

PUBLIC SAFETY COMMITTEE

5:30 p.m., Monday, November 12, 2007
Isle of Palms, South Carolina

The regular meeting of the Public Safety Committee was held at 5:30 p.m. on Monday, November 12, 2007 in City Council Chambers, 1207 Palm Boulevard, Isle of Palms, South Carolina. Present were Chairman Marino, Councilman Buckhannon, Mayor Sottile, Fire Chief Graham, Police Chief Buckhannon, City Administrator Tucker, Assistant to the Administrator Dziuban and City Clerk Copeland.

1. **Call to Order.** Councilman Marino called the meeting to order and stated that the press and the public had been duly notified of the meeting in accordance with the Freedom of Information Act.

2. **Approval of the Previous Meeting's Minutes.**

MOTION: Councilman Buckhannon moved to approve the minutes of the October 11, 2007 meeting as submitted; Mayor Sottile seconded and the motion PASSED UNANIMOUSLY.

3. **Citizens' Comments.** None.

Mrs. Holly Covington, 807 Ocean Boulevard, stated that she had come to speak to the Committee tonight because her son beckoned her home saying there were two strange men in their home and he thought they might be policemen. When she arrived, she asked if someone had broken in or if something had happened to her husband. The officers told her that they were there because her front door was unlocked and there were newspapers, which had gathered in front of her house. She said there were two, maybe 3 papers there; she stated that, when her husband is out of town – as he is now – she is not particular about getting the newspapers. She continued by stating that her concern, as a citizen, is that there were two (2) policemen in her home because her front door was unlocked – at what point is it okay for policemen to just enter one's home without " 'existential circumstances'? I just don't think newspapers out front or an unlocked door would warrant anyone coming in your home without there being some kind of special circumstances. . . . After this happened to us on Friday, I talked to several other people, one of which, strangely enough – my family, Jennifer McElveen, they live in Mt. Pleasant, but they had a house fire so they had to rent a house on front beach on Palm Boulevard for six (6) months last winter. . . . It happened to us when we lived on Isle of Palms that we came home and there was a note inside our kitchen and obviously a policeman had been inside. The note said that we could have been a victim of a crime; they felt the note could have been left on the front door, just as I thought it could have been. I don't think an unlocked front door warrants somebody walking all the way through your house, and I have heard of another instance on Forest Trail when a couple went for a walk and left the garage door open. I am here tonight to make you aware of this."

Councilman Marino asked Mrs. Covington if the officers had gone upstairs in her home; she responded that, according to her, son they had.

Councilman Marino stated that the Committee would discuss the issue under the heading *Miscellaneous* since there appears to be a need for policies and procedures.

Councilman Marino chose to move New Business before Old Business as there were guests in attendance to discuss the Charleston County Consolidated Dispatch.

5. New Business

Contractual Agreement with Charleston County for Consolidated Dispatch

Guests present were Chief Harry Sewell of Mount Pleasant and Lori Lambert of Charleston County. Administrator Tucker reminded the Committee that the City had paid for a portion of a study to look at the future of consolidated dispatch for the Charleston area. Included in the meeting packets is a copy of the Intergovernmental Agreement, which Ms. Lambert would like the Committee to recommend to Council that the City enter into this agreement. Ms. Lambert reviewed the findings of the study, which were highlighted in the handout dated October 23, 2007. The earliest date that the consolidated dispatch center will be operational is 2012; Charleston County plans to employ the dispatchers from the individual municipalities to man the new facility. The only increased expense the City will incur is for the overtime when the City's dispatchers are being trained for their new positions. Charleston County wants to have all of the agreements signed by the end of 2007. Mayor Sottile did state that, since the Isle of Palms dispatches for Sullivan's Island and the National Park Service, as well. The Isle of Palms definitely needs a seat on the Consolidated Dispatch Board; Administrator Tucker suggested that an Islands seat, representing Isle of Palms, Sullivan's Island and Folly Beach, with rotating person may be an alternative. Chief Harry Sewell stated that the primary goal of the consolidated dispatch is efficiency; there will be no more dropped calls. He assured the Mayor and the Committee that he would take the request for Isle of Palms representation to the Dispatch Committee for consideration.

MOTION: Mayor Sottile moved that the Public Safety Committee refer the Intergovernmental Agreement with Charleston County for Consolidated 9-1-1 Center to the full City Council for approval; Council Buckhannon seconded and the motion PASSED UNANIMOUSLY.

4. Old Business:

A. Intersection at 41st and Palm – Update

Administrator Tucker introduced Michael Snyder and Peter M. Valiquette of Charleston County Roadwise and Daniel Moses of LPA Group; they were attending the meeting to

be additional resources to the road studies they produced which were distributed at the last meeting. The Administrator recounted that the Committee had been in agreement that they wanted to pursue a roundabout for 41st and Palm, but, since they had never done it before, wanted additional advice and guidance on what the next step is. Mr. Moses presented a larger drawing of the intersection with the roundabout set in. Mayor Sottile was concerned that the roundabout would accommodate tractor-trailers and the acquisition of private property. The design radius to accommodate emergency vehicles and eighteen-wheelers will be validated in the next step of the process. The consultants stated that there would be some improvement in traffic flow with the roundabout and that DOT has no objection with a roundabout at this location.

When asked about the cost, the consultants stated that typically the cost is half a million dollars (\$500,000) which includes the right of way and above ground utilities. To project the cost out over time, there is an increase of approximately 5% per year, and to go with underground utilities substantially increases the cost.

Mr. Moses informed the Committee that Charleston County has an allocation program with four (4) categories, i.e. Intersection and Improvement Program with an annual allocation of \$2 million per year, Drainage Program with an annual allocation of \$1 million per year, Local Paving Program with an annual allocation of \$1 million per year, and Bicycle/Pedestrian Program with an annual allocation of \$500,000 per year. He suggested that the roundabout become a multi-year project using various programs to pay for phasing of the project over three to four years.

Councilman Buckhannon suggested that the City might have to impose an impact fee as a part of the construction fee on the Villages to finance this project.

Councilman Marino stated that his opinion is that this project must be put on the fast track; therefore, he wanted to know what the next step was. Mr. Valiquette replied that the City needed to get the funding to proceed; once the funding were in place, then the next step would be preliminary engineering and design. Assuming the funding could be obtained through Charleston County, the Roadwise Program has all of the resources at hand to proceed with the project. According to the consultants, Charleston County funds have been allocated for 2008, but the projects have not been assigned; the projects were to have been assigned on November 15, but did not; it is now scheduled for November 29. County Council members do have a list of projects by County Council district and by category from which to choose.

Administrator Tucker asked the consultants that, if money were no object, could the project be completed by the 2008 beach season; their response was, "no." Their opinion was that a year to eighteen months was much more reasonable. Mayor Sottile

stated that he was very concerned about having a reluctant property owner who does not want to sell for the right-of-way.

Councilman Marino noted that Administrator Tucker needed to get more definitive financial data for the Ways and Means meeting; if it is impossible to get that done, then he suggested that everything be squared away for October 2008 to get the project underway. One of the primary facts Councilman Marino wanted to know was how much of the Roadwise money was unallocated for 2008; the consultants interrupted to say that their understanding was that all of the funds were allocated already based on the projects they know about. After those comments, Councilman Marino was more interested in the Administrator finding out the availability of Roadwise funds for 2009 for the Ways and Means meeting.

MOTION: Councilman Buckhannon moved that the Public Safety Committee recommends to City Council that it pursue funds from the Charleston County Roadwise 2009 Budget for a roundabout at 41st Avenue and Palm Boulevard; Mayor Sottile seconded and the motion PASSED UNANIMOUSLY.

B. Status of Public Safety Building

Administrator Tucker directed the Committee members to the Project Status Report from Cole + Russell Architects dated November 2, 2007. She informed the Committee that it needed to make a decision tonight about the parking on JC Long and Pavilion; they have three options, which are as follows:

- 1) **Angular Parking** - Take the roads out of the DOT system and the City taking control;
 - a. This option allows the City more parking space;
 - b. The City has responsibility for the maintenance of the roads;
 - c. Persons in angled parking during heavy traffic periods backing across two lanes of traffic.
- 2) **Parallel Parking** – Leave the roads in the DOT system
 - a. This option means approximately ten (10) fewer parking spaces.
 - b. No cost to City in road maintenance.

If the Committee were to decide to go with parallel parking today, they could reverse their decision in the future and go with angular parking based on research Chief Buckhannon had done earlier in the day.

MOTION: Mayor Sottile moved to recommend approval of the design for parallel parking for the Public Safety Complex; Councilman Buckhannon seconded.

Councilman Marino instructed Administrator Tucker to inform Cole + Russell that the building was to be constructed such that any future council would have the option to reconfigure the parking to angular should they choose to do so.

Call the Question: The motion PASS UNANIMOUSLY.

C. Update on 25th Avenue

Chief Buckhannon presented photographs showing the one (1) vehicle that would fit into the small area remaining for parking, the barricade placed by DOT, and additional signage.

Chief Buckhannon reported that he had spoken with a highway engineer who has approved reducing the speed limit to 25 miles per hour on Cameron Boulevard based primarily on the width of the road, not the speeds recorded on the road.

6. Highlights of Department Reports for October 2007

A. Fire Department Report – Chief Graham

The Department responded to fifty-eight (58) calls in the month. On the subject of fire inspections, Mayor Sottile commented that Morgan Creek Grill had been sited for eighteen (18) violations; Chief Graham reported that the violations are usually minor, but the number can depend on who does the inspection. The Mayor pointed out that it only takes something minor to turn into a major blaze, but the building belongs to the City and he wants the Department to stay behind the situation there. Chief Graham continued with the report stating that the crews were involved in several public relations situations from the Connector run to station tours to fire prevention displays and parades.

B. Police Department Report – Chief Buckhannon

Pfc. Ryan has been promoted to Sergeant and has assumed the position of Patrol Supervisor over one of the squads. Chief reported that the DUI's are up significantly for the year.

Councilman Buckhannon asked Chief Graham a question relative to pre-planning. He stated that as he looks at the Villages, it is a huge structure; he wanted to know if the Chief and her crews had had an opportunity to do any walk throughs to get to know the building. She responded that they had been through it several times, both before and after the sheet rock went up; they had tested the alarm system. The Chief commented that the job superintendent has given the Fire Department information that they have put into their records and have even made a change based a Department request. She

is currently concentrating on training for the type of system that has been installed there.

7. Miscellaneous

Mayor Sottile related that he had read that Sullivan's Island's Fire Department was in need of a type of fire hose, and he wanted to know if Isle of Palms could assist them. Chief Graham stated that, when the City gives hoses away, they are usually fit only for training purposes. She told the Mayor that she would check with Sullivan's Island and find out what they need to see if there is any way Isle of Palms can assist them.

Councilman Marino turned attention again to the situation, which Mrs. Covington had brought to the Committee. He asked Chief Buckhannon what the Department's policy was. Chief Buckhannon responded that there was no specific policy stating when an officer entered or did not enter; it is a situation where the officer must understand what the state and constitutional laws are and when it is appropriate to take certain action as it relates to certain violations. The Chief related that he had informed Mrs. Covington that, in addition to the accumulation of newspapers, there have been a number of break-ins in her immediate vicinity, so the officers were there with good intentions. The officers brought the papers to the door; as they tried to make contact with the homeowner, they found that the door was unlocked. At this point, Chief Buckhannon stated that he is still in the process of taking statements from the officers involved. The officers went through the home to make sure no one was in trouble in the house and that there was no one removing articles from the house.

Councilman Marino stated that he is certain it was done with the best of intentions, but that in the future the Department needs to work out more specific procedures. He did concede that the officers could have encountered someone who had had a heart attack and who had been unable to retrieve the newspapers.

Administrator Tucker defended the officers by saying that the accumulation of newspapers in front of a residence is one of her pet peeves, and, when she sees them over a two or three day period, she will call the Chief asking why his officers have not stopped, taken the papers up to the door and left "You could have been a victim of crime" notice. The Administrator added that the newspaper accumulation is an indicator to thieves that a residence is vacant. These officers are guilty of doing something that the Administrator is constantly asking them to do.

Councilman Buckhannon expressed his feeling that the officers could have gone to the neighbors – done a little investigational work, rather than entering.

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Mayor Sottile said that there are situations where people notify the police that they are going to be out of town and ask that the police keep an eye on their homes in their absence. He also agreed that policies and procedures need to be put into place.

Councilman Marino asked about the availability of Livability refrigerator magnet, and Chief Buckhannon was pleased to inform him that the purchase order was ready for approval. The cost was \$800 for a quantity of two thousand.

Councilman Marino stated how much he had enjoyed working with this Committee and Council.

Chief Buckhannon notified the Committee that CALEA would be doing their on-site December 8-12, 2007; there will be a public hearing on Monday, December 10.

The next meeting was scheduled for 5:30 p.m. on Monday, January 7, 2008.

MOTION: Councilman Buckhannon moved for adjournment at 7:00 p.m.; Mayor Sottile seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:
Marie Copeland