

PUBLIC SAFETY COMMITTEE
4:00 p.m., Thursday, March 12, 2009

The regular meeting of the Public Safety Committee was held at 4:00 p.m. on Thursday, March 12, 2009 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Present for the meeting were Chairman Buckhannon, Council members Bettelli and Loftus, City Administrator Tucker, Fire Chief Graham, Police Chief Buckhannon, Assistant to the Administrator Dziuban, and City Clerk Copeland.

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

2. **Approval of Minutes of Previous Meeting**

MOTION: Councilman Bettelli moved to approve the minutes of the regular meeting of February 10, 2009 as submitted; Councilman Loftus seconded and the motion PASSED UNANIMOUSLY.

3. **Citizens' Comments - None**

4. **Old Business**

A. **Update on Public Safety Building**

Administrator Tucker stated that the actions to be taken on the Public Safety Building were a function of where the City was in the construction process; the building is getting closer to completion, so the City must procure the items that it is responsible for to make the building operational. There is also the City's procurement code requirement that contracts in excess of ten thousand dollars (\$10,000) must be approved by Council. One (1) item not included in the list, but for which pricing has been received, is the furniture for the building; the Administrator asked for indulgence to get approval for it as well. Referring to the Public Safety Building budget, Administrator Tucker noted that each of the items was in the original budget; pricing represents the best pricing available or the product is consistent with the product at Fire Station 2. She then reviewed each item for which approval was sought as follows:

- 1) Award of contract to Cymark AV LLC for complete audio-visual system for the Public Safety Building in the amount of \$12,370.00.

Administrator Tucker noted that the purchase price includes both the equipment and full installation in the training room that will be shared by the Fire Department and the Police Department.

- 2) Award of contract to Wholesale Appliance Center for all appliances for the Public Safety Building in the amount of \$21,501.07.

This purchase is for all of the appliances that will go into the building for both Fire and Police Departments.

- 3) Award contract to Gear Grid for wall mount lockers for gear storage in the amount of \$14,368.00.

These are the same type of lockers that were purchased for Fire Station 2; Chief Graham was motivated to maintain consistency between the two (2) facilities.

- 4) Consideration of Change Order #8 in the amount of \$93,493 from Mashburn Construction for hardware and security system, adding three (3) days to the contract.

Administrator Tucker reminded the Committee that she had foreshadowed in the January meeting that the purchase of the surveillance system and other hardware were better put into the Mashburn contract than left with the City. The cost is still within the budget, but it has been re-classed to the Mashburn Construction contract as follows:

- \$60,000 from *Communication & Surveillance* to Mashburn contract; and
- \$33,493 from *Contingency* to the Mashburn contract.

The Administrator emphasized that there was no impact to the overall construction budget for the Public Safety Building.

- 6) Award of contract to Prison Industries, on state contract pricing, for all furniture for the Public Safety Building in the amount of \$88,010.25.

Administrator Tucker stated that a representative of Prison Industries has visited the site where he and both Chiefs went from room to room deciding what furniture would go into each room.

- 5) Award on contract for network and phone cabling.

The bid information memorandum has been distributed; Empire Communications was the lowest bidder at \$19,413.00. Chief Graham informed Chief Buckhannon that Empire Communications was also the low bidder for Fire Station 2 where the work was completed on time and there have been no problems with the work to-

date. The bidder will provide and install all voice, data and coax cabling for the entire Public Safety Building.

Councilman Loftus asked if the City was exceeding the budgeted amount for the work involved in Change Order #8. Administrator Tucker stated that sixty thousand dollars (\$60,000) had been the original estimate; Chief Buckhannon added that he had thought the mag strikes and contact points were part of the building costs when they, in reality, had to be purchased separately.

Councilman Bettelli asked if any of the existing furniture would be used or would there be all new furniture in the Public Safety Building; Chief Graham said the Fire Department would be taking its file cabinets, mattresses and some desk chairs; since the trailer has been their office, they have very little furniture other than plastic-topped, folding tables.

MOTION: Chairman Buckhannon moved to recommend approval to the Ways and Means Committee for the following contract for the Public Safety Building: 1) contract to Cymark AV, LLC for the audio-visual system in the amount of \$12,370; 2) contract to Wholesale Appliance Center for all appliances in the amount of \$21,501.07; 3) contract to Gear Grid for wall mount lockers in the amount of \$14,368; and 4) contract to Empire Communications for network and phone cabling in the amount of \$19,413; Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.

MOTION: Councilman Loftus moved to recommend approval to the Ways and Means Committee of Change Order #8 for Mashburn Construction in the amount of \$93,493; Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.

MOTION: Councilman Bettelli moved to recommend approval to the Ways and Means Committee for contract award to Prison Industries for furniture for the Public Safety Building in the amount of \$88,010.25; Councilman Loftus seconded.

Chief Graham stated that she and Chief Buckhannon had first labeled each room, placed what furniture they thought would be in each one, and fine-tuned the furniture placements as the time to order neared. Chief Graham has a schedule that looks at each room in the Public Safety Building and indicates what furniture pieces will go into that room with the costs associated. With this tool, she has the furniture cost per room, per floor, per department and per the entire building.

Councilman Bettelli asked what the budget was for furnishing the building; Chief Graham replied that the budget was two hundred eighty-five thousand dollars (\$285,000) for everything, including the furniture, the gym equipment, appliances, shelving, etc.

Call for the question: The motion PASSED UNANIMOUSLY.

B. Update on 25th Avenue

Chief Buckhannon reported that he had met with Mark Nesbitt, a local engineer with SCDOT, regarding the parking problems on 25th Avenue; they went to the end of 25th and did a survey from the barricade to the intersection with Waterway Boulevard. They observed the parking on either side of the street, the impact of making the street all NO PARKING, the impact of opening the street for parking and the possibility of two (2) hour parking being accepted by SCDOT. After a long discussion between the Chief and Mr. Nesbitt, Mr. Nesbitt said he would send the City a letter with what SCDOT would allow to happen on 25th Avenue.

Councilman Loftus asked if the City would be given a choice of options; Chief Buckhannon answered that he did not think the City would be given a choice, but two (2) hour parking would eliminate overnight parking. Mr. Nesbitt said he would also find out if the City could eliminate parking on 25th since it is a state right-of-way. Chief Buckhannon stated that he was of the opinion that Mr. Nesbitt wanted whatever change was made to be the right one and one that would make the residents on the street happy.

Councilman Bettelli asked if Mr. Nesbitt had seen the berm that one (1) of the residents had created that is a right-of-way infringement. Chief Buckhannon responded that Mr. Nesbitt did see the berm and acknowledged that it represents one (1) instance of an island-wide problem.

The Chief reported that they had discussed the barricade at the end of the street; Mr. Nesbitt stated that it should remain as it is because of the road conditions there.

Councilman Loftus was concerned that parking limitations on 25th Avenue would move the problems to another area; Chief Buckhannon stated that he did not think that would happen.

The Chief anticipated hearing from Mr. Nesbitt rather quickly and confirmed to Councilman Loftus that action would be taken before the tourist season begins.

C. Update on Bike Path on Palm Boulevard from 21st to 41st Avenue

Administrator Tucker recounted that, at the request of this Committee, she had sent a letter to SCDOT asking if Palm Boulevard had ever been examined for a bike path, specifically between 21st and 41st Avenues. She stated that the SCDOT response was in the meeting packets. In addition, there had been a meeting between the City and Robert Clark, SCDOT, where the bike path possibility was discussed; she reported that his gut instinct was that there was sufficient right-of-way for a regulation bike path on both sides of the road that would continue with off-street parking and not disturb any trees. His comments were without surveys and without studying the encroachment permits that exist along Palm Boulevard for water and sewer utilities. The Administrator commented that one thing that became clear to her from his comments was that there is a substantial right-of-way along Palm Boulevard and there is a much greater encroachment into that right-of-way than she had realized. She informed the Committee that in order to enforce bikers using the bike path, there must be regulation bike paths on both sides of the road; a regulation bike path is a path where the pavement extends beyond the driving lanes of a defined width and appropriately marked for bicycles.

Chief Buckhannon responded to Councilman Loftus' question that a regulation bike path must be six feet (6') wide.

D. Discussion of Background Checks as Requirement to get Business License

Having spoken with legal counsel on this subject, Administrator Tucker informed the Committee that to require background checks on employees for a cleaning business to obtain a business license from the Isle of Palms would be deemed a violation of the Commerce Clause of the U.S. Constitution; therefore, the City has been advised not to do it. If a business chooses to run background checks on their prospective employees, it a benefit to the business and its customers.

E. Review of Capital Budgets FY 2009-2010

At the Administrator's request, it was agreed to discuss the capital budgets in conjunction with the operating budgets.

Councilman Loftus asked Chief Buckhannon if there was an update on 41st Avenue and Palm Boulevard intersection. The Chief reported that there was nothing new to report; there have not been any complaints, but he thinks that the true impact of the changes will be evident in a month or so when the tourists begin arriving.

Councilman Loftus asked what the next step would be if the City decided that it wanted to make the changes permanent; Chief Buckhannon's answer was that City Council would have to vote to make it permanent, then SCDOT would come back to the island to make the signage and barricade permanent and do the appropriate lane painting.

5. New Business

A. Review of Meeting with SCDOT

Administrator Tucker reported that she and the Mayor had a good meeting with Robert Clark and that a follow-up meeting was scheduled as well. She stated that she would briefly list the topics discussed as follows:

- Bike path from 21st to 41st along Palm Boulevard;
- The City's gaining control of a portion of Pavilion Avenue right-of-way;
- Rights-of-way, in general, over the island;
- 41st Avenue Project;
- 25th Avenue;
- Potholes, specifically 700 and Palm and the area outside the county park;
- Washout at 41st Avenue in front of Fire Station 2;
- The painting and signs the City is owed for the 41st Avenue intersection;
- The areas that need to have the road re-lined;
- The incomplete ditch project at Charleston and Palm;
- The flapper valve that needs to be replaced; and
- The possible reconfiguration of the Connector to allow for a concrete barrier between the lanes of traffic on one side for pedestrians and bikers similar to what was done on the Ravenel Bridge.

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

Award of Contract to NAFECO for four (4) self-contained breathing apparatus in the amount of \$19,540.

Chairman Buckhannon noted that these were standard replacement items for the Fire Department, and Chief Graham indicated there was also a spare cylinder included.

Councilman Loftus asked how often the tanks were replaced. Chief Graham responded that four (4) breathing apparatus were purchased each year; the Department had a total of thirty-seven (37) units, which means the average life is approximately nine (9) years.

NAFECO was selected as the vendor because they are the local distributor and the City does not want to switch from one brand air pack to another.

MOTION: Councilman Loftus moved to approve the award of the contract to NAFECO for four (4) self-contained breathing apparatus in the amount of \$19,540.00; Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.

B. Operating and Capital Budgets for FY 2009-2010

Police Department Operating Budget

Administrator Tucker began her budget review by stating that all budgets include an average 2% merit increase and 1.9% COLA. The figures in the line items for *Electricity & Gas, Telephone & Cable* and insurances (detailed on page 2), were estimated based the actual expenses for Fire Station 2 and the square footage attributed to the Fire and the Police Departments. For *Maintenance & Contracts*, adjustments have been made to those line items; among the changes is elevator maintenance because there will be an elevator on each side of the new building, housekeeping service was increased based on the larger public area and the hood inspection for the stove they will have in the new building. Two (2) line items were reduced, *Vehicle Oil & Fuel* and the CALEA accreditation expense. Overall, the Police operating budget increased by only four percent (4%).

Councilman Loftus asked if the City could eliminate the pagers considering the other forms of communication available. Chief Buckhannon responded first stating that cell phones were not as reliable as the pagers for notifications; Administrator Tucker added that cell phone contracts were much more expensive than the pagers. Chief Graham noted that a key feature with the pagers was the ability to send mass pages in an emergency. Administrator Tucker gave the example that, if an emergency should occur at this moment, the dispatcher only has to type the message one (1) time and press one (1) button, and the supervisors would be immediately notified; she voiced the opinion that cell phone technology can not yet duplicate the ease of mass notification. Chief Buckhannon stated that the one (1) real problem with paging through cell phone technology in a public safety environment is the fact that there is a latency with the texting going out; with the pagers, the messaging is almost instantaneous.

Administrator Tucker stated that she did not intend to spend much time on the capital budgets since the Committee had seen them a couple of times, but she was more than willing to answer any questions or address any concerns about them.

Councilman Loftus prefaced his question with expressions of his concern over the City's tax base because he had been told by local realtors that there would be some foreclosures on the island in the coming months. He foreshadowed that the City was to face decreased revenues but increasing expenditures; he urged all Committee members to scrutinize the budgets for any item that could be eliminated or moved to an

out-year. From the Fire Department capital budget, Councilman Loftus then asked if the Department could possibly get another year out of the jet ski; Chief Graham repeated that the jet skis were considered emergency vehicles, and one (1) of them has become unreliable. A second question was about the real need for another thermal imaging camera to which Chief Graham responded that she had to have it. Councilman Loftus then recalled that Mount Pleasant had received three (3) cameras from Homeland Security, so he wanted to know if there was another source of funds for the cameras. Chief Graham stated that she applies for grants, but has not been very successful, and she indicated that she was not willing to cut the camera without a specific source of funds to acquire it. Administrator Tucker indicated that some of the factors that come into play when these grants are awarded are a diverse population and economically challenged areas of the community – none of which describe the Isle of Palms.

Councilman Bettelli commented that both the Police and Fire Departments were requesting ATV's; he asked if either could get another year from the one (1) it has now. Chief Buckhannon expressed his opinion that the ATV belonging to the Police Department must be replaced because of its poor condition from being used on the beach every day for seven (7) months. Chief Graham said she would have the Fire Department's ATV checked out to determine if it would last another year.

Chief Graham did offer to move the request for a second stair chair to FY11 if the Department could get the thermal imaging camera in FY10.

Chief Buckhannon commented that an Isle of Palms' officer was in Columbia today attending a meeting about how to acquire a portion of the stimulus money; applications will be due by April 1, 2009. The Chief assured the Committee that the Police Department would be applying for one or more of the available grants, which are one hundred percent (100%) grants with no matching funds required.

The saws and the spreader/cutter have reached the point where parts are no longer available to repair them.

Fire Department Operating Budget

Administrator Tucker stated that there were salary-related items that she was going to bring to the Committee's attention, and she directed them to line 100 where there is a one (1) time adjustment for the firefighters in the amount of eleven thousand two hundred fifty dollars (\$11,250.00). She explained that this class of employee, firefighter, was not given an adjustment last year; when the adjustments were made, it was stated that the firefighters would be addressed at a later date for adjustments. If this Committee agrees to the adjustment, it will be referred to the Personnel Committee for

consideration; it increases the starting annual salary from \$25,972 to \$27,222, or \$1,250 per year.

The Administrator continued to line 101 that represents the addition of three (3) firefighters, one (1) per shift, as the Chief explained to this Committee last month; the cost of the additional firefighters is \$81,744.

There are expected to be increases in both group health and workers compensation insurance, but the exact amount of those increases will not be known until later in the budget process.

The Administrator noted that there were totals at the bottom of the column with the additional firefighters, including fringes, and without the firefighters; the overall budget increase would be twelve percent (12%) with the firefighters and six percent (6%) without them.

Councilman Bettelli commented on the fact that every day in the news there are reports of layoffs all over the country; he did not think now was the time to add to the City's number of employees. Councilman Loftus concurred and added that he was more interested in protecting the jobs the City now provides. Chairman Buckhannon noted that the Fire Department does a phenomenal job with the staff it has; he would prefer to hold off on the additional firefighters and give the one-time adjustment to those already on the payroll. The Committee agreed with the Chairman's suggestion to pay the adjustment and delay hiring additional firefighters.

Administrator Tucker noted that the request for additional staff was a step toward the Fire Department acquiring accreditation similar to that of the Police Department. She added that Chief Graham wanted the Committee and City Council to be aware that the current staffing levels do not meet NFPA standards and there is some degree of risk attached to that. A discussion ensued that included comments that the staffing requirements for accreditation were beyond what the Isle of Palms could possibly meet. The request was also made to ask Director Kerr to look into the possibility of the City's amending its building code to required fire suppression devices in all new construction.

Councilman Loftus questioned the large increase in *Insurance*, and that the increase seemed to him to be disproportionate between the Fire and Police Departments. Administrator Tucker initially attributed it to the cost of the new Public Safety Building; she also explained that insurance becomes an audit issue –if the City were to insure at a lesser level, an audit exception would be cited that translates as an expense to the City because, when the City is re-evaluated for bond issues, it is a negative signal causing interest rates to be higher. As for the increases being disproportionate, the

Administrator directed the Committee to the cell explanation on the second page and agreed to confirm the figures with the Treasurer.

6. Highlights of Departmental Reports for February 2009

Fire Department

Chief Graham reported that Eric Bolen had been promoted to Engineer during the month. She also reported that there had been a fire call on February 16 on 22nd Avenue where there was a serious radio problem that ultimately brought other radio problems to light.

Police Department

Chief Buckhannon noted that there had been two (2) new hires for the Police Department; they were presently at the Police Academy for nine (9) weeks of training – one (1) of them was selected class leader, which the Chief called a significant achievement in a class of sixty to sixty-five (60-65) officers. Internal notice has been issued to fill the position of Livability Officer; he intends to make a decision after March 20th.

Chairman Buckhannon said there was an additional item that had been discussed that he wanted to bring to the Committee; it was to change the Assistant Fire Chief position to Fire Inspector. Administrator Tucker commented that, for many years, the City has budgeted for an Assistant Fire Chief, an approved position in the Fire Department; the Administrator related that Chief Graham has considered re-structuring and using that position for the Fire Inspector position. She repeated that there was no budgetary impact because the position has been included in the budget for many years. Councilman Bettelli countered that, although there is not budgetary impact, it did represent additional money being paid out in salaries. Councilman Loftus added that the Fire Department is over budget in salaries already this year. There was an agreement to send the subject to the Personnel Committee for discussion.

Administrator Tucker explained that, were the Committee not in the middle of budget discussions, the subject would be one of re-structuring a position. She compared it to the vacancy in the Livability Officer position that has existed for several months; the position is budgeted to be there and the position will ultimately be filled. The situation here is the same in that the position exists and Chief Graham simply wants to re-class it at no additional expense, and possibly a savings. The Administrator had wanted to delay the discussion to avoid its becoming a part of the budget discussion rather than a simple discussion of changing a job description that is already funded.

7. Miscellaneous

Next Meeting Date: 5:00 p.m., Thursday, April 2, 2009

8. Adjourn

MOTION: Councilman Bettelli moved to adjourn at 5:38 p.m.; Councilman Loftus seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk