

**PUBLIC SAFETY COMMITTEE**  
5:30 p.m., Tuesday, January 11, 2011

The regular meeting of the Public Safety Committee was held at 5:30 p.m., Tuesday, January 11, 2011 in the Public Safety Building, 30 J.C. Long Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf, Bettelli and Loftus, City Administrator Tucker, Fire Chief Graham, Police Chief Buckhannon, Assistant to the Administrator Dziuban and City Clerk Copeland. Ken Ayoub, Recreation Director for Mount Pleasant, was present as an invited guest. A quorum was present to conduct business.

1. Past 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**

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

**MOTION: Past Chair Bettelli moved to amend the Agenda to include the election of Chair and Vice-Chair; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.**

Councilmember Loftus nominated Councilmember Bettelli to serve as Chair of the Public Safety Committee for the year 2011; Councilmember Bergwerf seconded and the Committee voted in support of Councilmember Bettelli.

Councilmember Bergwerf nominated Councilmember Loftus for the position of Vice-Chair; Chair Bettelli seconded and the Committee voted in support of Councilmember Loftus.

**MOTION: Chair Bettelli moved to reorder the Agenda to discuss the first item of New Business, the 2011 East Cooper Triathlon, at this time; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

5. **New Business**

A. **Discussion of 2011 East Cooper Triathlon**

Administrator Tucker introduced Ken Ayoub, the Mount Pleasant Recreation Director, who was present to answer any questions the Committee might have regarding the triathlon. The Administrator began her comments by expressing the City's condolences to the City of Mount Pleasant over the death of Mayor Harry Hallman.

Administrator Tucker commented that Mr. Ayoub had attended the Recreation Committee on Tuesday where the 2011 East Cooper Triathlon was discussed. The Administrator stated that, initially, the idea of an East Cooper triathlon had seemed to be a good idea for the East Cooper area with a limited number of participants and an event that brought the three (3) East Cooper communities together, but, as time has passed, the event has gotten larger and larger with more

and more responsibility falling to the City of Isle of Palms because the bulk of activities occur on the Isle of Palms. In the past couple of years as described in the After-action Reports prepared by the Police Department, circumstances have made the event unsafe for participants, thereby, opening up the City to increased liability. In addition, the City's resources are taxed to the limit.

Administrator Tucker noted that the triathlon is on the list of City-sponsored events, which the Mayor has asked Councilmembers to review. Based on whether a recommendation related to this event comes from the Public Safety Committee, the event could stay on or be removed from the list of City-approved events.

For the past several years, the City has appealed to race director Paul King to direct the participants to do certain things, i.e. bike in the breakdown lane on the Connector, because the Connector is open to vehicular traffic during the event. Either the participants have chosen to ignore these instructions or the instructions were not given to them, because the bikers continued to bike in traffic lanes of the Connector putting themselves and vehicular traffic in danger. In the course of the race, bikers have been approached by members of the Police Department and instructed to get into the breakdown lane; the bikers have not complied.

In the City Administrator's opinion, the race route needs to be changed to take much of the burden off of the City of Isle of Palms or the City needs to consider withdrawing from the event entirely. In this vein, Administrator Tucker related a conversation with Andy Benke of Sullivan's Island who stated that Sullivan's Island was not in a position to handle any additional race activities should the route be changed.

In an effort to provide a safe environment for the race, all police personnel work the event except for the three (3) officers who were on duty the night before, and the Fire Department is also heavily involved. Despite these efforts, Administrator Tucker, Chief Buckhannon and Lieutenant Wright do not believe the event is a safe one for the participants.

Mr. Ayoub stated that he has spoken with Paul King regarding alterations to the route, but Mount Pleasant does not think that they can devise a reasonable alternate route that would accommodate the distance involved in the bike and running segments of the race. He referred to the fact that the event had originally been planned for five (5) years, and the sixth race in 2010 was very successful based on the number of participants.

Councilmember Bergwerf described the event as "a quagmire" as participants leave the water at varying times to clog the roads with bikes, and then to clog them again as they run the same route they biked – all frequently occurring when the island is heavily populated with tourists in town for activities that do not take place on the island. She added that City resources are taxed too much to accommodate a for-profit event.

Chief Buckhannon noted that the event did not begin as a very competitive race, but has turned into a more intense race in the past couple of years, and the race mindset has generated the unsafe conditions that are recounted in the After-Action reports. The Chief is of the opinion that the only safe way to continue the event in the same manner that it has occurred in the past is to close 14<sup>th</sup> Avenue and the Connector during the race, but, due to the time of year that the triathlon takes place,

those road closures are not feasible. He commented that, as the race exists now, it is too dangerous; he noted that he has witnessed several “near miss” accidents and anticipates more problems in the event’s present format.

Councilmember Loftus asked if the race director had been notified of the Committee’s meeting to discuss the event. Administrator Tucker responded that she had not had contact with Mr. King and she had not contacted him purposefully; the Administrator recounted that, in the past, he has promised changes based on requests from the City, but had not carried through with them. The Administrator explained that, in her opinion, including Mr. King in the discussion would garner more promises from him that, based on past actions, would be broken on race day.

Councilmember Loftus then asked if the City had received complaints from residents about the triathlon. While the Administrator reported that she had not received any complaints, Chief Buckhannon said that he always received complaints from residents when traffic flow is impeded in any way.

When queried, Chief Graham stated that she agreed with Chief Buckhannon and City Administrator that the race was unsafe without the aforementioned road closures on the island.

Chair Bettelli indicated that the community had been excited about the triathlon when it began six (6) years ago, but, having read the After-Action Reports, he agreed that the event had become totally unmanageable due to the lack of compliance on the part of the race director.

**MOTION: Chair Bettelli moved for the Public Safety Committee not to approve the 2011 East Cooper Triathlon; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.**

**3. Citizens’ Comments – None**

**4. Old Business**

**A. Update on Public Safety Building**

Chief Graham stated that Sonitrol had come to the building to determine the source of the alarms that are repeatedly going off; a smoke detector in the elevator shaft was found to be defective and was replaced by a new model. In an effort to ward off similar problems with the second smoke detector in the shaft, it, too, was replaced by the newer model.

A meeting is scheduled for Wednesday, January 12, 2011 regarding the air conditioning problems, and all involved parties are expected to attend. Chief Graham expressed hope that a determination would be made whether the “fix” that has been put in place is the real solution to the problems. Time will, also, be spent ensuring that the wiring and programming are correct.

The Fire Department has also been experiencing plumbing issues that were traced to a construction default; it has been handled.

## **B. Consideration of Amendment to the City's Alarm Ordinance**

At the November meeting Chief Graham reported on problems the Department has been experiencing when false alarms occur and the owner/property manager cannot be located or refuses to come to the location to re-set the alarm. Fire Inspector Jeff Anderson distributed information he had gathered on the fines imposed by other municipalities for false alarms; most of the local governments referenced do not charge for false alarms until the fourth occurrence in one (1) calendar year, which mimics the City's code. Only one (1) of the municipalities referenced imposes a fine when the owner/property manager is unreachable or refuses to come.

In addition, Inspector Anderson had copies of the City codes for the municipalities he had referenced for false alarm fines as a basis for changes to the code for the Isle of Palms.

The Inspector commented that only Beaufort, South Carolina has a separate fine for the failure of the owner/property manager to respond to a false alarm.

Inspector Anderson stated that false alarms create complacency in a Fire Department which can be dangerous.

Chair Bettelli suggested that each Committee member review the ordinances provided by Inspector Anderson to be prepared for discussion at the February meeting.

Councilmember Bergwerf asked if the City imposed fines, and Chief Graham explained that a fine is imposed on the fourth false alarm in a calendar year. Chief Buckhannon stated that the fourth, fifth and sixth false alarms each carry a fifty dollar (\$50) fine; any additional false alarms in a calendar year warrant a one hundred dollar (\$100) fine.

Chair Bettelli confirmed with Chief Graham that the Police Department was to be notified when a burglar/fire alarm is installed in a residence on the island; Chief Buckhannon commented that each alarm is to be registered with the City and that the installing companies were aware of this requirement by the City and notify the homeowner of it.

Councilmember Loftus expressed concern that a homeowner might have a very high-tech system that malfunctions, generating a false alarm, and could require more than one service call from the installer to repair; he did not want the homeowner to be fined for multiple false alarms while that repair work was occurring. Chief Graham and Inspector Anderson assured the Councilmember that language was included in the ordinances that would preclude that situation.

Councilmember Loftus asked Chief Graham whether she was comfortable with leaving the number of allowed false alarms at three (3); she responded that three (3) was a reasonable number in a year. The Chief added that the goal of the Fire Department was not to punish the homeowner, but to get the problem solved leaving the homeowner with a working and reliable fire alarm as quickly as possible and to reduce the amount of time Fire Department personnel are babysitting a false alarm situation.

Chief Buckhannon reported that he has seen three (3) no-charge false alarms to be the norm; he added that both Charleston County and the City of Charleston were going to be using three (3) as their base as well.

Administrator Tucker stated that the Committee needs a recommendation at the February meeting from the two (2) Chiefs concerning the ordinance changes they think would be ideal from among those presented. In addition, the Administrator remarked that, from the information offered, the most important issue was when the owner/property manager did not respond when contacted, which could be a separate fine from the false alarm itself; Administrator Tucker noted that the City needed information about a backup contact should the initial contact be away or otherwise unable to respond.

Chair Bettelli indicated that the Committee members would review the materials provided, but asked that the Chiefs return to the February meeting with a recommendation.

Administrator Tucker suggested that the balance of Council would want to see quantitative information covering a twelve (12) month period detailing the number of instances where personnel have been tied up multiple times for false alarms and extended periods of time for failure of responsible parties to respond to the location.

**C. Consideration of Amendment to the City's Short-term Rental Business License Application**

Like the previous item, a change to the short-term rental license application to add requirements for working smoke detectors in all sleeping areas and all areas of egress and an indication of an emergency contact. Chief Graham reported that Inspector Anderson has contacted the eighteen hundred (1,800) licensed short term rental properties to get emergency contact information; notebooks containing this contact information are on each ladder truck and each engine truck. The Chief stated that Director Kerr agrees that the new information should be added to the license application.

Chair Bettelli again asked for a recommendation at the February meeting.

Councilmember Bergwerf asked whether a requirement for smoke detectors in residential structures existed in the City's Code. Chief Graham responded that the requirement is in the state code, but the requirement is not included in the short-term rental ordinances.

Chief Graham informed the Committee that the smoke detector alerted the residents at 622 Ocean Boulevard to the fire on Sunday night where a baby was sleeping on the third floor.

Councilmember Bergwerf expressed the opinion that smoke detectors should be mandatory and functioning properly and that rental units without a smoke detector should be fined.

**5. New Business**

**A.** Discussed earlier in the meeting.

## **B. Discussion of EMS Response Time**

Chief Graham related conversations she has had with several Charleston County supervisors who had told her that some internal changes had been made that reduced the number of ambulances on the road for a period of time. The Chief has been told that the number has returned to an appropriate level and the call level has been reduced with the end of tourist season; therefore, Chief Graham is anticipating the response time to improve. In the meantime, the City is utilizing Mount Pleasant when necessary.

Councilmember Loftus asked whether the City could maintain a procedure for tracking the EMS response time; without proper supporting information, the City would have no leverage in demanding improvements, if needed. Chair Bettelli suggested that Charleston County might be able to provide the information and use it to validate the times gathered by the City.

Administrator Tucker commented that at times she has been involved in situations when the City is waiting for Charleston County EMS; the Administrator stated that, when waiting, the minutes seem to pass more like hours. The Administrator explained that, although an EMS station is just across the Connector, if that crew is responding to a call, the crew responding to the Isle of Palms may come from a station in Awendaw or near the Ravenel Bridge. Another factor that plays into response time is the seriousness of the problem; if an EMS unit receives two (2) calls at or near the same time, they will respond to the most serious problem first, leaving the second call to be answered by the next available unit that could come from the City of Charleston. The Administrator recounted a situation where she was told that the response time had been an hour when, in reality, the response time had been twenty-two (22) minutes. In this circumstance, EMS knew that the call did not present a life-or-death issue.

Administrator Tucker noted that Mount Pleasant has several paramedics in their Fire Department crews; should the City's first responders learn that they are facing a significant delay from Charleston County, they contact Mount Pleasant Fire Department to request a paramedic to the site.

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

### **Award of Contract to Martel in the amount of \$10,154 for 3 in-car video cameras included in FY11 Budget**

Between the time meeting agenda was posted and the meeting itself, Lieutenant Wright negotiated a lower price from the vendor so that this contract is less than ten thousand dollars (\$10,000); therefore, no action is required from the Committee.

Chair Bettelli noted that these cameras are digital ones replacing the cameras that require VCR tapes that have become very difficult to obtain; Chief Buckhannon indicated that these cameras will be installed in the new patrol cars.

## 6. Highlights of Departmental Reports

### Fire Department – Chief Graham

Chief Graham reported that the Fire Department had responded to two (2) possible fires on the island during the month of December; both were minor, and the problems were abated until the owner could arrange for repairs. In December, the Department received fifty-one (51) calls; of that number, twenty-three (23) were EMS calls. Fourteen (14) fire inspections performed in the month, and five (5) violations were found. No significant vehicle maintenance was required during the month. Chief Graham met with representatives from the Charleston County Radio Shop, Wild Dunes, Crown Castle, Oasis Consulting and the IOP Water and Sewer at the 41<sup>st</sup> Avenue radio tower site to investigate the possibility of raising that tower to meet the City's digital radio communication needs as opposed to constructing a second tower on the island.

### Police Department – Chief Buckhannon

Chief Buckhannon recounted the following scenario that unfolded on December 29:

An officer on patrol noticed a vehicle with an open door located on Beachside Drive, stopped to investigate and encountered a male subject who incoherently responded to questioning. When the man entered the residence to retrieve the rental lease, the officer noticed that the residence was in complete disarray, leading the officer to suspect that a struggle had taken place. After entering the residence, the officer contacted the owner who said he had leased the property only hours earlier and that the property had been "in pristine condition." Estimated damage to the residence was thirty-five thousand dollars (\$35,000), and the suspect admitted that he was responsible; therefore, the officer arrested the man, charged him with Malicious Damage to Real Property and Petit Larceny, transported him to the Detention Center and impounded his vehicle.

After bonding out of jail and retrieving his vehicle, this gentleman intentionally struck vehicles head-on in Mount Pleasant, revved up the engine and backed into another vehicle at the intersection of US17 and Long Point Road. The City's Police Department was notified that the suspect was returning to the island and happened to be following an IOP police officer; the officer got behind the suspect's vehicle, stopped it and detained the suspect for the Mount Pleasant Police. The suspect was then charged with two (2) counts of Assault and Battery 1<sup>st</sup> Degree after stating that he was "trying to rid the world of sinners."

In December, a total of thirty-six hundred thirty-seven (3,637) calls were processed by the City's telecommunicators; of that total, twenty-two hundred thirty-seven (2,237) were for the Police Department. On December 10, Patrol Officers Nelson and Quinn graduated from the Criminal Justice Academy; according to the Chief, these officers will be half way through their field training cycle by the end of the month and on their own by the first of March. A third newly hired officer, who is certified in another state, is in his last week at the Academy and will join Officers Quinn and Nelson on patrol around March 1<sup>st</sup>. From the two hundred thirty-eight (238) traffic stops made in December, sixty-two (62) tickets were issued. One fireworks complaint and ten (10) noise ordinance complaints were received that resulted in four (4) citations.

Councilmember Loftus stated that he was uneasy about this year's layout for the tree lighting because the two (2) jump castles were in areas with very poor lighting; he questioned Chief Buckhannon that the arrangement presented safety concerns. The Chief responded that his department was not involved in the logistics of the tree lighting; therefore, he was hesitant to respond.

Administrator Tucker stated that she and Recreation Director Page struggle every year with the layout for the tree lighting because the space is difficult to work with; the optimum site for all of the activities is where the Christmas tree is located. One way to solve the issue raised by Councilmember Loftus is to bring in additional lighting for the event, and, in the meanwhile, Director Page and the Administrator will continue to re-work the layout to have the event function cohesively and ensure the safety of all who attend.

Councilmember Loftus suggested that the roads be closed earlier to arrange for a better layout or to return the event back to the Recreation Center.

Chief Buckhannon said that the City could close the streets as it needs to do so; this year the street was closed at about 2 p.m.

Chair Bettelli thought the rental of lights was a suggestion worthy of consideration in the future.

**7. Executive Session – Not needed**

**8. Miscellaneous Business**

Chair Bettelli reminded the members of the Committee that capital budgets would be on the agenda for the February meeting.

Administrator Tucker wanted to take the opportunity to commend the Fire Department for their efforts at 622 Ocean Boulevard, Sunday, January 9 under very challenging conditions – on one side of the house were unstable soils and a beach access path and on the other side the actual dunes and a fire on what could be considered the fourth floor of the residence. The Administrator stated that she was especially impressed to see the training kick into action, to see the Police Department take their appropriate role, as well as the other responding agencies as they appeared on the scene and began to take the job assignments from the incident commander. Other agencies that responded to the scene were fire departments from Sullivan's Island and Mount Pleasant; North Charleston Fire Department was on-scene; Awendaw Fire Department covered the IOP fire station and Charleston County was present to provide warmth to the firefighters when relieved. The Administrator commented that she was pleased to see how the training was paying off and indicated to Chief Graham that she thought the Department "had done a fine job . . . under very challenging circumstances."

**Next Meeting Date: 5:30 p.m., Tuesday, February 8, 2011.**



**9. Adjourn**

**MOTION: Councilmember Bergwerf moved to adjourn the meeting at 6:33 p.m.; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk