

## PUBLIC SAFETY COMMITTEE

9:30 a.m., Tuesday, July 7, 2015

The regular meeting of the Public Safety Committee was called to order at 9:30 a.m., Tuesday, July 7, 2015 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the Committee were Councilmember Bergwerf and Carroll, Chair Bettelli, Assistant City Administrator Dziuban, Fire Chief Graham, Police Chief Buckhannon and City Clerk Copeland; a quorum was present to conduct the meeting.

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 June 2, 2015 as submitted; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.**

### 3. Citizens' Comments

Barbara and Dan Roberts of JC Long Boulevard addressed the Committee about their issues with the loud music and other loud noises generated by *The Dinghy* across the street; Mr. Roberts has spoken to City Council on a couple of occasions on this subject. Since he last appeared before City Council, he reported that he has had a meeting with Livability Sergeant Meekins and Brett Jones, proprietor of *The Dinghy*, and Mr. Jones has been trying to be a better neighbor. Despite the progress, Mr. Roberts had other issues to present.

Mrs. Roberts stated that other restaurants close at 11:00 p.m., while *The Dinghy* is open to 2:00 a.m.; employees of the other establishments on the island then go to *The Dinghy* before leaving the island. These people gather on the screened porch and tend to become quite loud as they cheer on a companion who is playing darts. Mr. and Mrs. Roberts played a recording taken inside their home on June 13<sup>th</sup> at approximately 9:00 p.m. with the doors and windows closed; despite being played through a phone, the sound was quite distinct. According to Mrs. Roberts, they are forced to stay up until after 2:00 a.m. because the noise does not allow them to go to sleep. Mrs. Roberts reported that, the prior evening while sitting on their porch, they watched people leaving the business with open containers walking up JC Long Boulevard and saw a man go to the dumpster and relieve himself.

Mrs. Roberts indicated that she and her husband have stopped calling the police because, by the time the police arrive, the activity would stop when the police car was seen approaching or whatever was creating the noise has stopped. She commented that she did not think such activity was good for the island – these activities were not family-friendly and should not be occurring “downtown.” Mr. Roberts said that their concern was for the entire street.

At *The Dinghy*, the music is played on their open patio and can be heard clearly inside the Roberts' home; he added that they have never had a problem with the other businesses on Front Beach that provide music for their customers. Mr. Roberts quoted the language of the ordinance that the “quiet repose” of their home was being disturbed.

According to Mr. Roberts, in the meeting with Sgt. Meekins, the officer stated that it “was hard for the noise ordinance to be enforced from one officer to another because it is vague and ambiguous; what one officer may find offensive or loud, another officer may not – so it is judgmental.” The Roberts said that they were on the island over Memorial Day and were told by Sgt. Meekins “that one (1) of their calls should have warranted a citation, but the officer had made a mistake.”

Mr. Roberts stated that the atmosphere along JC Long Boulevard has changed since *The Dinghy* opened. He reiterated that he was not looking to shut down the business, but he would like the management to be more thoughtful of the residents. He wanted not to be forced to listen to the music and, if possible, for something to be done about the loitering in the street. He reported that he had been told by Sgt. Meekins that the City’s hands were tied unless an officer could actually hear the loud music or witness the behavior. He asked the Committee what could be done to resolve the problem before it spreads and gets worse.

Chair Bettelli told Mr. and Mrs. Roberts that the Committee is studying the noise ordinance and has some possible changes under review. Responding to Mr. Roberts’ question about input to changes to the ordinance, Chair Bettelli said that Mr. Roberts was always welcome to speak to Council.

Assistant Dziuban noted that the City Clerk was capturing their comments for the minutes of the meeting that would be distributed to all of Council to read.

**MOTION: Councilmember Bergwerf moved to re-order the *Agenda* to address item D under New Business; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.**

**5. New Business**

**D. Consideration of volleyball tournament August 1 and 2 at the Windjammer as a City-sponsored event**

Bobby Ross, manager of the Windjammer, stated that he wanted to hold a volleyball tournament on Saturday, August 1 and Sunday, August 2; he said that he had checked the tide charts and found that the tides would be perfect for a tournament on those dates. In addition, Mr. Ross said that the participants would be the type of people the island wants in that they are very respectful of the beach.

Responding to Councilmember Carroll, Mr. Ross said that he was planning on having nine (9) nets set up between the pier and in front of the *Windjammer*.

Councilmember Carroll then asked whether Mr. Ross had spoken with the other businesses that open to the beach about having volleyball courts in front of their businesses. Mr. Ross responded that he knew which businesses did not want courts in their areas of the beach. Councilmember Carroll voiced support for the volleyball tournament, but indicated that he wanted the *Windjammer* to speak with the ocean-front businesses again to confirm their stance on the placement of courts.

Chief Buckhannon recommended that no net be set up that could block one (1) of the main walkways for the Sea Cabins.

Councilmember Bergwerf asked Mr. Ross to explain to the Committee the significance of the flyer included in the meeting packet. The flyer has been attached to the historical record of the meeting.) Mr. Ross explained that the mother of his daughter's volleyball coach was one (1) of the nine (9) persons killed at Mother Emmanuel AME Church; he hopes to get a five dollar (\$5.00) contribution from each participant in the tournament.

**MOTION: Councilmember Carroll moved to hold a volleyball tournament at the *Windjammer* on August 1 and August 1, 2015 as a City-sponsored event; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

#### **4. Old Business**

##### **A. Discussion of Additional Golf Cart Parking**

Councilmember Bergwerf asked whether the signs had been placed at 4<sup>th</sup> Avenue designating golf cart parking only, and Chair Bettelli commented that signage was an issue; according to Chief Buckhannon, signs took between two and six (2 and 6) weeks to arrive. Chair Bettelli stated that he had gotten an email requesting that golf cart parking be added at 3<sup>rd</sup> Avenue, but he thought the Committee could take time to study it.

Captain Usry reported that she and Director Kerr had gone to 4<sup>th</sup> Avenue and determined that to have dedicated golf carts parking there would mean that the City could not provide the required number of spaces for cars required for the Beach Management Plan. Based on how people park at 4<sup>th</sup> Avenue, the Director voiced concern that space would be available for six (6) vehicles if dedicated golf cart parking was added; Captain Usry noted that the same problem exists at 3<sup>rd</sup> Avenue.

Councilmember Bergwerf expressed her opinion that golf cart parking on the ocean-side of Ocean Boulevard seemed like the natural thing to do; she opined that, if the space was signed for golf cart parking only, vehicles would not park there. She asked that the Committee reconsider golf cart parking on the ocean-side of Ocean Boulevard at the 3<sup>rd</sup> and 4<sup>th</sup> Avenue beach accesses.

Assistant Dziuban cautioned that, if a decision was made to allow any kind of parking on Ocean Boulevard, it could be interpreted as a signal the City now condoned parking on Ocean. She added that the NO PARKING signs were put on Ocean by SCDOT, and they could translate City's allowing golf cart parking as a signal that the City was amenable to vehicular parking as well.

Councilmember Bergwerf remarked that, if golf cart parking was not to be allowed at 3<sup>rd</sup> and 4<sup>th</sup> Avenues, the City was doing nothing for its residents for golf cart parking.

Assistant Dziuban stated that the signs were up for golf cart parking only at 28<sup>th</sup> and 31<sup>st</sup> Avenues and that City Hall has heard many comments about them. People who have routinely parked their cars there continued to park there, and, not seeing the new signs, have gotten tickets. Adjustments to changes and to new signs generally need a while to take hold.

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Asking whether there was any other dedicated golf cart parking, Chief Buckhannon replied that there were designated spaces at 23<sup>rd</sup> Avenue and 25<sup>th</sup> Avenue; parking at these two (2) accesses was actually on the access paths. The Chief suggested that no golf cart parking has been designated north of 31<sup>st</sup> Avenue while the Concept C parking plan was being developed.

Councilmember Bergwerf was interested in having dedicated golf cart parking for use by residents as the crowds continue to get bigger and bigger. At the moment, the Councilmember pointed out that there was no designated golf cart parking between Breach Inlet and 10<sup>th</sup> Avenue.

Chair Bettelli stated that dedicated golf cart parking was an item that the Committee needed to keep on the radar.

#### **B. County Response to Request for Additional County Medical Assets**

Chief Graham reminded the Committee that the City has a Charleston County quick-response vehicle (QRV) that was staying on the island more than in the past.

Assistant Dziuban briefly summarized the events leading up to the County's response to the City's and Sullivan's Island's request to have a QRV stationed on Sullivan's Island and one (1) on the Isle of Palms for the summer months; the County kindly stated that they did not see the need to do that based on their analysis of the number of calls and the response times of the vehicles.

Chair Bettelli noted that the County had agreed to station a QRV on the island on weekends during the summer months.

#### **C. Update on Public Access to Traffic Camera on the Connector**

According to Assistant Dziuban, the basis for this request was a hope that visitors would access the cameras, see traffic on the Connector in real time, and use it as a decision-making tool when deciding about spending a day at the beach. Based on the request, City staff did its due diligence regarding the technology necessary for it to become a reality. She then directed attention to the sheet included in the meeting packet from the IOP Police Department; a copy is attached to the historical record of the meeting.

Chief Buckhannon explained that the first step was separating the camera system from the network system the City uses internally; basically, the vendor must set up a new server for the camera system composed of one (1) camera now but with the capability of adding cameras in the future. Comcast would provide the necessary bandwidth for the camera, but it would be on a totally different system outside the realm of the City's network. In order for the public to see it, the feed must go to a website; this service could be offered by both VC3 and NetGALAXY, but the wide gap in pricing has staff concerned.

The Chief was told by VC3 that, for a streaming video to come in to them, the City should estimate between two hundred and four hundred gigabytes (200-400 GB) per month of space for data streaming through their system at a cost of ten dollars (\$10) per gigabyte; therefore, the cost was estimated to vary between two thousand and four thousand dollars (\$2,000-4,000) per month. The result would be a link on the City's website to their server.

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Staff thought the prices quoted by VC3 were high and went shopping for other vendors who could provide the same service; NetGALAXY is a vendor who could maintain a mobile app like they do for Mount Pleasant, the City of Charleston Police Department and Kiawah. This vendor is offering a portal that would allow the streaming to occur via their server; the City would have a link on its website to their server, and bandwidth would not be an issue. Chief Buckhannon stated that he thought that an app was the best thing the City could do because more people would be using their phones than using their computers; the only cost would be a one-time charge for setup costing three hundred seventy-five dollars (\$375.00). Staff continues to be concerned about the wide difference in pricing.

Councilmember Carroll voice the opinion that the camera on the Connector was "after-the-fact;" He thought cameras should be located at Rifle Range Road and at Highway 17. In his opinion, traffic ingressing and egressing the island was a County problem.

Chief Buckhannon agreed that traffic was a County-wide issue and, at some point, the governments in Charleston County must come together to seek resolutions to the traffic issues. He continued that one (1) way to get something rolling was to show the public that the City has a constant backup coming to the island; possibly one (1) of the other governments would want to show the traffic backups on the other side of the Connector. The Chief reported he has been told that SCDOT is unable to do anything at this time on the Connector, but this initiative might force them into action. He added that SCDOT had not built the infrastructure to accommodate it now, but they might be able to come back in at some point.

Chair Bettelli suggested that the Mayor generate a discussion on Lowcountry traffic at a C.H.A.T.S. or COG meeting.

Assistant Dziuban informed the Committee that staff had given consideration to including this subject on the June Ways and Means Committee agenda but thought that the City should do more work because of the disparity in the numbers. In Chief Buckhannon's and Captain Usry's opinions, the low price from NetGALAXY was an effort to establish a good relationship with the City in hopes of future business. Before taking the public access for Connector traffic forward, Assistant Dziuban stated that staff would check the work it has already done, seek additional vendors for comparison and possibly look at another option entirely.

Chair Bettelli opined that this work would not get done this year; therefore, he recommended that staff continue to gather information.

Councilmember Carroll reiterated his opinion that the City should appeal to the County for public access cameras at Rifle Range Road and Highway 17 at the Connector for a multi-jurisdictional approach.

Since there was a slim possibility that Charleston County would agree to assist, Chair Bettelli suggested that reaching out to them should be the first step; there was no reason for staff to spend its time researching the subject further if the answer was “yes.”

## **5. New Business**

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### **A. Discussion of Micro-surfacing on Waterway Boulevard**

Assistant Dziuban informed that Committee that the resurfacing on Waterway Boulevard was a SCDOT project, that micro-surfacing was a way to extend the life of existing asphalt and was the process employed when the recent resurfacing was done. The subject was on the *Agenda* because, after the project was completed, the City received feedback from some of the residents along Waterway who did not think the project was up to an acceptable standard. The City forwarded that feedback to SCDOT and asking that they come to the island to evaluate the project to measure whether the work was up to their acceptable standard. The City has not yet received a response.

### **B. Discussion of Golf Carts on Beach Access Paths**

Assistant Dziuban stated that Committee members had also received reactions from residents about the signs that were installed at 29<sup>th</sup> Avenue that read NO GOLF CARTS DOWN THIS PATH. The explanation is that golf carts have never been allowed on the access path; she read §8.1.19 of the City Code as follows:

“No person shall operate, or allow or cause to be operated, a vehicle on the beach or beach accesses except as provided in . . .” (Two sections that note exemptions for public safety reasons or reasons designated by City Council.)

It appears that residents watched the signs go up and felt that the City had changed its policy, but there was no change in City policy. The City was not aware of how many people were accustomed to parking on that path but also does not want to be issuing a lot of tickets to residents who are on the wrong side of the ordinance.

In addition, there are spots about half way down the path where golf carts park and/or turn around; those areas are on private property and have mistakenly been perceived as public property or part of the easement. Obviously, the City cannot provide public parking on private property, so that practice was also not in compliance with the law.

Calling the situation a dilemma, Councilmember Bergwerf remarked that the property owner has said that he has no problem with golf carts parking there.

Chair Bettelli noted that the City has an ordinance that prevents golf carts from getting to that private property to be able to park.

Chief Buckhannon commented that the 29<sup>th</sup> Avenue beach access has a fence along either side – on one (1) side it is chain link fence and on the other side is a small concrete pad, like a little wall. He explained that the Police Department had been put on notice that a citizen had nearly

been hit by a golf cart on the access path. Upon an on-site visit, the Chief saw how heavily trafficked that path was; there were ruts in the path from the golf cart traffic. When the Department has been put on notice that there is a potential hazard, it installs a sign; a similar sign has been installed at the 31<sup>st</sup> Avenue beach access because it is very narrow for pedestrians and golf carts to share.

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Councilmember Bergwerf asked whether there could be dedicated golf cart parking at the beginning of the 29<sup>th</sup> Avenue access path to placate the long-time users of this access path.

According to the Chief, that could be done, but the problem is there is not enough space on that path to accommodate golf cart parking. Councilmember Bergwerf then suggested designated golf cart parking in the right-of-way at the beginning of the access path.

The Chief indicated that, along Palm Boulevard, the section at the end of an access path can be designated golf cart parking; that is what was done at 28<sup>th</sup> and 31<sup>st</sup> Avenues. The decision to do so is totally in the hands of City Council and SCDOT who must issue an encroachment permit.

Councilmember Carroll suggested adding dedicated golf cart parking at every other beach path from 31<sup>st</sup> to the north end of the island.

Councilmember Bergwerf pointed out that, when Parking Concept C is implemented next summer, Palm Boulevard will be inundated with cars, making the need for dedicated golf cart parking for residents more important.

Captain Usry commented that SCDOT must approve those spaces by granting an encroachment permit, and they may not grant as many as are being discussed.

In establishing golf cart only parking at 28<sup>th</sup> Avenue, four (4) car spaces were lost, and another three or four (3-4) spaces would be lost at 29<sup>th</sup> Avenue.

**MOTION: Councilmember Carroll moved to create a section of golf cart only parking at every other block; Councilmember Bergwerf seconded.**

Councilmember Bergwerf opined that every other block may not be feasible and that Council should instead take recommendations of the Police Department for specific locations.

Assistant Dziuban commented that she was trying to visualize how Concept C and the golf cart parking idea before the Committee mesh; she said that there was some touch of an ideological conflict between the two (2) initiatives. She asked that Committee members consider how the dedicated golf cart parking would impact the parking plan.

Chair Bettelli reminded the Committee that two (2) new signs would be required for each golf cart only parking location. He also recommended that the City approach SCDOT before the Chief and Captain Usry do the work of evaluating all of the beach access paths.

Assistant Dziuban stated that the typical answer from SCDOT would be for the City to file the encroachment permits and, at that time, they would evaluate and respond.

Recalling earlier discussions, Councilmember Carroll asked whether “a soft opening” for Concept C was still planned for late summer of this year. Assistant Dziuban replied that, if possible, the City certainly would, but, since it was already July, she did not expect it to happen.

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Councilmember Bergwerf opined that establishing the golf cart only parking sooner rather than later would only help acceptance.

**AMENDMENT: Councilmember Bergwerf moved create golf cart only parking based on evaluations by the Police Department; Councilmember Carroll seconded and the amendment PASSED UNANIMOUSLY.**

**VOTE: The amended motion PASSED UNANIMOUSLY.**

**C. Discussion of City Regulations Related to Quad-skis**

Chair Bettelli stated that he had been sent a newspaper article about quad-skis in the area, and, as he understood the City’s regulations, the City does not allow any type of vehicle on the beach.

Assistant Dziuban indicated that she had pulled the ordinances and found in §7.3.2 Definitions that the word “boat means any watercraft, including sea planes when not airborne, sailboats, jet skis, aqua-trikes or similar types of watercraft.” Therefore, the definition of boat in the City Code would include a quad-ski.

Chief Buckhannon said that anything that is motorized is illegal on the beach.

**D. Considered earlier in the meeting**

**E. Consideration of Potential Fireworks Show in Wild Dunes on September 21 or September 22 as a City-sponsored event**

Assistant Dziuban reported that this request had been withdrawn.

**6. Highlights of Departmental Reports**

**Fire Department – Chief Graham**

Chief Graham reported that personnel had responded to one hundred forty-seven (147) calls in the month of June; fifty-six (56) of the total number were EMS calls. On June 15<sup>th</sup>, personnel responded to a call about a thirty-two foot (32 ft.) boat running aground with a patient on board; the patient was transferred to Boat 1020, taken to the IOP marina and transferred to Charleston County EMS. On June 22<sup>nd</sup>, personnel responded to a structure fire on 22<sup>nd</sup> Avenue; mutual aid was requested when the first unit on scene reported fire through the roof. A positive pressure ventilation fan was set up at the front door, utilities were secured, and salvage and overhaul were initiated. Personnel responded to a report of a water leak on 26<sup>th</sup> Avenue on June 25<sup>th</sup> and



found water entering the home where the roof, which was being repaired or replaced, was left uncovered prior to a rain storm. The month ended with a twelve (12) year old patient reporting that he had been bitten by a shark in the water off the County Park; circular lacerations and minor bleeding were found on the inside of his left knee; the wound was bandaged and the patient was taken to the hospital by his mother. The Chief reported that the Fire Department has had some major vehicle repairs and that the Department would be over-budget on that line item at year-end.

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

Officers responded to a victim who reported that someone had entered into her residence and stolen nine (9) nineteen inch (19”) flat screen televisions valued at eleven hundred seventy dollars (\$1,170); the victim would provide the Department with the serial numbers. On June 10<sup>th</sup>, officers responded to a report of a kidnapping/abduction in progress; officers were advised that the subject was in possession of a gun and had pointed it at the victim several times. Officers arrived on the scene and instructed the subject to drop the gun and to get on the ground; the subject was arrested and charged with first degree burglary, attempted murder, kidnapping, possession of a firearm during the commission of a violent crime and possession of cocaine. In an effort to address citizen concerns of littering, alcohol on the beach and glass on the beach, officers were assigned to conduct enforcement on the beach; one hundred forty-two (142) citations were issued for alcohol on the beach. In the month of June, dispatchers received a total of five thousand five hundred seventy-four (5,574) calls; four thousand three hundred seven (4,307) calls were for the Police Department. Officers conducted three hundred seven (307) traffic stops that resulted in one hundred sixteen (116) citations; there were twenty-one (21) traffic collisions for a percentage change over 2014 of thirty-three percent (33%). Two hundred twenty-eight (228) incident reports were written in the month, and one hundred eighty-four (184) arrests were made, including one (1) juvenile. During June, the City received twelve (12) noise complaints; two (2) citations were issued, five (5) were found to be unfounded, and five (5) warnings were issued.

### **7. Miscellaneous Business**

**Reminder: Straphangers March across the Connector – 11:00 a.m., Saturday, July 18<sup>th</sup>**

**Next Meeting Date:** 9:30 a.m., Wednesday, August 12<sup>th</sup> in the Conference Room.

**8. Executive Session – unnecessary**

**9. Adjourn**

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

Respectfully submitted:

Marie Copeland

City Clerk