved to approve the July 4th parade request; Chair Bettelli seconded and the motion PASSED UNANIMOUSLY.

Chair Bettelli turned the meeting over to Vice Chair Loftus and respectfully asked for permission to leave; there were no objections.

6. Highlights of Departmental Reports

Police Department

Chief Buckhannon reported on the manner in which detectives had solved a rash of burglaries on the island. Officer Chavez was named Police Officer of the Year by the Exchange Club for work performed last year – much of it on his own time – on golf cart thefts and a burglary involving stolen credit cards. During the month of May, the dispatch received forty-seven hundred one (4,701) calls, of which thirty-one hundred four (3,104) were for the Police Department. Two hundred twenty-eight (228) traffic stops were made that resulted in ninety-two (92) citations being issued. Responding to Councilmember Loftus’ question, the Chief stated that non-traffic tickets were tickets issued for alcohol on the beach. Of the sixty-one (61) arrests during the month, three (3) were for narcotics violations and one (1) was a juvenile. The Livability report indicated that eight (8) citations were issued for noise violations while there were thirty-one actual calls. Chief Buckhannon concluded his report with additional information relative to correspondence from the City Administrator about possible criminal activities taking place on the beach over recent weekends.

7. Miscellaneous Business

NEXT MEETING DATE: 5:30 p.m., Tuesday, July 13, 2010

8. Adjourn

MOTION: Councilmember Bergwerf moved to adjourn the meeting at 7:25 p.m.; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland, City Clerk