

## **PUBLIC SAFETY COMMITTEE**

10:00 a.m., Monday, June 2, 2014

The regular meeting of the Public Safety Committee was held at 10:00 a.m., Monday, June 2, 2014 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf and Carroll, Chair Bettelli, Administrator Tucker, Fire Chief Graham, Police Chief Buckhannon, Assistant to the Administrator Dziuban and City Clerk Copeland. A quorum was present to conduct business.

1. 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 Bergwerf moved to approve the minutes of the regular meeting of May 6, 2014 as submitted; Councilmember Carroll seconded.**

Councilmember Carroll asked for a correction to the motion on page 6; he stated that he did not vote to proceed with the bidding on the electronic sign. He acknowledged that his vote was "mumbled" on the recording and promised to speak up clearly and distinctively in the future.

**VOTE: The motion to approve the corrected minutes PASSED UNANIMOUSLY.**

3. **Citizens' Comments – None**

4. **Old Business**

#### **FY15 Budgets**

##### **a) Consideration of Reservation of Funds Policy**

Administrator Tucker recalled a discussion at the Ways and Means meeting about potential alternatives for the reservations of fund policy, which is the City's newly implemented practice of saving money with the hopes of not borrowing money for the purchase of the City's larger apparatus, i.e. fire and garbage trucks. The question raised at Ways and Means was whether or not the City can afford to continue setting aside these large sums of money, keeping in mind that, although the money is reserved for a specific purpose, the money remains in the bank and Council could easily re-direct the funds if Council deemed it necessary. The Administrator also pointed out that Council can decide, in any budget year, to put away funds to this account or not to put aside funds.

Options discussed were to extend the useful life of each vehicle for another year, to finance some percentage of the vehicle or to finance every third or fourth vehicle. The Administrator stated that financing only a portion of a vehicle would be difficult because a financing entity would want one hundred percent (100%) of the value of the asset to finance. To accomplish the same goal, financing every fourth vehicle was a viable alternative.

For FY15, staff was recommending that no change be made to the schedule because there was very little to be gained, and to re-visit the schedule for FY16. The Administrator directed

attention to the Reservation of Funds schedule, included in meeting packets, that indicates that the payments will be reduced dramatically after FY20 and become more stable year over year.

Both Councilmembers Bergwerf and Carroll voice agreement that the policy to avoid debt was a good one, but Councilmember Carroll commented that the first years are going to be painful ones as the schedule indicates that large sums of money need to be added to the reserve. In addition, he expressed the opinion that, every year the life of a vehicle can be extended, the City saves money in the reserve.

Councilmember Bergwerf agreed that to get another year's use of a vehicle is a good thing, but there are also going to be those situations when a vehicle has to be replaced before reaching its expected useful life. Therefore, the City cannot rely on extending the life of vehicles.

Chief Graham stated that extending the useful life is a very important issue for both the Fire and Public Works Departments because bringing vehicles into compliance with changes by the EPA or NFPA regulations may outweigh the money saved by deferring another year. As an example, the Chief explained that, if the City had not acted early, the 2009 truck would have cost the City approximately thirty thousand dollars (\$30,000) more.

Chair Bettelli stated that the City looks to the longest useful life of a vehicle before replacing it; each year as the budget process begins and capital expenditures roll forward, each vehicle scheduled for replacement is assessed to determine the vehicle's condition before confirming the need to replace it.

#### **b) Traffic Counters**

Chief Buckhannon reported that the City continues to wait on SCDOT to issue the permit, but he also reported that the existing counters are working. Since it appears that the counters will not be installed before July 1, approximately ten thousand five hundred dollars (\$10,500) needs to be budgeted for FY15.

**MOTION: Councilmember Bergwerf moved to budget approximately \$10,500 for traffic counters in the FY15 budget; Councilmember Carroll seconded.**

Assistant Dziuban noted that the traffic counters were not in the FY14 budget, but were an approved out-of-budget expenditure.

**VOTE: The motion PASSED UNANIMOUSLY.**

#### **c) Digital Signs**

Assistant Dziuban displayed a couple of enlarged photographs of the sign at the College of Charleston (C of C) that was created by the company that was low bidder for the IOP signs.

Assistant Dziuban explained that staff continues to be uncertain about the direction the City wants to take on the message boards.

Chair Bettelli stated that he understood from the Council meeting that the City's signs would be clearer than the C of C sign because the LEDs will be closer together.

Based on the discussion at the last Council meeting, Councilmember Carroll stated that the City had a thirty-day (30-day) window to research the electronic boards, and he queried Assistant Dziuban if these photos were the research. Councilmember Bergwerf and Chair Bettelli stated that the man who spoke at Council from St. Clair Signs had agreed to bring his demonstration model to the island for people to get a clearer picture of the signs being proposed.

Responding to Councilmember Bergwerf's question, Assistant Dziuban said that she would contact the vendor today to get a date for the demonstration sign to be on the island.

Chair Bettelli suggested that a message be posted on the existing signs that citizens can see the sign first hand.

Councilmember Carroll said that he would like a scrolling message to appear on the demonstration model asking for citizens' input on the sign. The Councilmember indicated that the comments he is receiving are predominately negative.

Councilmember Bergwerf reported that the people she has spoken to who are not in favor of an electronic board believe that the new sign is going to be flashing and obtrusive.

Councilmember Carroll remembered from the Council meeting that the people who are against the sign are the most vocal; therefore, he would like to seek and hear more public comments by putting on the demo "What do you think?"

Councilmember Bergwerf agreed to putting a message on the existing message boards the day before notifying residents that they could see an example of what is proposed the following day. If the demo is not equal to what is proposed, the Councilmember said that there was no point to bringing the demo onto the island.

Director Page reported that, when the Rec Department did its initial research, one (1) of the vendors did bring a demo model to the island, but she does not know if this is the same vendor that was the low bidder. The demo she saw was on a trailer and is larger than what is proposed, and, due to its size, it could not be located in front of the existing board. The primary difference this sign will show in comparison to the existing signs is that the letters will look different.

Director Page reported that she initiated the discussions on an electronic board; the existing signs are in very poor condition. When the Director called for an estimate of the cost to repair the boards, she learned that it would be very expensive; she then sought estimates on replacing the sign in-kind and found that it would be as expensive to replace them as to repair them. In this process, she thought of the wayfinding sign initiative with Stantec and realized that new message boards should be in that motif. The staff at the Recreation Department decided that there was a better way to communicate with residents than to manually change the boards; she noted that this process is not only aggravating, but cold, wet, and, at times, difficult to change when notifications come at the end of the day when her staff has left for the day. Since the City

has made strides to move into the electronic age with website, the intranet and the newsletters, it seemed only reasonable to exercise those capabilities to update the message boards. The Director noted that, when there are rip currents, it is important to get that message to residents and visitors alike; she added that she has gotten red letters just for posting such an alert. If the process is to remain manual, new lettering must be ordered, and the letters are quite expensive. Director Page voiced the opinion that the only difference people will see is that the letters look different; she stated that there was no intention to scroll messages or to have graphics – to keep what is there now with the ease of updating remotely. In the end, Director Page's goal was to be more efficient; she added that she believes it will enhance the island not make it tacky.

Administrator Tucker added that another goal was to keep the look as close to what is there now as possible and to make a more efficient use of staff time.

Director Page commented that inviting people to see the board that the vendor is going to bring will generate more negative feedback because it is going to be on a trailer and look like the roll-up signs similar to the sign as one travels onto Sullivan's Island.

Councilmember Bergwerf related her understanding from the vendor that the sign he will bring has a messaging board that is bigger, the lettering can be whatever size the City wants, but it is going to be the exact same product. She reiterated that, if that is not true, displaying the demo should be cancelled.

The Administrator explained that she would recommend putting it into the FY15 budget so that the funds are there, and it is clear that the project will not be completed in FY14. She reminded the Committee that they are the policy-making body and, therefore, do not have to do it.

**MOTION: Councilmember Carroll moved to re-budget the digital signs to the FY15 budget; Councilmember Bergwerf seconded and the motion PASSED on a vote of 2 to 1, with Councilmember Carroll casting the dissenting vote.**

Due to Councilmember Bergwerf's concern, Assistant Dziuban stated that she will contact the vendor today to get specific information on the demonstration product he would bring to the island.

Before moving forward to New Business, Assistant Dziuban commented that the Committee needs to discuss one (1) other matter related to the FY15 budget. By way of providing history, the Assistant reported that this matter relates to the FY12 and FY13 budgets; in these two (2) budget years, the City budgeted to transition to a new software for the court system. In the first year the City purchased a windows-based system and eliminate the DOS system for court administration; in the second year, the City budgeted for ticket writers for the Police Department. The ticket writers were to marry up with the court software so that the ticket information would be automatically uploaded to reduce data entry errors and data entry time. The City then issued an RFB for the court software, purchased the new software, installed it and successfully transitioned; it has now been in use for two (2) years. The court staff continues to maintain the old software because it is a database of information. The problem derives from the ticket writer portion; at the end of FY13 the City did not re-budget them to FY14. Because the City wanted the ticket writers, something out of the ordinary occurred, i.e. the City paid for the ticket writers

with the understanding that the City would have them shortly; unfortunately, the City has not received any ticket writers.

Eleven (11) months have passed and the City does not have ticket writers in its possession. The decision to be made is how to move forward. If the City approaches the vendor that the City is pulling out altogether because the City wants two (2) systems that talk to each other, the vendor might not agree to refund money for a court system that the City has been using for two (2) years; taking this action would also mean that court personnel maintaining three (3) software programs. A second option, which staff prefers, is to keep the court software as it is, to request a refund the seventeen thousand four hundred dollars paid (\$17,400) for ticket writers and to go in a different direction for ticket writers. The down-side to this option is that ticket writers and court software would not marry up the ticket information.

Administrator Tucker noted that the City has never had the benefit of uploading ticket information into the court system, so personnel are accustomed to operating without it.

Councilmember Carroll voiced his opinion that the City should put the onus back on the vendor before considering another vendor.

Councilmember Bergwerf asked what explanations the vendor was providing to account for the delay. Captain Usry reported that she had been assigned the issues related to the ticket writers on January 31, 2013; in the interim she has send the vendor everything they have asked for and repeatedly followed up with them. In the latest email on April 30, 2014, the vendor stated that development and testing have been completed, and they are waiting on the devices for one (1) final round of testing and they would be "good to go." In addition, the vendor stated that the City needed to upgrade the database to the most recent release and they will discuss the timing of all components. As Captain Usry understands the situation, the vendor had not even developed the product when the City went into the program; they have developed and now it is ready, but they do not have the devices. The deal also included five (5) scanners for driver's license scanning; the Captain indicated that she has asked for the scanners because they can be used with the e-collision software that the City uses from the state.

Assistant Dziuban remarked that another option would be to continue to wait on good faith, which could result in, eventually, getting a product that does mesh with the court software as promised.

Captain Usry recalled one (1) email from the vendor that, once the testing is complete, they do not want the City of Isle of Palms to be one of the first users, which came with no explanation.

Captain Usry explained that the vendor had developed a program that worked with an older version of the court software being used now; Hilton Head is using it successfully. The version the IOP court system is using is newer and is not compatible with the older mobile product, which meant starting over and writing a new program in order to bring it up to marry with the newer version of the court software used by the Isle of Palms.

Responding to Councilmember Carroll's question about the cost of the court software, the Administrator replied that she does not remember the specific cost, but knows the reason it was

spread over two (2) years was because the two (2) product costs were relatively equal. He then asked if it was the City's normal practice to pay upfront; Assistant Dziuban stated that was not the City's practice and this happened as a very unusual circumstance related to the fiscal year closing and the City's having a good relationship with this vendor and wanting to make sure that the fiscal year ended properly since the money had not been re-budgeted.

Chief Buckhannon reiterated that the vendor said they had the product and that it was currently being used, and that is what the City thought it would be getting.

Captain Usry stated that every communication she had with the vendor led her to believe that everything was on track; it was only after digging into the matter that she learned that the product had not been developed.

Chair Bettelli suggested giving the vendor a deadline.

Captain Usry informed the Committee that the state is developing an e-ticket program as well, and they appear to be closer than the vendor. This would be a system that the City could use that would cost nothing; there are other venues the City can go to without a potential cost.

When asked by Councilmember Bergwerf what staff suggests, Assistant Dziuban stated that she had talked with Amy of the court staff and she prefers not to migrate to a third court software database. Administrator Tucker added that Amy would prefer to stay with the product she is using than go to a third product that would communicate.

Assistant Dziuban commented that she had no problem in going back to the vendor with a deadline, but one (1) factor the Committee should consider is that, if the Committee decides to go with another vendor, no money has been earmarked in the FY15 budget. The City may get its money back, but the budget document makes no provision for this outcome.

When asked how many ticket writers the contract included, Chief Buckhannon replied that the City was to get five (5) user licenses, plus driver's license scanners.

Administrator Tucker suggested that the vendor speak to this Committee, believing that they will either provide the product or agree to refund the City its money. If they come, the information will be on the record should the City decide to file a claim against them. The Committee unanimously agreed to follow that path, and the vendor will be invited to attend the next meeting.

The Administrator stated that a placeholder should go into the FY15 budget for ticket writer devices and software; if the issue is settled now, the money would not be used, but, if needed, funds are available.

**MOTION: Councilmember Bergwerf moved to add up to \$18,000 in the FY15 budget; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.**

## 5. New Business

### A. Consideration of Amendment to Animal Control Ordinance to Prohibit the Tethering of Dogs

Administrator Tucker commented that this item is from Councilmember Ward, and staff wants to ensure that a consensus of the Committee and Council before assigning an ordinance change to Attorney Halversen. The Administrator stated that she had reached out to other local governments in South Carolina to see what they had in their animal control ordinances relative to tethering dogs; she noted that she was surprised by the number that have provisions in their code that prohibit the tethering of dogs. The section reads as follows:

- No person shall not tether, fasten, chain, tie or restrain a dog or cause the dog to be tethered, fastened, chained, tied or restrained to a house, tree, fence or any stationary object.

According to the Administrator, nearly all of the codes she received had language similar to that in order to prohibit the cruel circumstance where the dog is tethered in a yard or elsewhere with no appropriate food, water or shelter. The Administrator explained that Chief Buckhannon might argue that such as circumstance could be enforced under the provision in the City's code "Ill Treatment of Animals;" therefore, a change to the code is unnecessary. At this time, the City's code is silent about whether tethering is allowed or disallowed as a means of containing a dog.

While internet surfing, Chair Bettelli stated that the only articles he read in favor of tethering were from companies that manufacture tethers; he found a few codes that allow limited tethering.

Councilmember Carroll reported receiving an email concerning dragging dogs behind golf carts.

Chief Buckhannon stated that, if the City wants to specifically do away with dogs being chained up in someone's backyard, the City would need to expand the existing code, stated that there are situations when a dog might be tethered and have sufficient food, water and shelter.

Chair Bettelli suggested that the Chief discuss the issue with the Animal Control Officer relative to enforcement and come back to the Committee with recommendations.

The Chair stated that he thought dogs were being ill-treated by being on the beach in the heat of the day and often with no shelter.

Councilmember Bergwerf asked whether the City has had a dog die because it was tethered in a backyard; Chief Buckhannon responded in the negative. She added that she would prefer to legislate dogs being on the beach in the heat of the day if the City is truly addressing cruelty to animals.

The Chief reported receiving very few calls about tethered dogs in someone's backyard; when they do, an officer investigates the situation to ensure that the dog in question has sufficient food and water and shelter.

Councilmember Bergwerf indicated that she does not think patrol officers riding the island looking for tethered dogs was a proper use of their time.

Councilmember Carroll voiced his agreement with Chief Buckhannon that this issue is addressed in the current code in broader terms.

Councilmember Bergwerf asked that the City do more public education relative to dogs being on the beach in the hottest part of the day.

### **B. Discussion of Shopping Center Ingress and Egress**

Administrator Tucker acknowledged that, generally, many residents of the island agreed that a change needs to be made to the ingress and egress; she stated that she has reached out to SCDOT and to Charleston County, copying the developer in her emails. The Administrator expressed the opinion that the configuration that exists now is the configuration that meets SCDOT requirements. The developer responded that he had tried to get SCDOT to approve something different, but this was the only one plan approved. SCDOT has not yet responded to the Administrator's communication, and turning left out of the shopping center is quite challenging. The Administrator noted that the configuration of the parking lot was restricted by the developer having to meet NPDES requirements for rainwater runoff, and the extension of the median was a SCDOT requirement.

Councilmember Carroll asked if there have been any wrecks related to the ingress and egress from the shopping center; Chief Buckhannon said that there have been no accidents yet. He noted that there have been several near-misses with people in golf carts on the sidewalk on the shopping center side of Palm Boulevard; the Administrator added what the golf carts were doing is technically illegal. The Chief's plan is to seek permission to place a sign reading NO GOLF CARTS ON SIDEWALK. Administrator Tucker state that she has asked SCDOT to come to the island to observe the problem first-hand.

### **C. Consideration of a contract to John Deere in the amount of \$26,604.55 for 2 ATVs for the Fire Department, state contract pricing, included in the FY15 budget at \$26,000.**

Administrator Tucker explained that the reason for awarding the contract at this time is to get them ordered so they can be deployed as early as possible in FY15; the purchase will add six hundred four dollars and fifty-five cents (\$604.55) to the FY15 budget. Chief Graham added that the ATVs are at state contract pricing, and her goal is to have them for the July 4<sup>th</sup> weekend.

**MOTION: Councilmember Carroll moved to recommend to Ways and Means Committee to add \$604.55 to the FY15 budget and the award of a contract to John Deere for ATVs for \$26,604.55; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**



## 6. Highlights of Departmental Reports

### Fire Department – Chief Graham

Chief Graham reported that personnel responded to one hundred twenty-seven (127) calls; thirty (30) of them were EMS calls. In the first two (2) weeks of May, there were multiple water missions; eighteen (18) people were pulled out of rip currents and, for the month, a total of forty-three (43) were pulled out of rip currents or received other assistance. There also was a drowning. The Chief stated that the Fire Department anticipates a very busy summer. On May 2<sup>nd</sup>, personnel responded to a call in Wild Dunes reported as a two and a half (2½) week old baby that had stopped breathing and gone into cardiac arrest; when personnel arrived, the baby was blue and not moving, but Fire Department personnel revived him. Chief Graham thanked Captain Maibach for the organization of the Disaster Expo; attendance was good and the Department received many compliments. The Chief explained that DHEC has a new field-ready app for smart-phones, iPads, etc. that uploads, in real time, photographs or information on any kind of storm damage, severe flooding, etc.; Chief Graham has talked with them about sharing the information with the Emergency Management Division. DHEC is interested in doing training with the Isle of Palms on a pilot project for the app, and Chief Graham has invited the Emergency Management Division to participate.

Chair Bettelli asked that a blurb KNOW WHERE YOU ARE be included in the newsletter with its relevance.

### Police Department – Chief Buckhannon

Chief Buckhannon distributed a synopsis of activities for the Department. He reported that, on May 28<sup>th</sup>, a Bobcat was stolen; this was the piece of equipment used by Wild Dunes to manage the sandbags on the beach. The Bobcat has not yet been recovered. On May 31<sup>st</sup>, a safe was stolen from Wild Dunes reported to contain more than thirteen thousand dollars (\$13,000) cash; a suspect has been identified, and the detective is working on leads. A “Meet and Greet” was held May 8<sup>th</sup> at 3504 Cameron Boulevard; this meeting was at the request of the residents, and fifteen (15) people attended. The first “Coffee with a Cop” was on May 24<sup>th</sup> at Joe’s to Go; officers met with approximately thirty (30) residents and visitors; the meeting lasted about two (2) hours.

When asked about Memorial Day, the Chief said that the traffic was not too bad; while there were some traffic backups, the traffic did continue to flow. The Chief then distributed printouts from the traffic counter that tracks traffic coming and going via the Connector; the report shades the highest volume in the morning and in the afternoon and the times that they occurred.

Chair Bettelli asked whether the light at Rifle Range Road and the Connector has been adjusted for the summer traffic on and off the island; Chief Buckhannon stated that it does appear to have been modified.

Responding to Councilmember Carroll’s question, Chief Buckhannon replied that two (2) business owners, Sherri Johnson and Joe Petro, attended the “Coffee with a Cop” and they discussed their concerns with the officers.

Councilmember Bergwerf commented that, when the Police Department is most challenged with traffic, is also a time when they are challenged with parking violations; she asked Chief Buckhannon how that conflict was going to be resolved. She added that, when the City goes to a parking permit system, parking violations are going to escalate dramatically. The Councilmember also asked whether the BSOs were writing tickets or involved with other tasks.

Chief Buckhannon responded that, during the peak timeframes, the BSOs are busy because police personnel are so stretched with directing traffic; the Chief stated that he deploys five (5) people to the Front Beach to direct traffic for several hours.

Councilmember Bergwerf stated that she understands the problem, but residents who are seeing people illegally parked are getting no response. In her opinion, it is a very real problem and the City must figure out how to get more feet on the ground to handle parking.

Administrator Tucker asked whether having more BSOs would solve the problem or would having them equate to a need for more transportation. The Chief responded that he does not know whether having BSOs would solve the problem; there will simply be times when the Department will not be able to get them all. The Chief said that the County officers brought to the island to assist cannot write City parking tickets. During peak times, Chief Buckhannon said the BSOs dedicated to Front Beach to help keep traffic flowing.

Councilmember Bergwerf summed up the situation as one where the Police Department does not have enough personnel in the beach season.

Administrator Tucker stated that any kind of authority presence on at the beach makes a difference with the way people conduct themselves.

The Chief has observed that the County Park is filling by 11:00 a.m. and the municipal lot is filling by 12:00 p.m. or 12:30 p.m. with all spaces on at the Front Beach occupied. The Chief also reported that he asked Stantec to study the Front Beach traffic patterns when they were here doing field work on Memorial Day weekend.

Councilmember Bergwerf asked whether the City has hired its full complement of BSO; Chief Buckhannon responded that the City has not hired the full complement at this time because the Department has not received the type of responses it needs to fill the open spots.

Councilmember Bergwerf suggested that the City may need to pay more in order to recruit the caliber of person it wants to hire. Chief Buckhannon commented that he hopes County Council will continue with its grant to the City to offset the costs of part-time deputies and BSOs. The Chief noted that this is not a Charleston County issue, but one (1) that affects the tri-county area; he stated that if the area continues to grow at its current rate, the City will have more people.

Chief Graham reported that, on Mother's Day, there were five (5) wrecks and four (4) water missions in an hour and a half time span. For the Memorial Day weekend, Chief Buckhannon reported ten (10) wrecks on the Connector Bridge; the Charleston County Sheriff's Office assisted IOP personnel.

**7. Miscellaneous Business**

Next Meeting Date: 10:00 a.m., Thursday, August 7, 2014 in the Conference Room.

**8. Executive Session – not needed**

**9. Adjourn**

**MOTION: Councilmember Carroll moved to adjourn the meeting at 11:42 a.m.; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk