

PUBLIC SAFETY COMMITTEE

9:00 a.m., Tuesday, May 3, 2016

The regular meeting of the Public Safety Committee was called to order at 9:00 a.m., Tuesday, May 3, 2016 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 Administrator Frago and Clerk Copeland; a quorum was 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: Councilmember Carroll moved to approve the minutes of the regular meeting of April 6, 2016 as submitted; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments

Mrs. Ida Havelka spoke to the Committee in support of the removal of encroachments from the right-of-way; her comments are attached to the historical record of the meeting.

MOTION: Councilmember Carroll moved to reorder the Agenda to take Item 4.B Discussion of Encroachments on Rights-of-way next; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

4. Old Business

B. Discussion of Encroachment in the Rights-of-way

Chair Bettelli asked Chief Buckhannon if he had received the list of permitted encroachments from SCDOT. The Chief responded that he had not and that to get the list would cost the City twenty to twenty-two dollars (\$20-22) per hour for someone to research the DOT records for them, and it could take days to weeks to get it done.

Chair Bettelli asked if it would be simpler to give SCDOT a list of the most egregious encroachments for them to identify if they were permitted.

Administrator Tucker said that she found it hard to believe that DOT would permit any encroachment that would prevent someone from safely pulling off the road to allow an emergency vehicle to pass; the permitted encroachments would be for low level vegetation or driveways.

Chief Buckhannon indicated that they would not allow reflectors to be placed within a foot of a driveway and down the driveway. Generally, if the encroachment creates a hazard for someone to pull a vehicle off the road, it will not be approved.

Referencing an email sent to Councilmembers over the weekend, Administrator Tucker recalled that the area marked for beach parking is covered by some type of obstruction; she reached out to SCDOT to ask if they had issued any deficiency notices, i.e. the notice sent by SCDOT when

an encroachment permit has been issued, but has not been followed. The response she received was "Not sure, do we have a problem?" According to the Administrator, SCDOT is not staffed to send over a team to come to the island and issue deficiency notices all over the island.

Councilmember Carroll asked whether IOP's jurisdiction could be challenged if the City were to issue a ticket to a resident with an encroachment in the right-of-way.

The Chief said that, if the City issued the citation, it would be adjudicated in municipal court; the challenge would come in the form of a suit claiming that the law was not being enforced uniformly or the City does not have the jurisdiction.

Administrator Tucker voiced concern over being challenged that the City does not have jurisdiction.

Chief Buckhannon explained that the City has the jurisdiction to issue tickets and DOT has told the City that, while they can issue deficiency notices, they do not have an enforcement arm. Therefore, it would be up to the City to make a criminal charge, but that does not stop the citizen from suing in civil court. When the City pursues the criminal side, the state may not support the City's actions – that is the unknown.

If Council decides to make a concerted effort to remove the right-of-way encroachments, it must be consistent throughout the island. The City has had the best enforcement with the prevention of new encroachments.

The Administrator stated that there is no public information to try to educate people to do behavior modification, so she suggested a media campaign to focus on the Isle of Palms' rights-of-way with the explanation that the rights-of-way exist for people to exit the roadway safely. When the cameras arrive on the island to film the unsafe encroachments, some people might be encouraged to remove them.

The Chief repeated that the encroachments that are safety hazards should be addressed first, i.e. railroad ties or parts of telephone poles, and he would want to confirm with DOT that they would be supportive of the City's enforcement. Before the removal process, the person responsible for identifying the problem encroachments must have the plat of the property to ensure that the structure, posts, etc. are in the right-of-way. If the City can work to remove them, it would send a message to the rest of the property owners that the City is taking action to clear the rights-of-way.

Mrs. Havelka suggested that the City start with encroachments on beach accesses.

When Councilmember Bergwerf noted that someone must be assigned the task, the Chief stated that, at this time of year, it would be difficult to have people dedicated to that job.

Chief Buckhannon added that he would be reluctant to take any action without the full support of City Council.

The Administrator noted that the residents who have had bad experiences with visitor behavior will not support this action.

MOTION: Councilmember Carroll moved to recommend a discussion by City Council of the removal of encroachments that impede the safe exit of vehicles from the roadway to allow public safety vehicles to pass; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

A. Consideration of FY17 Budget

Draft 2 of the FY17 budget is the budget that was passed for First Reading and the one that was advertised in *The Post and Courier* on May 1, 2016; for the Public Hearing and Second Reading on May 24, 2016, staff is proposing several changes for Council's consideration that will not affect the millage.

Those changes include:

- The possibility of any of the four (4) positions that did not make it through the budget workshop to get restored to the budget via committee action.
- An increase of \$129,000 in parking meter revenue based on the increase of the hourly rate to \$1.50.
- Considering the possibility of either assuming responsibility of handling the City's own NPDES program or asking Mount Pleasant to do it, the City must have a third party assessment by an engineering firm to determine the state of the City's drainage system; staff has estimated an additional \$30,000 in expense.

Chair Bettelli asked whether the County had such an assessment, and the Administrator said that they do, but it was done in 2007 and changes have occurred in the interim.

Other changes include:

- The NPDES improvements for the Public Works site have become much more complex since originally conceived; therefore, staff recommends approving a change order of \$10,500 to have bid assistance and construction oversight by Thomas and Hutton.
- Since the buildings and grounds person was eliminated from the budget, an idea from Mount Pleasant was to hire a construction company to assess the City's facilities and to generate a list of future maintenance issues for the City to address. The amount to be added to the budget is yet unknown.
- Based on conversations with the County, staff recommends adding back to the FY17 budget the cost of engineering and design for the public restrooms.

Items for which no figures are yet available are the twenty-five percent (25%) match for two (2) FEMA projects on the island submitted by Charleston County. One project is for the replacement of the drainage pipes under the roadway on Ocean Boulevard between 4th Avenue and Breach Inlet. The second project will be to flush, clean and video all of the piped drainage on the island. Based on the very costly repairs that have been made to fire apparatus in FY16, Chief Graham feels that the Vehicle Maintenance must be increased for the FY17 budget. Staff is also proposing the addition of three or four (3-4) surveillance cameras; two (2) for the municipal parking lots, one (1) for the trash compactor (may be done in FY16) and, if all works out, one (1) camera in the IOP Water and Sewer Property on Waterway Boulevard space for parking of marina employees.

Responding to Councilmember Carroll, Chief Buckhannon said that the cameras cost between seven hundred fifty to one thousand dollars (\$750-1,000), including the expenses of insulation, whether electric or wireless, transmission, etc.

Councilmember Bergwerf noted that she had missed the budget workshop and asked that Chief Buckhannon provide her information about the need for additional police officers.

Chief Buckhannon stated that the island has been experiencing added pressure as a result of the growth of the greater Charleston area and from more events taking place on the island that require oversight by the Police Department. The last time the Department added personnel was in 2007 with the addition of the Livability Officer. Using 2007 as a base year, calls have increased by thirty-two percent (32%) and investigations have increased by eighty percent (80%). As more investigations are assigned to the two (2) officers who handle them, additional manpower has been needed; often that manpower is the Chief or one (1) of the Captains. The Chief stated that it has become increasingly difficult to devote the resources they need to have without pulling a patrol officer off the road. The same situation is occurring in livability cases; the call volume and work assignments are increasing exponentially based on the same factors. When livability citations are issued, letters are sent to the property owner and the property management companies, and the officer is preparing for the trial case. The Department needs to add police officers to assist with investigations and livability cases; these would be sworn officers who could assist on the road as needed, but they would also do much of the follow-up on cases. The Chief added that the Police Department is also putting a burden on City Hall with personnel issues; he commented that a great deal of time was spent researching the Americans with Disabilities Act and other federal laws in relation to a pregnant officer. Chief Buckhannon said that the Department is floundering in getting some things followed up on that it should be doing on a routine basis.

The costs attached to additional officers in the first year would be approximately two hundred thirteen thousand dollars (\$213,000), and the recurring cost would be one hundred fifteen thousand seven hundred dollars (\$115,700).

Councilmember Carroll remarked that the decision was to hire four (4) additional BSOs for a total of ten (10); he asked whether all of those positions have been filled.

Currently, seven (7) BSOs have been hired, but they do not do the work that is needed from police officers other than handling the parking situation which is now island-wide. In addition, the BSOs are responsible for the parking signs and have assumed responsibility of cutting back branches for the Public Works Department.

Councilmember Bergwerf recalled that Council had asked the managers what they need, and she opined that it was their responsibility to listen; she also thought it was very conservative to have not added any officers since 2007. She expressed her surprise at learning that the City has only three (3) officers on the street per shift.

MOTION: Councilmember Bergwerf moved to recommend to Ways and Means the addition of 2 police officers to the FY17 budget in accordance with the support material; Chair Bettelli seconded.

Councilmember Bergwerf stated that the City can afford these additional police officers and public safety is City Council's responsibility. The Councilmember noted that, by having additional officers, the Chief might have the personnel to address encroachments.

Chair Bettelli said that the increase in calls and investigations warrant the additions.

VOTE: The motion PASSED on a vote of 2 to 1 with Councilmember Carroll dissenting.

C. Updates Related to Coyotes

Chief Buckhannon reported that the City has set out a new trap in a spot identified by the IOP Water and Sewer Commission close to another hot zone in the Forest Trail area. He noted that a couple of nights ago an animal was in the trap, but managed to escape; suspensions are that it was a coyote, but no one is certain. Since then, the trapper has modified the trap so that an escape would not happen again.

Reports of sightings are diminishing, but some calls are still coming in.

Councilmember Bergwerf reported that the turtle team was armed with crystallized wolf urine to put around turtle nests to ward off the coyotes.

5. New Business

Illegal Dumping on 6th Avenue Beach Access

Chair Bettelli noted that the Public Works Committee had asked that the Public Safety Committee look into this matter.

Administrator Tucker reported that the City has filled in the low spot on the access path in hopes of stopping the dumping.

Councilmember Bergwerf said that this was the path she uses and that this dumping has been going on "forever." She reported that she has blamed one (1) homeowner, but he could not possibly have that many leaves; therefore, she blames a landscape business. The Councilmember noted that there was a pile there now beside the barrel waiting for the City to pick it up.

Councilmember Carroll asked why the landscape companies were not required to haul off the yard debris they generate.

When Barbie Harrington put up a handmade sign, the dumping stopped for months, but it started again.

Administrator Tucker speculated that, since Sullivan's Island does require landscapers to haul off debris, it is coming from there.

6. Highlights from Departmental Reports

Chief Graham asked to comment on the FY17 budget before reviewing the report.

The Chief stated that she thought it important for the Committee to know that she has been handling workers' compensation for the City since 1993, and she strongly believes that it should be a human resources responsibility. She said that, in addition, she advocates for the City and the employees, trying to get the employee back to work; if the person ends up going on disability, she assists with that paperwork no matter what department. Additionally, she completes and files the annual OSHA report and helps other departments with Family Medical Leave Act paperwork.

Violations to regulations associated with human resources can have serious consequences; the work should be done by one person with human resources training.

Fire Department – Chief Graham

On April 16th, officers reported to a vehicle on fire in the municipal parking lot on Pavilion Drive; upon arrival, the crew found a fire in the storage compartment of the commercial shredder employed for the Hazardous Materials/Shred Day. While assessing the beach for hazards in Wild Dunes on April 25th, the crew came upon six-foot (6 ft.) alligator washed up in the surf; the crew notified DNR, but the alligator later swam back into the ocean. On April 30th, personnel launched the jet-ski to investigate something in the water behind 2800 Palm Boulevard; the object turned out to be a dead leatherback turtle that had been hit by a boat. During the month, personnel responded to sixty-six (66) calls, and, of that number, twenty-nine (29) were EMS calls. The Chief noted that having the QRV on the island was reducing response times. Ten (10) pre-incident surveys were done in April. Chief Graham reported that she is very close to hiring a new Fire Inspector. Medical in-service training consisted of a quarterly skills review on the treatment of shock and cardiovascular emergencies.

Administrator Tucker reminded the Committee that the Disaster Expo will be from 5:00 to 7:00 p.m., Wednesday, May 18 at Fire Station 1.

Police Department – Chief Buckhannon

The Chief reported that seven (7) BSOs have been hired and one (1) officer has been hired who will be going to the academy as soon as a space is available. The parking lots are up, the signs are in place and the kiosks are operational; he added that people do not understand why the kiosks on Front Beach are hourly while the kiosks in the parking lots are daily.

Councilmember Carroll asked how many personnel are being used in the parking lots, and the Chief replied that two or three (2-3) personnel are in the lots during the busiest part of the day, 10:00 a.m. til 3:00 p.m. They are being paid at their overtime rates.

Administrator Tucker added that staff believes that personnel will only be needed in this inaugural year of the kiosks in the parking lots and the parking management program.

Chief Buckhannon said that the City may need to add one or two (1-2) additional kiosks to make them easier and more visible for visitors.

Councilmember Carroll asked if a sign could be installed at the entrance notifying drivers that the lot is a kiosk operated lot and the price per day is "x."

The Administrator indicated that staff has tried to place signs at strategic locations and urged the Councilmember to visit the lot.

An additional sign that will be installed is a flip-up sign that gives the weekday rate on the front and when flipped-up gives the weekend rate per day. As a driver enters the lot, a sign reads "Park first then pay," and another sign reminds the visitor to place the kiosk receipt face up on the dashboard of the vehicle because BSOs will issue a ticket if they cannot read the receipt because it has blown off the dash when the car door closes. The plan is to add a sign reminding visitors "No alcohol on the beach or streets."

Island residents with residential parking stickers can park in the lot at no cost from 6:00 to 8:00 p.m.

7. Miscellaneous Business

Next Meeting Date: 9:00 a.m., Tuesday, June 14, 2016 in the Conference Room.

8. Executive Session – not needed

9. Adjournment

MOTION: Councilmember Carroll moved to adjourn the meeting at 10:32 a.m.; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk