

**PUBLIC SAFETY COMMITTEE**  
9:00 a.m., Monday, February 10, 2014

The regular meeting of the Public Safety Committee was held at 9:00 a.m., Monday, February 10, 2014 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmember Carroll, Chair Bettelli, Administrator Tucker, Police Chief Buckhannon, Battalion Chief Smith, Assistant to the Administrator Dziuban and City Clerk Copeland. The absence of Councilmember Bergwerf was excused, and a quorum as present to conduct business.

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: Chair Bettelli moved to approve the minutes of the regular meeting of January 13, 2014 as submitted; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.**

3. **Citizens' Comments – None**

4. **Old Business**

A. **Discussion of Additional Fire Department Staffing at Station 2**

Battalion Chief Smith distributed an updated handout relative to the IOP Fire Department, pointing out the staffing and equipment differences between Stations 1 and 2, the different ways the two (2) stations respond to various calls and concluding with recommendations; a copy is attached to the historical record of the meeting. Again the goal of the presentation is to acquire one (1) additional firefighter per shift, a total of three (3) persons, for Fire Station 2.

Administrator Tucker reiterated the fact that, if the hiring process for these firefighters is delayed until the beginning of the FY15 fiscal year, the peak of the tourist season will be over before they are hired.

Responding to Councilmember Carroll's suggestion that the island may need to consider a quick response vehicle, Battalion Chief Smith said he thought the City could benefit from a basic life support transport (BLS), or ambulance. He stated that an ambulance could be in the best interest of the residents and visitors, as well as be a source of revenue for the City.

Councilmember Carroll asked if the City had any volunteers who could be counted on to appear when a fire occurs. Battalion Chief Smith stated that one (1) volunteer had come to a fire in January and two (2) had come to a second; most volunteers are not trained to be involved with the interior of a fire; their aid is primarily logistically. Additionally, the City does not have any volunteers who live on the Isle of Palms; they drive considerable distances to participate.

According to Assistant Dziuban's calculations, to hire three (3) new firefighters for the final quarter of FY14 would cost the City approximately forty-four thousand four hundred dollars (\$44,400).

The next question posed by Councilmember Carroll was where the money would come from in this year's budget; Administrator Tucker expressed confidence that data supported funding these firefighters at Station 2 with tourism money.

**MOTION:** Councilmember Carroll moved to include wages and benefits for 3 additional firefighters for Station 2 in the FY15 Fire Department budget; Chair Bettelli seconded.

**AMENDMENT:** Chair Bettelli moved to pursue funding for the fourth quarter of FY14 for 3 firefighters; Councilmember Carroll seconded and the amendment PASSED UNANIMOUSLY.

**VOTE ON THE AMENDED MOTION:** The motion PASSED UNANIMOUSLY.

For the record, Chair Bettelli noted that the members of the Committee were in possession of a letter from the Wild Dunes Community Association stating its support for hiring additional firefighters at Station 2; a copy of the letter is attached to the historical record of the meeting.

**B. Staff Update on Wayfinding Signs and Beach Access Parking**

Assistant Dziuban commented that these are two (2) large projects that will take some period of time to complete, but work is proceeding on both. A meeting between City staff and Stantec is scheduled of Tuesday, February 11. At this point, Stantec has measured all of the roads on the island to determine the width of the rights-of-way for potential implementation of parking four feet (4 ft.) from the edge of the road island-wide; the next step is to superimpose the map of obstructions in the rights-of-way over that map of the width of rights-of-way. Contracts for Phases 3 and 4 of the island-wide wayfinding sign program have been awarded, and Stantec has indicated that they will present a proposal quite soon.

**C. Discussion of Ordinances 2014-01 and 2014-02**

Director Kerr recalled that in 2013 a car with advertising on the rear windshield was parked at the Island Center with the rear pointed to the road for prolonged periods of time, and the Director determined that the way it was parked and its signage violated the City's sign ordinance. The sign ordinance states that "all vehicle signs are prohibited" – this is a blanket prohibition in any zoning district of the City, but it does require that the Building and Planning Director make a judgment about the primary use of the vehicle. The Director indicated that he sees this as a flaw in the City Code as that judgment could be arbitrary, but he did tell the vehicle owner that, if he would turn the vehicle around where the rear window did not face the street, the vehicle could continue to be parked at the street.

The owner of this vehicle came to City Council to voice his opinion that the City had no right to tell him how to park his car. Council then asked the Planning Commission to review the sign ordinance and to make a recommendation for changes; the Planning Commission's original recommendation was a rather broad loosening of the law for the Commercial District while continuing to restrict vehicle signage in the residential districts.

When the change was presented to City Council, a Councilmember pointed out that an eighteen-wheeler with signage could be parked in the Commercial District legally if this change were to be adopted. The Council decided that the change was too broad and sent it back to the Planning Commission for further study.

In its second review, the Planning Commission tried to reach a compromise position, which was, if the signage is in the front twenty feet (20 ft.) of the property, a small sign or vehicle sign is allowed, but, if more than twenty feet (20 ft.) from the front, the ordinance is less definitive. For instance, if Harris Teeter were to park an eighteen-wheeler with advertising on the interior of its property, the vehicle is not in violation. This version was sent to the City Attorney for legal review, and counsel determined that it was too complex and difficult to administer and enforce. At this time, the City Attorney researched successful challenges to this type of code which led her to the position that, if this issue were taken out of the sign ordinance and put into the parking ordinance, the City would be more likely to avoid and withstand constitutional challenges to the First Amendment.

The way the Planning Commission's recommendation works is that, in the Commercial District, a sign on a vehicle that is less than twenty feet (20 ft.) long is allowed at any time. If the vehicle exceeds twenty feet (20 ft.) in length, parking in the Commercial District is limited to two hours (2 hrs.). Vehicle signs would be allowed in residential districts if less than twenty feet (20 ft.) long. Administrator Tucker added that this move takes enforcement away from the Building Department to the Police Department if this version of the ordinance is approved.

Councilmember Carroll suggested that this work had been done to resolve one (1) violation, but Administrator Tucker explained that there have been other incidents in the recent past. Director Kerr added that the existing code is enforced quite frequently, but this is the first instance of pushback from an owner. The Director indicated that putting this issue "under the microscope" has brought to light that Ron Davis' pickup truck and the Simmons Seafood truck are in clear violation of the Code. If the existing ordinance is to remain unchanged, the City will have to enforce it for these two (2) businesses; Director Kerr said that he has spoken with Simmons Seafood to determine if there is another place they can park the truck. In Director Kerr's opinion, Mr. Davis' truck is placed where it is primarily for advertising, but he can relocate the vehicle and be in compliance. Since an amendment to the Code appeared to be forthcoming, the Building Department has not been enforcing the existing code. Both the Planning Commission and the Public Safety Committee agree that, if an ordinance change occurs, there should be text added to the change clarifying that an existing, long-standing sign, like the Simmons Seafood truck, would be grand-fathered and that, if that sign were to be replaced or the vehicle went away, new signage would need to conform to the City's Code.

Administrator Tucker asked whether the Planning Commission had looked at how other local municipalities and homeowners associations deal with this issue; Director Kerr responded that the Planning Commission borrowed heavily from the City of Charleston, but he did not think that anyone had looked at homeowner associations.

Chair Bettelli suggested that Director Kerr and Chief Buckhannon discuss the proposed ordinance and its enforcement with an eye toward unintended consequences.

Based on discussions, Chair Bettelli recommended that the first version of the amendment be re-considered by the Planning Commission for the Committee to discuss in the future.

## 5. New Business

### A. Consideration of Beach Volleyball League at *The Windjammer*

Bobby Ross, representing *The Windjammer*, explained that 2014 will be the third year that they have sponsored a beach volleyball league for girls between the ages of twelve and eighteen (12-18). The spring league will run from April 1<sup>st</sup> through May 28<sup>th</sup> and a summer league will run from June 4<sup>th</sup> through July 30<sup>th</sup>. The summer league will consist of weekly, mini-tournaments that would allow local girls and visitors to the island to participate. As in the past, *The Windjammer* will not make any money from this endeavor; if costs are less than fees paid in, the remaining balance will go to a local non-profit, like the Island Turtle Team.

Councilmember Carroll asked to whom liability would fall should someone be injured on the beach; Mr. Ross explained that each player pays fifteen dollars (\$15.00) for insurance for such an occurrence.

**MOTION: Chair Bettelli moved to approve *The Windjammer's* sponsoring girls spring and summer beach volleyball leagues; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.**

**MOTION: Chair Bettelli moved to re-order the *Agenda* to discuss Item E of New Business at this point in the meeting; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.**

### E. Award of Contracts in Excess of \$10,000

#### Consideration of Purchase of Traffic Counters

Assistant Dziuban stated that the need for accurate traffic counts has come up multiple times in the past, and, with the work Stantec will be doing over the summer, the information is vital. Chief Buckhannon has researched the products available that could be installed in time for this summer season. Assistant Dziuban noted that this would be an out-of-budget expenditure.

Chief Buckhannon reported that the City currently has two (2) traffic counters; one (1) is located on the Mount Pleasant side of the Connector and the second is at Carroll Realty. In recent years, the data from the counters has become less and less reliable for a multitude of reasons.

His research has led him to a new type of counter embedded in the road that will not only provide vehicle counts but also provide information on traffic patterns. The life expectancy of these counters is eight to ten years (8-10 yrs.), which is approximately how long the existing counters have been in service. These new counters are considerably less expensive than the type of counters currently in use; seven (7) of the new units have been quoted at ten thousand four hundred sixty-nine dollars and eighty-five cents (\$10,469.85). With seven (7) units, one (1) will be installed in each ingress/egress lane of the Connector and one (1) in each lane of Breach

Inlet. The installation involves cutting a hole in the pavement, dropping the disks into the holes and filling them with epoxy and will cost between three and five hundred dollars (\$300-\$500) each. In addition, these new counters can be read by a wireless reader remotely from as far away as thirty-five feet (35 ft.). The City will be required to get an encroachment permit from SCDOT for their placement in the roadway.

Councilmember Carroll indicated that he thought this purchase could be made from tourism funds, and Chair Bettelli agreed. Assistant Dziuban stated that a funding source would be identified for the Ways and Means Committee meeting.

**MOTION: Councilmember Carroll moved to approve the purchase and installation of new traffic counters; Chair Bettelli seconded and the motion PASSED UNANIMOUSLY.**

Chief Buckhannon stated that the purchase would have to be bid out due to the dollar amount.

#### **B. Reports on Pursuit of Grants**

Assistant Dziuban commented that the Municipal Association of South Carolina (MASC) routinely sends out notices of grants that are available, and staff thought that Council could be unaware of how often the City Departments apply for grants. As the notices come out and when there are items for which the City is eligible and can use, the Departments do attempt to win the grants. The City does not see a lot of success because there are so many municipalities in the state with needs greater than those of the Isle of Palms.

Chair Bettelli suggested that information on grants applied for might be a good addition to the monthly departmental reports.

Chief Buckhannon stated that one (1) difference with some MASC grants is that they reimburse for purchases; the City has to show that it has purchased the item, it is currently in place and they will reimburse up to a certain dollar amount. These grants are on a first-come-first-served basis and have a narrow timeframe for the purchases.

Battalion Smith indicated that the Fire Department also applies for grants periodically throughout the year.

#### **C. Review of Revenue Projections for FY15 Budget**

Assistant Dziuban explained that this is the first pass at the projected revenues for FY15 and are the best projections available with the information in hand. As the budget process progresses, these projections will become more refined. The cover page is a summary of the supporting information that follows.

In addition, staff has provided an analysis of potential revenue increases, looking at business license fees, franchise fees and the parking lots and meters, as opposed to considering an increase to the millage.

Chair Bettelli asked Chief Buckhannon if he had the personnel to patrol and empty the parking meters for twelve (12) months a year; the Chief indicated that it would be problematic with existing staff.

#### **D. Consideration of Employees of the Month**

Chair Bettelli stated that he had a memo from Captain Usry and Chief Buckhannon recommending Pfc. Storen, Pfc. Maloney and Sgt. Thompson for "Employees of the Month" for their professionalism and dedication to duty upon discovering a burglary in process, capturing the suspect and recovering all of the stolen items in November 2013. The memo is attached to the historical record of the meeting.

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

In addition, the Chair referred to a letter from Judge Michael Molony expressing his appreciation to Battalion Chief Smith and his crew for their work at a fire at his home; in a letter he stated

"their swift action prevented more significant damage to our house.

I am also thankful that Battalion Chief Smith followed up with me regarding the fire and took the time to offer some assistance yesterday."

**MOTION: Councilmember Carroll moved to honor Pfc. Storen, Pfc. Maloney and Sgt. Thompson as Employees of the Month; Chair Bettelli seconded and the motion PASSED UNANIMOUSLY.**

#### **Fire Department – Battalion Chief Smith**

The Battalion Chief reported that personnel responded to sixty-eight (68) calls in the month of January and thirty (30) were EMS calls. Personnel also responded to three (3) structure fires in the month. He announced that IOP Fire Department personnel will participate in the Carolina Children's Charities in March; the exact date is yet to be determined.

#### **Police Department – Chief Buckhannon**

The Chief reported that people from Galion, Ohio paid for a rental residence at 118 Ocean Boulevard only to learn that the person to whom payment was issued was not the name on the website; upon re-checking the website, the rental ad had been removed. During the month of January, officers issued six (6) "you could have been the victim of a crime" notices and seven (7) business check notices where officers found open doors or windows. In the area of community service, two (2) officers attended the training seminar for the "Coffee with a Cop Program" that the Department will initiate in February 2014. In January dispatchers responded to four thousand six hundred ninety-nine (4,699) calls; of that number three thousand two hundred forty-one (3,241) were for the Police Department. Officers made two hundred ninety-four (294) traffic stops that generated sixty-five (65) tickets; in addition, the Department made twenty-nine (29) arrests. In January, there was only one (1) noise complaint.

Responding to Councilmember Carroll, the Chief announced that the Police Department is fully staffed and that the Department is advertising for Beach Services Officers for the 2014 beach season.

**7. Miscellaneous Business**

**Streets to be Re-surfaced with 2013 CTC Funds**

Charleston County has announced that the following streets will be re-surfaced in 2014:

53 <sup>rd</sup> Avenue	57 <sup>th</sup> Avenue
55 <sup>th</sup> Avenue	Lauden Street
56 <sup>th</sup> Avenue	Palm Boulevard

Since the IOP Water and Sewer Commission is doing work on their infrastructure, the re-surfacing of Palm Boulevard will be delayed until the end of the summer when they have completed their work.

**Letter of Appreciation**

Also included in meeting packets was a letter of appreciation from the neighbor of a family who experienced a house fire; in the letter, he stated the following:

“Their quick actions certainly helped to avoid a major house fire.  
I watched the firemen team work very hard and professionally on an extremely cold winter night keeping the fire from spreading.  
The residents of the Isle of Palms should be very pleased knowing that we have a great fire department protecting our community.”

**Next meeting date: 9:00 a.m., Monday, March 2<sup>nd</sup> in the Conference Room.**

**8. Executive Session – not needed**

**9. Adjourn**

**MOTION: Councilmember Carroll moved to adjourn the meeting at 11:15 a.m.;  
Chair Bettelli seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk