

PUBLIC SAFETY COMMITTEE

5:00 p.m., Tuesday, September 11, 2012

The regular meeting of the Public Safety Committee was called to order at 5:00 p.m. on Tuesday, September 11, 2012 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmember Bergwerf, Mayor Cronin, Chair Bettelli, Assistant to the Administrator Dziuban, Fire Chief Graham, Police Chief Buckhannon, City Attorney Halversen and City Clerk Copeland; a quorum was present to conduct business. Also in attendance were Mark Shoemaker and Chip Branscom, a mechanical engineer with Cole+Russell and Mike Weeks, a design engineer with DWG.

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

2. Approval of Previous Meeting's Minutes

MOTION: Councilmember Bergwerf moved to approve the minutes of the regular meeting of August 9, 2012 as submitted; Mayor Cronin seconded and the motion PASSED UNANIMOUSLY.

3. **Citizens' Comments – None**

4. Old Business

A. Discussion with Mark Shoemaker of Cole+Russell regarding Public Safety Building

Assistant Dziuban noted that Cole+Russell (C+R) was the design and engineering firm for the construction of the Public Safety Building that was completed in 2009. Since the City took possession of the building, there have been on-going and unresolved issues with the structure; staff from Cole+Russell is present, having spent the day checking on these problems to make recommendations on resolution.

Mr. Shoemaker noted that he and his associates had spent the past four (4) hours in the Public Safety Building checking the installations of some of the problem items; in addition, Mr. Branscom has been studying the drawings and specifications for the building. Mr. Weeks was instrumental in the design of the building and has also been looking at mechanical issues. Mr. Shoemaker remarked that some of the issues to be discussed have been going on since the construction was completed; he said that C+R has been trying to resolve these problems for three (3) years to no avail. He indicated that he was on-site late in 2011 going through a final punch-list and warranty items; subsequent to that visit, he stated that several letters, emails and phone conversations have been exchanged between C+R and Mashburn Construction, the construction contractor on the building. According to Mr. Shoemaker, the list of items has gone from about forty (40) to six or seven (6-7) items, a combination of punch-list and warranty issues. He explained that punch-list items relate to retainage while warranty items relate to the one-year (1 yr.) warranty; certain of the warranty issues on the list have been present from the day the City took possession of the building. He added that some of the warranty items have been fixed only to re-occur, such as the diesel line leak, and others resulted from repairs that caused subsequent problems, such as the drinking fountain that leaked and now sticks and cannot be turned off.

Two (2) of the primary issues are mechanical and relate to the HVAC on the third floor and odor, temperature and humidity problems on the second floor. Relative to comfort on the third floor, C+R and Mashburn identified several areas of air infiltration into the building that contributed to humid air being introduced into the building that could not be handled by the HVAC system. Today, the C+R team did not locate any obvious leaks; they believe this problem has been handled.

Sanyo, the manufacturer of the HVAC system on the third floor, has not been responsive to the issues that have been occurring, but, after speaking with them earlier today, they have agreed to come back next week to make sure that the system is operating as it should. Subsequent to their visit, C+R expects to get a letter from Sanyo saying that the system checked out, or Sanyo will find a problem and fix it.

If it turns out that there is an issue with the way the system was initially designed, C+R will look at it and make recommendations. Mr. Shoemaker stated that C+R does believe that the system as designed was proper and sized appropriately for the building, but acknowledged that a problem exists.

Relative to the odor on the second floor, today the C+R team did find that a damper was in the closed position; at one point it was stuck open. Mr. Shoemaker stated that he was unsure whether it was a warranty item; the damper controls makeup air from the outside for the unit. No one is certain how long it has been in this closed position; a maintenance man worked on the unit about a month ago when it was stuck open. This is the same system that is on the Police Department side of the building, and they are not experiencing these problems; therefore, Cole+Russell believes that the system was properly designed. In addition, the team checked the air handler and found no sign of moisture that could cause an odor.

Mr. Shoemaker said that the fuel line leak is a warranty issue; originally the leak was to the diesel fuel. Parts of the line have been re-installed twice, but the leaks have re-occurred. In the fall of 2011, the entire diesel fuel line was reinstalled all the way to the diesel generator; over the past six (6) months, the leaks have reoccurred, primarily at the joints. He anticipates the entire line having to be removed and re-installed. Over the past few months, a propane line leak has occurred in the mechanical room; Chief Graham indicated that this leak was originally reported to Mashburn two (2) years ago.

Mr. Shoemaker remarked that some "mysterious" electrical issues with light fixture ballasts in the Training Room exist; originally there were two (2) light fixtures, but today there are five (5) that do not work on one (1) side of the room. Mashburn contends that improper light bulbs were put into those fixtures and that, since someone else has worked on them, the warranty is no longer applicable. An electrician has commented that there may be a problem with the grounding system and maybe the neutral wiring of the system; C+R is trying to find someone to come to check out the electrical grounding in the building.

By way of background, Mr. Shoemaker stated that Mr. Branscom had been tasked with studying drawings, specifications and shop drawings, as well as conferring with DWG; in addition, C+R has hired an electrical engineer who may have recommendations on how to best check out this

issue. C+R expects to make a recommendation to the City in the next couple of weeks regarding the electrical issues.

Mr. Shoemaker indicated that problems exist with the lighting for the ground for the fixtures for the flag poles; this issue was on the punch-list, and C+R has been unsuccessful in getting Mashburn to do anything about this issue.

The water fountain should be a simple fix; Mashburn simply needs to get someone to do the work.

The four-fold doors – the large apparatus bay doors – have had rusting issues from the time they were installed. Mr. Shoemaker has been trying to locate someone who can take samples of the paint; he suspects that the doors were never painted properly, unlike the doors at Fire Station 2 that look as if they were just painted even though they are older. The rusting initially appeared around the window jams at the trim; when he initially looked at them in December, he questioned that a finish coat was ever applied to them. After speaking with the door manufacturer and reviewing shop drawings, the windows were to have been painted and then caulked; the manufacturer is suggesting that the lack of caulk has contributed to the rusting. Since rust is occurring on other parts of the doors, Mr. Shoemaker indicated that he is not sure that the lack of caulk is the answer, but a contri-buting factor. Mashburn has finally come to caulk between the jams and the exterior wall – another item that goes back to the original punch-list; they did a very poor job and have agreed to re-do it.

In an email today, Mr. Shoemaker related that Mashburn is prepared to remove all of the rust, down to the bare metal, re-prime and caulk the windows. Mashburn stated in the same email that they will do that work once they are released of all final retainage on the job, which is out of the question. In an August letter to Mashburn, C+R listed six to eight (6-8) items that they need to complete, the windows being only one (1).

Another punch-list item is the overhead sectional doors at the police garage where there was water infiltration when it rains; C+R determined that the doors had not been properly adjusted to seal tightly. In the past two (2) years, Advanced Door has been out a number of times for maintenance or warranty issues with the doors; the real issue is that the rollers for the doors come off the tracks. In recent months, the technician working on the doors indicated that the doors are not heavy-duty doors; when Chief Graham reported that to Mr. Shoemaker, he checked the specifications and shop drawings that were approved and submitted by Mashburn indicate that the overhead sectional doors for both Police and Fire were supposed to have double hinges with the roller extending through them both. Mr. Shoemaker recalled that heavier hardware was not put on the doors because they were not set up as heavy duty doors; Mr. Shoemaker has concluded that, when the double hinges are placed on the doors, the styles on the edges need to be wider on the door panels and the panels on the doors are sized for single hinges.

Referring again to the letter to Mashburn in August, Mr. Shoemaker had indicated that the doors provided do not meet the specifications and do not meet the approved shop drawings making the issue contractual not punch-list. To-date, Mashburn has chosen to ignore the matter.

Mr. Shoemaker informed the Committee that he anticipates another letter from C+R to Mashburn after the review of Sanyo's inspections and a testing of the paint on the bay doors.

Assistant Dziuban confirmed the Mayor's query that the City continues to hold retainage of roughly fifteen thousand dollars (\$15,000).

Assistant Dziuban summarized the discussion as follows:

- Scrutiny of the Sanyo report that will indicate that a problem was found and corrected or that recommendations will be made to address a design problem;
- Repair the damper on the second floor;
- Confirm that temperature control settings are working properly;
- Address issues with thermostats on third floor;
- Return of Mashburn to re-do the fuel line for leaks;
- Return of C+R personnel to look at the electrical issues with the building; and
- Return of Mashburn to address four-fold doors, overhead sectional doors and water cooler.

Councilmember Bergwerf questioned whether the retainage was sufficient to pay for the repairs if the City has to hire someone to do the work; the response was negative.

The Committee thanked Mr. Shoemaker, Mr. Branscom and Mr. Weeks for their time and efforts on behalf of the City.

MOTION: Councilmember Bergwerf moved to re-order the *Agenda* to hold the Executive Session next; Mayor Cronin seconded and the motion PASSED UNANIMOUSLY.

7. Executive Session to receive legal advice on contractual matters

MOTION: Councilmember Bergwerf moved to go into Executive Session at 5:37 p.m.; Mayor Cronin seconded and the motion PASSED UNANIMOUSLY.

The Committee returned to regular session at 5:56 p.m.; Chair Bettelli stated that the Committee had not taken any action or a vote during the Executive Session.

Chair Bettelli asked the Attorney Halversen to be prepared to brief City Council on the contractual issues discussed in an Executive Session.

4. Old Business, continued

B. Update on "NO PARKING" delineation on Avenues between 42nd and 57th

Chief Buckhannon stated that SCDOT had approved the placement of "NO PARKING HERE TO CORNER" signs on the avenues between 42nd and 57th Avenues; he was not told when to expect the signs to be installed.

5. New Business

Consideration of “No Parking on Pavement” Ordinance

Assistant Dziuban noted that, pursuant to a request from the Committee, Attorney Halversen has prepared an ordinance prohibiting parking on the pavement.

Chair Bettelli asked if the ordinance was for 42nd to 57th Avenue; Chief Buckhannon replied that the ordinance would address parking on the pavement island-wide. He also commented that, assuming that the ordinance is adopted, the City will still have to get SCDOT approval for the new signage.

MOTION: Mayor Cronin moved to recommend approval of the ordinance for “NO PARKING ON PAVEMENT;” Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

6. Highlights of Departmental Reports

Fire Department – Chief Graham

During the month of August, Chief Graham reported that the Department had been involved in several multiple jurisdictional responses to water calls. In addition, there had been a rash of jelly fish and stingray stings. The Chief stated that personnel had responded to one hundred thirty-seven (137) calls; ninety (90) of them were EMS calls. A total of nineteen (19) fire inspections were done in the month. Chief Graham stated that the young man who had jumped from the balcony of Coconut Joe’s in August and who was resuscitated twice by IOP personnel has returned to work.

Police Department – Chief Buckhannon

The Chief reported that Police officers had initiated the “Neighborhood Block Meet & Greets” on August 23rd; through these gatherings, the department plans to introduce the officers to island residents and to familiarize residents with crime trends in their neighborhoods and on the island in general. Officers have been going door-to-door to introduce themselves and the program to residents; four (4) more meetings are scheduled in September. When it gets dark earlier, the officers will hold the gatherings at the homeowners meetings in Wild Dunes, at the Exchange Club and at a Keenagers meeting; Chief Buckhannon stated that the gatherings are receiving positive feedback from residents.

In August dispatchers received forty-three hundred sixty-six (4,366) calls; of that number, thirty-two hundred thirty-three (3,233) were for the Police Department. For the month, two hundred ninety-two (292) traffic stops were made and eighty-one (81) tickets were issued. On the livability front, seventeen (17) noise complaints were received with four (4) citations being written.

Referring to an incident where several golf carts were ticketed, Chief Buckhannon reported that an event, which was unknown to the department, took place that drew residents to Front Beach - several driving golf carts. The tickets that were written that day have been voided.

In addition, Chief Buckhannon repeated that new legislation will go into effect in September that will allow golf carts to be driven farther from their home base, but golf carts are still not allowed on state roadways, meaning they are not allowed to be driven on most of Palm Boulevard or on sidewalks.

Mayor Cronin stated that he wanted to do something to make citizens aware of the good work the Fire and Police personnel are doing; he specifically referred to the incidents where Fire Department personnel have saved lives and the work officers have done relative to auto break-ins. Assistant Dziuban stated that she would generate a press release and try to get it printed in *The Island Eye*.

8. Miscellaneous Business

Connector Run – 8:00 a.m., Saturday, October 6. Chief Buckhannon reminded the Committee of the after-run event that will required that Pavilion and J.C. Long remain closed until noon.

Fire Prevention Parade – 4:30 p.m., Wednesday, October 10.

Next Meeting Date: 4:00 p.m., Thursday, October 4, 2012 in the Conference Room

9. Adjourn

MOTION: Councilmember Bergwerf moved to adjourn the meeting at 6:37 p.m.; Chair Bettelli seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk