

## **PUBLIC SAFETY COMMITTEE**

5:30 p.m., Tuesday, July 13, 2010

The regular meeting of the Public Safety Committee was held at 5:30 p.m., Tuesday, July 13, 2010 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmember Bergwerf and Vice Chair Loftus, City Administrator Tucker, Fire Chief Graham, Police Chief Buckhannon, Assistant to the Administrator Dziuban and City Clerk Copeland. Invited guests present were Bill Tunick of Charleston County, Greg Saylor of Motorola, Kevin Henry of Crown Castle and George Gross of the Isle of Palms Water and Sewer Commission. Chair Bettelli's absence was excused.

1. Vice Chair Loftus 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 Bergwerf moved to approve the minutes of the regular meeting of June 9, 2010 as submitted; Vice Chair Loftus seconded and the motion PASSED UNANIMOUSLY.**

### **3. Citizens' Comments**

Dave Kynoski, General Manager of the Wild Dunes Community Association, stated that he had read the minutes of the May Public Safety meeting and learned that the City was investigating a site in Wild Dunes for the placement of a communications antenna. He, subsequently, spoke with Frank Fredericks of the Wild Dunes Resort, and he was speaking for both groups when he stated that they were alarmed by the thought of a second tower in Wild Dunes. He indicated that the residents had been distressed when the tower that exists was erected within the community. He and Mr. Fredericks wanted the City to know that they did not feel that a tower, as described in the May minutes, would be representative of the residential and resort community of Wild Dunes.

Jim Owens, 2805 Palm Boulevard, was speaking to the Committee in follow-up to emails he has sent to members of Council and City staff. He explained that two (2) abandoned catamarans have been on the beach in the area of the 29<sup>th</sup> Avenue beach access for thirteen (13) years and become embedded in the dunes. He stated that he has witnessed activities at that location that are not representative of the Isle of Palms. He stated that he has communicated with the City Administrator, Mayor and Chair Bettelli, but received no response. In his efforts to get these vessels removed he has learned that the catamarans are not registered with DNR or licensed through the County, but he has learned that the owner is Ray Bowden. From all indications, the catamarans are on private property owned by Collin McNaughton. Mr. Owens has two (2) questions: 1) To whom do the catamarans belong? and 2) What can be done to have them removed from the dunes? He asked the City to pressure the property owner or the catamarans' owner to have them removed. Mr. Owens expressed his hope for a positive response from his appearance before the Committee and thanked the Committee for allowing him to air his grievance.

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

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

Bill Tunick of Charleston County and Greg Saylor of Motorola joined the Committee for the discussion. Mr. Tunick reported that Motorola has two (2) alternatives to offer to the City:

- 1) Reduce the height of a tower at the site of the water tower to one hundred eighty feet (180') or
- 2) Locate a two hundred thirty foot (230') tower at the Recreation Center.

Mr. Tunick stated emphatically that, based on Motorola's engineering solutions, to get the coverage and the quality of service that is required by the first responder community on the Isle of Palms and surrounding areas, no alternative exists but to have a tower on the island. Responding to the requests from the Committee in June, Charleston County and Motorola representatives have looked at alternatives in Mount Pleasant, where there will be three (3) towers under Phase One of the enhancement plan.

Mr. Saylor repeated comments he had made at the June meeting that a tower is not mandatory for the Isle of Palms, but for Motorola to meet the specified performance requirements established by the users' group the tower is needed.

Mr. Tunick stated that the two (2) most important standards to which Mr. Saylor was referring are the following:

- A higher quality audio service, digital audio quality 3.4, meaning rare repetition; the level of service today is 3.0, meaning occasional repetition.
- In-building coverage of 95% in the location of IOP, meaning above residential, medium-sized businesses. (Motorola will guarantee this level of service by in writing and with a bond of an un-determined amount.)

Mr. Saylor reported that Motorola had done extensive studies of interference and noise over the past eighteen (18) months and were designing to the worst case scenarios that these studies presented, which was a noise floor level of 20db – an excessive amount of noise interference coming in from the ocean.

Administrator Tucker asked whether Motorola was now saying that a tower one hundred eighty-foot (180 ft) tall would meet the City's communication needs whatever its location on the island. Mr. Tunick responded that the reduced height would be sufficient if placed at the current water tower site; if the tower were to be located at the Recreation Center, the height of the tower would need to be two hundred thirty-feet (230 ft). Mr. Tunick did, however, agree to have the appropriate queries generated to determine if one hundred eighty feet (180 ft) would be sufficient at the Recreation Center. Mr. Saylor added that he did think that the lower height would fall within Motorola's obligation to Charleston County; he commented, "every time you decrease the overall effective rate in height, you reduce the performance of the system."

The Administrator asked the Chair's permission for George Gross of the IOP Water and Sewer Commission to join the discussion because she had questions related to the water tower and the communications equipment installed on it.

Administrator Ticker thanked Mr. Gross for responding to her request to attend this meeting and asked for confirmation that the current water tower was not necessary for the operation of the Water and Sewer Commission, but did serve as a revenue source due to the communications infrastructure installed on it. Mr. Gross agreed that she was correct, but that the tower also supported its Systems Control Data and Administration (SCDA). Assuming that a communications tower were constructed on the island somewhere, the Administrator posed the question of whether the infrastructure currently on the water tower would be moved to the new communications tower and the related revenue source would be lost to the Water and Sewer Commission and its customers. And, if that were the case, what entity gains the revenue lost by IOP Water and Sewer?

Mr. Tunick related that a meeting had taken place in June with Crown Castle, Charleston County and the IOP Water and Sewer Commission to discuss some type of business arrangement. Mr. Gross stated that no decision had been reached about what the business arrangement would be. Mr. Gross indicated that the cell providers were not held contractually to the tower and could remove their antennae at any time; he commented that the water tower had become a hindrance because now time had to be spent pumping water out of the tower.

The Administrator pursued the issue further by asking if the loss of revenue from the cell providers would negatively impact the Water and Sewer Commission customers. Mr. Gross stated that they spend approximately forty-five thousand dollars (\$45,000) per year on the tower in tank maintenance and receive approximately seventy-five thousand dollars (\$75,000); therefore the Commission gets only about thirty thousand dollars (\$30,000) of revenue. Administrator Tucker summarized that the Commission would have a thirty thousand dollar (\$30,000) loss and would have to contract to have their SCDA system installed on a newly constructed tower.

Mr. Gross remarked that, if the cell providers' infrastructure, not the antennae, remained on the Water and Sewer Commission's property, the Commission would continue to receive revenue from the placements.

By way of reminder, the Administrator inquired about the height of the water tower, and Mr. Gross stated that the tower was one hundred thirty-five feet (135 ft) tall.

Vice Chair Loftus asked if the Water and Sewer Commissions' customers would see an immediate increase in rates if a new tower were constructed; to which Mr. Gross responded that the Commission had a twenty-year (20 yr) plan with built-in rate increases and the thirty thousand dollars (\$30,000) being discussed was not a significant factor.

Mr. Tunick recounted from the meeting with Water and Sewer that, if a new tower were to be constructed at the water tower location, the shelters containing the cell providers' infrastructure would remain to generate revenue for Water and Sewer. Plus the property on which the new

tower was erected would generate revenue, as well as revenue generated from the fact that Charleston County would be a payee through its position at the top of the tower.

Administrator Tucker asked what level of compromise would be seen in the design parameters developed by the user group if the additional tower were constructed in Mount Pleasant as opposed to the Isle of Palms.

Mr. Tunick responded that the placement of a fourth tower in Mount Pleasant had not been considered due to site spacing issues; he indicated that putting a tower in Mount Pleasant would contribute very little to the system. Mr. Saylor stated that those considerations had been made in the preliminary study of the proposed enhancements to the system as a whole.

Vice Chair Loftus stated that he had understood from the May meeting that the Awendaw tower would cover the north end of the island. Mr. Tunick clarified that, when using a simulcast system (all towers are broadcasting at the same frequency), some contribution will come from the Awendaw tower, but the primary contribution would come from the IOP tower; some contribution would also come from the Six Mile tower – the nearest tower provides the strongest signal.

When asked about the coverage radius of each tower, Mr. Saylor responded that the radius varies based upon the height of the tower. Vice Chair Loftus then asked specifically about the Awendaw tower and was told that the Awendaw tower was the tallest tower at six hundred feet (600 ft) in the system. With a tower of this height, the signal is being spread as far as possible, but a strong signal is not received at any site that is not near the tower according to Mr. Tunick; a smaller tower delivers a stronger signal.

The Six Mile tower is to be extended to two hundred eighty feet (280 ft) and the signal should broadcast six to eight miles (6 to 8 mi) for on-street coverage.

Administrator Tucker inquired about whether the City could merit from waiting until the Six Mile improvements were completed to determine the impact on the City's communications. In responding, Mr. Tunick referred again to the criteria to be satisfied that have been established by the user group for the problems that are primarily being experienced by Isle of Palms, Mount Pleasant and Folly Beach. Mr. Tunick said that Charleston County would want a letter from the City stating the City's plan not to install the tower on the island in Phases One and Two and that the City understands that, without a tower, the standards established by the user group may not be met. Mr. Tunick added that Charleston County wanted to solve the problems on the island and that the County and Motorola were confident that a tower on the island would do that.

Mr. Tunick also suggested that Motorola generate the predictions for signal strength on the island with the improved Six Mile and Awendaw towers, lowering the antennae on the Channel 2 tower and not placing a tower on the island. Lowering the antenna on the Channel 2 tower will focus the signal more than broadcast it.

Mr. Tunick pointed out that the structures in Awendaw were significantly different from those on the Isle of Palms and housing density was much less. He stated that a key factor to constructing a tower on the island is to penetrate the hurricane proof structures located here –

the stronger the rooftops the harder it is to get radio frequency inside. Mr. Saylor's added that the noise levels were not as great in Awendaw as they are on the coast. Based on Motorola's studies, the noise levels are greater on the Isle of Palms than anywhere else in the County.

As Vice Chair Loftus questioned why a tower is not planned for the peninsula, Mr. Saylor's commented that the Motorola engineers had spent many hours in configuring the tower constellation; he noted that the engineering team had been very conservative in their design to guarantee that the standards were met. He also brought out that any change to the constellation impacted the entire system.

Vice Chair Loftus indicated that more study was required.

Vice Chair Loftus asked what would happen if, for instance, the Adams Run systems were to be off-line for a week; Mr. Tunick explained that the systems was designed to continue to provide on-street coverage if every other tower were to be down.

Councilwoman Bergwerf asked how it was possible that one hundred eight feet (180 ft) would be acceptable at the water tower site, but two hundred thirty feet (230 ft) would be required at the Recreation Center. Chief Graham that the added height was required at the Recreation Center because of the communications problems at Breach Inlet and to assist the north end of Sullivan's Island.

Chief Graham noted that references had been made to the communication problems in the summer months, but she stated that serious problems also occur during electrical storms, windstorms or when fog rolls in during the fall and winter or on hazy days.

Vice Chair Loftus thanked Mr. Tunick and Mr. Saylor's for their continuing efforts to help the City resolve its dilemma.

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

Administrator Tucker reported that items still remain on the punch list. The issue of greatest concern remains the moisture problem. The Administrator related that a meeting had taken place on this matter with representatives from Mashburn, the mechanical engineering firm, air conditioning and HVAC installation and the equipment manufacturer; the City staff were present to listen to the discussion on how the problems were going to be resolved. According to the Administrator's understanding, the solutions were to seal certain areas from the standpoint of construction and to make modifications to the HVAC system. At this time, the problems are being monitored and reported; the City will likely bring Cole+Russell in one (1) more time to meet regarding the remaining items on the punch list and the progress being made on the moisture intrusion. Administrator Tucker expressed her opinion that the contractors have gotten more aggressive in the past couple of weeks in trying to get to the cause and resolving the moisture problems.

Vice Chair Loftus asked whether the moisture problems were a combination of condensation from the HVAC and moisture from the outside. Administrator Tucker said that, at one time, a problem of rain had occurred, but it has been corrected; the problem today is condensation.

Chief Graham commented that outside air was getting into the building through some cracks and there was also the possibility that the equipment had not been set exactly right. The question has been which was the more significant factor and what had to be done to eliminate it. The cracks have all been sealed and the AC units have been reset to very exacting standards on both the second and third floors with no deviation; monitors have been set up at various points in the building to determine what time of day these variations are occurring. The Chief reported that conditions have gradually improved on the second floor over the past week, but today problems had occurred. Chief Graham explained that, previously, the air conditioning would go into an "unoccupied" mode between the hours of 6 pm and 7 am; presently the system is set to a consistent temperature and set not react to an "unoccupied" condition.

**C. Discussion of Expected Improvement to Rifle Range Road and the IOP Connector**

Assistant Dziuban reported that she had attended a pre-bid conference at Charleston County for transportation sales tax programs that have been awarded for this year; included for the Town of Mount Pleasant was funding for a traffic study and design for improvements to the Rifle Range Road and Isle of Palms Connector intersection. A rough drawing of the improvements proposed by Mount Pleasant to the Transportation Committee was included in meeting packets that illustrates the addition of turning lanes that would provide four (4) lanes of through traffic from Hungry Neck Boulevard to Riviera Drive, the entrance to the shopping area.

Assistant Dziuban stated that conversations with Dickie Schweers, Charleston County Council, and SCDOT have occurred regarding the City's desire to add a barrier to the Connector bridge similar to the one (1) on the Ravenel Bridge to protect bikers and pedestrians.

The Assistant referenced the Committee's, and, indeed, City Council's, desire to see the Connector widened to four (4) lanes of through traffic from the foot of the bridge on the Mount Pleasant side to Highway 17 and the fact that this road section is not in the City's jurisdiction. Although design is being funded by the Transportation Committee, the details of the work have not been solidified; pursuant to action of Council, the staff has drafted a letter the entities involved in decision-making explaining the desires of the City and the safety concerns behind the request.

Vice Chair Loftus commented that the proposed design would not solve the problem; he stated that having one (1) lane of traffic coming onto the island would be fine, but that two (2) lanes of through traffic were necessary for traffic departing the island.

**5. New Business**

**A. Discussion of 25 mph Speed Limit on all Unmarked Streets**

Administrator Tucker noted that the subject of lowering the speed limit on all City streets has been discussed before, as is indicated by the letter to the City from SCDOT. The Administrator added that the previous request did not get full support from the community.

Chief Buckhannon confirmed the Administrator's statements because comments from interested citizens were that lowering the speed limit was not the solution to any speeding problems. The Chief recalled conversations with SCDOT when they agreed to take individual streets under consideration; SCDOT believes that enforcement is the key issue. Secondly, SCDOT contends that the motoring public would be confused by a blanket lowering of the speed limit on the island when state law states that the speed limit on un-posted streets is 30 mph.

When the Chief initially approached SCDOT about an island-wide lowering of the speed limit to 25 mph, he had hoped to put signs at Breach Inlet and at the foot of the Connector stating ISLAND-WIDE SPEED LIMIT 25 MPH UNLESS POSTED OTHERWISE; he indicated that he had seen such signs in other communities in North and South Carolina. SCDOT prefers that a street be identified as a problem with documentation on the amount of time spent and tickets written before they take any action to permanently lower the speed limit.

## **B. Discussion of Increasing Golf Cart Parking Areas**

Vice Chair Loftus stated that he had asked that this item be placed on the Agenda because, in his opinion, there is sufficient golf cart traffic on the island to warrant additional golf cart parking. A related problem, in Vice Chair Loftus' opinion, was the landscaping and other impediments to parking that have been installed by some property owners between 41<sup>st</sup> and 57<sup>th</sup> to restrict or eliminate parking in the right-of-way. He was seeking input from the Committee and public safety officials on how this could be accomplished.

Chief Buckhannon stated that golf cart parking is allowed anywhere that automobile parking is allowed, but that additional spaces were established at 25<sup>th</sup> Avenue because the beach access path there is wide enough to accommodate golf carts and allow an emergency vehicle access to the beach.

According to Chief Buckhannon, golf carts have the advantage on the north end of the island at the end streets because they are small enough to pull between the impediments where an automobile would not fit.

Councilmember Bergwerf stated that the problem is that people have landscaped into the right-of-way to prevent any type of parking, not just golf carts. As for the end caps on the north end of the island, Chief Buckhannon commented to the fact that many are overgrown with grass, not additional landscaping. If cut back, the areas would allow for a vehicle to make a legal three-point (3 point) turn; if dedicated golf cart parking were to be put on these end caps, there would not be room for cars to make the legal three-point (3 point) turn to exit.

Administrator Tucker stated that one (1) complication with the removal of obstructions in the right-of-way is the City would be required to remove all obstructions from all right-of-way on the entire island. The Administrator also expressed the opinion that the City could not specify golf cart parking only in SCDOT owned rights-of-way.

Councilmember Bergwerf stated that this appeared to be one (1) of those problems without a good solution.

**C. Award of Contracts in Excess of \$10,000**

- 1. Award of a Contract to Jones Ford in the amount of \$25,140 (state contract pricing) for one (1) budgeted Ford F150 truck.**

Administrator Tucker noted that each of the items in this section of the agenda were in the FY11 budget and were for the Fire Department.

**MOTION: Councilmember Bergwerf moved to recommend to Ways and Means the award of a contract to Jones Ford in the amount of \$25,140 for one (1) budgeted Ford F150 truck for the Fire Department; Vice Chair Loftus seconded and the motion PASSED UNANIMOUSLY.**

- 2. Award of a Contract to Nafeco in the amount of \$11,456.63 for one (1) Budgeted Thermal Imaging Camera with Accessories.**

Administrator Tucker stated that this item was budgeted at ten thousand five hundred dollars (\$10,500) and, as quoted, is slightly over the budgeted amount.

Vice Chair Loftus asked that Chief Graham go back to the supplier in an attempt to get free shipping to bring the cost closer to the amount originally budgeted.

Chief Graham stated that, with the purchase, the Department would have three (3) new thermal imaging cameras and one (1) old camera.

**MOTION: Councilmember Bergwerf moved to recommend to Ways and Means the award of a contract to Nafeco in the amount of \$11,456.63 for one (1) budgeted thermal imaging camera for the Fire Department; Vice Chair Loftus seconded and the motion PASSED UNANIMOUSLY.**

- 3. Award of a Contract to Zambelli in the amount of \$25,000 for July 4<sup>th</sup> 2011 fireworks display.**

Administrator Tucker stated that the City tries to contract with Zambelli early to get a five percent (5%) discount in price.

**MOTION: Councilmember Bergwerf moved to recommend to Ways and Means the award of a contract to Zambelli as a sole source in the amount of \$25,000 for the July 4, 2011 fireworks display; Vice Chair Loftus seconded.**

Councilmember Bergwerf asked if the pricing the City receives from Zambelli is competitive; in response, Chief Graham stated that to go through the bidding process for this activity would be nearly impossible because of the safety factor. She explained that the setup for the fireworks show is very intense, and, over the years, the Zambelli staff has developed a system for their work at the Isle of Palms that would be difficult to duplicate, i.e. Zambelli has earned the Chief's complete trust over the years they have been providing the fireworks display.



Vice Chair Loftus complimented the Administrator and Chief Graham on this year's display; he stated that he had guests who had never seen the City's display and who were very impressed that a City the size of the Isle of Palms could have such a production.

Chief Graham related that Zambelli had contacted her stating that they were anticipating a price increase, but would guarantee the price of twenty-five thousand dollars (\$25,000) per year for three (3) years if the City would enter into a three-year (3 yr) contract with them this year, but, if the funds were not available for any year, the City would be released from the contract.

Administrator Tucker stated that, with the insertion of the out-clause in the contract, she did not see a problem for the City

**AMENDMENT: Councilmember Bergwerf moved to amend the original motion to award Zambelli a contract for the City's July 4<sup>th</sup> fireworks displays in 2011 through 2013 at a guaranteed price of \$25,000 per year contingent upon City funding being available for each of those years; Vice Chair Loftus seconded and the amendment PASSED UNANIMOUSLY.**

**VOTE on the Original Motion: The motion PASSED UNANIMOUSLY.**

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

### Fire Department

Chief Graham stated that the response to the letters to Goat Island residents had been very positive. During the month of June, the Department responded to one hundred seventeen (117) calls; seventy-eight (78) of those calls were from non-residents. Due to a personnel change, no fire inspections were performed. Presently the City has thirteen (13) volunteer firefighters. With the beginning of the tourist season, many hours were spent locating lost children and adults.

### Police Department

In the month of June, Chief Buckhannon reported that a total of four thousand five hundred forty-three calls (4,543) were received; of that total, three thousand two hundred forty-six (3,246) were for the Police Department. The Chief stated that two hundred sixty-two (262) traffic stops had been made during the month and one hundred twenty-six (126) of those stops resulted in tickets being issued. The Chief complimented the detectives on the "remarkable success" they have had in recovering stolen items or identifying the damaged items and working with the victims to make them whole again. Again, the greatest percentage of the seventy-nine (79) arrests were liquor law violations. Twenty-one (21) noise complaints were received in the month of June, and four (4) citations were written.

## **7. Miscellaneous Business**

Administrator Tucker stated that both she and the Mayor had received notification from East Cooper Community Outreach of a bike ride, ECCO Bridge Ride, on Saturday, September 11, 2010 involving approximately five hundred (500) riders. The ride will have a rolling start at

sunrise from Mount Pleasant Waterfront Park; the riders will come onto the island from Sullivan's Island and travel along Palm Boulevard to exit via the Connector.

Vice Chair Loftus inquired whether Chief Buckhannon he thought the event would need assistance from the Police Department. Chief Buckhannon said he could not make that determination without speaking with the event organizers; he agreed to contact them.

Administrator Tucker commented that letter from ECCO was more for awareness of the event rather than any type of request for permission. The Administrator expressed her support for the event and the organization behind it, but she would like for "the City to adhere to its position of 'x' number of events that we (the City) have public safety personnel to support on this island and these are the events and we (the City), basically, decline." She added that the City could very well have an event every day, and she recounted how the City had established a list of approved events because it was receiving more requests that it could support.

When Councilmember Bergwerf asked whether the City could prevent this group from crossing the island, Administrator Tucker responded that she thought not since the riders would be on SCDOT roads. On the other hand, the Administrator said the group might re-think their position if the City were forced to use its resources and billed the backers for that expense.

Discussion moved the catamarans abandoned on the beach for thirteen (13) years, and Councilmember Bergwerf expressed skepticism that they could not deemed litter on the beach and be removed on that basis.

Administrator Tucker commented that, when Mr. Owens stated that he received no response, he was indicating that the catamarans have not been removed; the City has been behind the scenes trying to get resolution – she has been on the beach and made photographs; other members of staff have looked into the issues; the Livability Officer has been to the site on several occasions. The fact that the vessels are catamarans means that they do not have to be registered with DNR or pay property taxes to Charleston County. Based on the information she has gathered, the City is reliant upon the goodwill of the property owner and the owner of the catamarans to move them; they have both been notified of the activities occurring around the vessels on the beach, of the complaints that the City has received and that they should act to remove the catamarans from the beach.

Responding to Councilmember Bergwerf's questions, the Administrator recounted the story of how the catamarans came to be on the beach originally. Administrator Tucker added that, at this time, she understands that the parties involved may have had less than productive exchanges. Neither party is breaking any laws and neither party has chosen to act.

Members of the Committee made various suggestions about possible ways to get the catamarans legally removed from the beach. The Administrator suggested having the City's attorney craft a letter to the parties involved hoping that it might prompt action.

**Next Meeting Date: 5:30 p.m., Tuesday, August 10, 2010**

**8. Adjourn**

**MOTION: Councilmember Bergwerf moved to adjourn the meeting at 7:35 p.m.; Vice Chair Loftus seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk