

PUBLIC SAFETY COMMITTEE
9:30 a.m., Monday, February 8, 2016

The regular meeting of the Public Safety Committee was called to order at 9:30 a.m., Monday, February 8, 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, Attorney Halversen, Assistant Administrator Fragoso 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 had duly been 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 January 10, 2016 as submitted; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments

Ann Maughon, 7 Wills Way, said that she had been pleased to see that coyotes were on the *Agenda* again for discussion, but she was disappointed to find that crosswalks on Palm Boulevard were not. She reminded the Committee that she had attended the January meeting to report that many drivers do not stop for pedestrians trying to cross Palm Boulevard; she again appealed to add two to three (2-3) traditional crosswalks with lines on the pavement between 28th Avenue and Forest Trail.

Mike Maughon, 7 Wills Way, distributed a Google Maps image of his neighborhood indicating where coyotes have been sighted and areas from which cats have disappeared as well as photographs of an overgrown, vacant lot. After his cat went missing, he and his wife spoke to their neighbors to warn them about the coyote problem on the island. One neighbor reported seeing a coyote enter the vacant lot from Allie Court; Mr. Maughon reported that a visible path exists where the coyotes enter the lot from Wills Way. Since he moved to Wills Way in 1989, no one has done anything to maintain the vacant lot, but the coyotes that live there have solved the next door neighbor's rat problem. He questioned whether the City had contacted the owner of the vacant lot to ask that it be cleared. In talking with people on the island, he has been told that coyotes have been spotted in the vacant lot at the Baptist Church and on Shady Lane across from the golf course; the greens keeper at the golf course said that they have had to repair the damage the coyotes have done digging for moles. He indicated that he would like to see these overgrown, vacant lots cleared, and he would support efforts to eradicate them like Sullivan's Island is doing with the leg traps.

4. Old Business

A. Consideration of the Noise Ordinance Amendment

Administrator Tucker noted that the noise ordinance amendment had First Reading at the January City Council meeting; it is on this *Agenda* because staff received additional language to insert in the ordinance suggested by an island resident.

The suggestion is to insert the following language into Section 9.2.5.a.(3):

“provided, however, that any City-owned property subject to a commercial lease **and a noise control agreement with the City** is exempt from the requirements of this paragraph.”

Administrator Tucker interprets the language change to refer to some type of permanent noise control agreement with City tenants; while the City did have an approved City-sponsored event with Morgan Creek Grill for their experimental period with sound mediation, the City has not typically had any kind of permanent noise control agreement, other than to say in the leases that the lessee must abide by all City ordinances and state and federal laws. The City Attorney was asked to attend the meeting to discuss the proposed change and any other aspect of the amendment that might have generated concerns.

Councilmember Carroll spoke with the resident who made the suggestion and had gotten the impression that the language of the ordinance allowed City tenants to be exempt from the noise ordinance; The Councilmember explained that the City’s tenants would definitely be required to comply with the noise ordinance and not be exempt from it.

The Administrator recalled that one (1) of the arguments involving Morgan Creek Grill was that the existing code did not allow for amplified music on public property, i.e. City-owned property, and that is one (1) of several changes included in the amendment.

Attorney Halversen voiced the opinion that the City has the necessary controls in the commercial leases; any violation to the noise ordinance would be a material part of the leases. Any violation would trigger the controls in the lease that the City has to enforce including termination of the lease. She questioned that a separate agreement was necessary; since the change points to a new agreement, she did not know what it would contain that is not already in the lease.

Chair Bettelli suggested that any future leases specifically reference the noise ordinance.

Attorney Halversen reported that another exception was listed in the ordinance stating:

“(4) Construction activities performed by or on behalf of a governmental agency, including, but not limited to, construction, repair or maintenance of public buildings and drainage facilities, dredging activities, beach renourishment activities, and other public projects.”

The Attorney said that she tried to make the statement broad, so that something else could be added if necessary.

Administrator Tucker commented that the language came to mind because the City has projects that must happen at all hours of the day and night, such as dredging at the marina or Intracoastal Waterway or the harvesting of sand from off-shore.

The Committee agreed that they did not see the need for any changes and would be ready for Second Reading at the February Council meeting; therefore, Attorney Halversen was allowed to leave.

B. Discussion of Coyotes on the Island

Chair Bettelli thanked the Maughons for their remarks and acknowledged that not all coyote sightings were being reported; he stated that Sullivan's Island was having mixed results. The coyotes were too smart to go into the box traps, and there are drawbacks with the leg traps they are now using because the leg traps are not without risks. He added that the City must do something; he recommended taking steps to have someone study the island's situation and provide the City with a plan for significantly reducing the number of them on the island or eradicating them completely.

Councilmember Bergwerf recalled that the City was planning to hold a public meeting; in her opinion, a key factor in controlling the coyotes was education. She thought that residents do not understand what the rules are, what the law is, that the City cannot put traps on private property, etc. According to the Councilmember, historically, for every coyote trapped, four (4) dogs or cats or hawks are trapped. As for cleaning vacant lots, Councilmember Bergwerf noted that, in addition to the coyotes, other vermin living in the underbrush would be pushed into the surrounding neighborhoods; she stated that there will be unintended consequences to whatever the City does.

Councilmember Carroll remarked that, before the meeting, he had distributed an email from Sherri Musser sharing anecdotal evidence of the coyote problem on the island; she learned of twenty-three (23) missing cats and one (1) missing dog in only five (5) months. He stated that the City needs to be proactive and that he supports undercutting the vacant lots on the island and on the golf course in Wild Dunes.

Administrator Tucker reported that she was putting together a public meeting, but each entity waned to be the center of attention, and the City wanted to put together a panel including DNR and other people who have dealt with attempts to control coyote populations all over the country, possibly a wild life veterinarian, trappers, etc.

At the Administrator's request, Chief Buckhannon explained that any process the City might choose must go through the Department of Natural Resources (DNR). When he spoke with DNR representatives last week, he learned that the amount of construction happening on Rifle Range Road and towards the Francis Marion Forest has forced the coyotes out of their habitat, and, while it might be a chore for them to get here, they do and will swim. The Chief was told that the coyotes are becoming a problem state-wide for the same reason – loss of their habitat. The representative indicated that he would work with the City in any way possible to get whatever permits might be needed. The Chief cautioned that, when a trapper is brought in to deal with the coyotes, the animals that are caught must be euthanized; they cannot be relocated. He added that any "non-target" animals that are caught and that are not pets must meet the same fate. Since the firing of a gun is illegal on the island, the animals must be taken off island to be killed, which is contrary to state law, but the DRN representative said he would work with the City.

In addition, Chief Buckhannon contacted some trapping companies, and he got a picture of the type of leg-old trap they recommend, which he distributed to the Committee members. The Chief reported that Sullivan's Island has been using box traps and had no success. If the City were to hire a trapper, the City has the responsibility of telling him where to set the traps, and he noted that, unlike Sullivan's Island, the City has very little public land that it controls other than the

marshes. People have reported seeing coyotes when they are on the beach, but up to the high water mark is private property; therefore the City/trapper would have to get permission from the property owner and enter into an agreement with him to allow a trapper to set a trap on his property. The same process would also be required with Wild Dunes. Clearing the lots is effective in making the coyotes go away, but many people like the natural look. DNR also told the Chief that cats are afraid of the coyotes, but typically dogs are not. Chief Buckhannon warned that in addition to the coyotes, the traps would ensnare pets, raccoons, possums and birds of prey. The trapper indicated that he would put up signs to warn of the traps, but the number of signs would be limited because coyotes are very smart and they quickly realize something has changed, i.e. the appearance of the sign.

Administrator Tucker stated that contrary to people's impressions, coyotes are not nocturnal creatures. She added that, if the City decides to hire a trapper, the activity must be closely monitored, and finding a remote location on City-owned property will be a challenge. The Administrator noted that any private citizen can contract with a trapper for traps to be placed on his property.

According to Chief Buckhannon, if the City hired a trapper, he would check the traps daily for a set fee; if he catches a coyote, a different fee is charged, and a lower fee is charged if a "non-target" animal is trapped. The responsibility of dealing with the "non-target" animals caught rests with the City. The fee is three hundred dollars (\$300) per month with a separate fee for the animals caught in the traps.

Councilmember Carroll reiterated his stance that the City should move forward with the public meeting and arrange to undercut overgrown vacant lots on the island.

The Administrator told the Committee that staff wants to hold the public meeting on Wednesday, February 17th at the Recreation Center.

Back to the subject of the vacant lots, typically once a year the Livability Officer or Animal Control Officer rides the island and makes a list of the lots on the island that are not maintained, and then they send out notices to the owners that the lot is overgrown and needs attention. The property owner is given a specific period of time to clean it up. Complaints from neighbors also prompt action.

C. Discussion of Managed Beach Parking Signs

Administrator Tucker recalled that, at the January Council meeting, they awarded the contract for the fabrication and installation of the signs for the parking plan; at this point, the contract has been signed and the Notice to Proceed has been issued. The Administrator also reminded the Committee that the City plans to do an "after-action" evaluation at the end of the season to determine what worked, what did not work and what needs to be tweaked; what is being implemented now is the parking and sign plan as codified.

Although he was happy to see the parking plan go forward, Councilmember Carroll said that he was hearing for many residents about the large number of signs to be installed between 20th Avenue and Wildwood, and he agreed that it was "overkill." He thought that a sign at the top and

bottom of each street would be sufficient for that area; if a problem arose in this area, the sign could be installed.

Councilmember Bergwerf stated that she did not understand why this discussion was taking place since the decision had been made at City Council; she repeated that the plan could not go forward without the proper signage for enforcement. She noted that Council could have stayed with Plan B and avoided all of the discussion about signs.

Chair Bettelli reminded the Committee that the City had gone to the experts to design the sign plan, and Council has to give it a chance.

Chair Carroll said that he was only saying what the residents were saying to him.

Administrator Tucker recounted that Council had gone from Plan B to Option C because members were hearing pleas from residents of "Please do not leave me out." The residents must not have realized that to stop parking in the neighborhoods was going to require signage. The Administrator noted that it was unfortunate that the focus had moved to the signs rather than managing the beach parking that was the issue of quality of life Council started out trying to solve.

Councilmember Carroll remembered that the difference between B and C was that B was a pay-to-park plan that required the City to buy software for license plate recognition and Option C ultimately saved the City a lot of money.

Chair Bettelli stopped the discussion because the City has both a parking and sign program in effect and that re-addressing the issue would accomplish nothing.

D. Road and Bike Path Conditions

Administrator Tucker stated that staff has received concerns and complaints about the section of Palm Boulevard between 3rd and 8th Avenues and the bike path in same section; she has reported the problem to SCDOT twice. Every time it rains, the road deteriorates further, and the deteriorating gravel is migrating into the bike path, making it somewhat hazardous as well.

5. New Business

A. Review of FY17 Revenue Budget

Administrator Tucker reported that revenue estimates are based on the past twelve (12) months actual collections; revenues do not vary much from year-to-year, so the review will cover the highlights. Where there is a change in the amount budgeted, the numbers are bolded. Looking at line 22 – Parking Lot Revenue in the General Fund, an increase of forty-two thousand dollars (\$42,000) is proposed; the increase is based on the daily rates that were increased at the last Council meeting and the possibility of off-season revenue. Business Licenses continue to be discussed in the state legislature; the MASC has been working hard to work out a compromise, and, if the compromise is agreed upon, the Administrator does not anticipate the City seeing any adverse effect.

Any lines in this round of the budget referring to transfers should be ignored; these numbers typically are calculated as a function of balancing the budget.

In the Capital Project Fund, the only real income is from interest income; the grant funds are the anticipated NPDES funds the City will receive for the improvements to the Public Works site.

Both Municipal Accommodations Fees and County Accommodations Taxes are projected to have small increases in the next fiscal year, as are Hospitality Taxes. In State Accommodations Taxes, the revenue to the City is expected to increase slightly over FY16.

For the Disaster Recovery Fund, the only revenue shown is interest income.

Administrator Tucker explained that the Victims Assistance Fund is a fund to watch as its fund balance has gone down steadily for the past several years, and the police officer who performs that function along with other functions receives a portion of the expense attributed to the officer from this fund. As the fund balance is reduced, more of these expenses will move to the General Fund.

The Volunteer 1% Fund gets its revenue from a percentage of the casualty insurance premiums homeowners pay; the City makes no decisions about the use of these funds; it only performs fiduciary responsibilities for it. The funds are to be spent for entertainment for Fire Department personnel; the majority of the funds at the Isle of Palms buys additional life insurance for them.

Plant-a-Palm revenue saw a big uptick at the end of 2015 as people bought commemorative bricks to go on Front Beach; staff believes that the increase was due to the use of social media.

For the Recreation Building Fund, revenues come from a donation to the Connector Run of five thousand dollars (\$5,000) and registration fees from the Beach Run of about seventy-five hundred dollars (\$7,500). In addition, the State ATAX Fund gives a three thousand dollar (\$3,000) sponsorship for the Beach Run that is returned to the Building Fund; at times there are private donations.

The final page is the Marina Revenue which consists of rents from the marina tenants and the additional rent usually collected from the restaurant.

The Administrator directed attention to the large schedule that compares revenues budgeted for FY16 versus projected budget for FY17 by sources of funds and the small box at the bottom of the page. She noted that the General Fund and the Capital Projects Fund are listed together since the only source of money for the Capital Projects Fund is the General Fund; these funds comprise sixty-four percent (64%) of the total budget. The tourism funds make up twenty-six percent (26%) of the total, the marina fund makes up three percent (3%) and all other funds are one percent (1%). The Administrator stated that the figures for Beach Restoration and Maintenance Funds have not been compiled for this version of the schedule.

Currently, staff is working on updating the Capital Plan for Committee meetings in March.

B. Consideration of Citizen Suggestion of Additional Signs at 14th and Palm

A citizen sent the Administrator a photo of directional signs in Mount Pleasant that are hung from the electrical line for the traffic lights to be considered for installation at 14th and Palm. Since the subject of signs appears to be a delicate one at the moment, she suggested taking no action until a later date; currently, directional arrows are painted on the pavement at that intersection.

Councilmember Carroll noted that he is currently living in Beachside and, as a result, he has learned firsthand how difficult it is for pedestrians to cross Palm Boulevard; he suggested that parallel white lines be painted at the end of every block to help residents cross Palm.

Administrator Tucker stated that SCDOT has limits about how close together crosswalks can be, and she is doubtful that they will allow every block, but she would investigate.

Chair Bettelli related that SCDOT requires a driver to stop if a pedestrian is safely in the crosswalk, not if someone is waiting in the right-of-way to cross.

C. Consideration of Re-purposing the PSB Dispatch Office into a Conference Room at a cost of approximately \$4,500, using funds budgeted for service agreements

Chief Buckhannon stated that the old dispatch office is not used, but is just a shell with nothing in it but desks and old dispatch consoles; currently the City is paying about eleven thousand dollars (\$11,000) annually to maintain the old consoles which are not being used. The dispatchers have been moved to the front and the goal of always having someone to greet people has been achieved; their tasks have also been re-vamped to be in line with the new title of Communication Specialists. The old dispatch office, sitting empty as it is, creates two (2) problems for the Chief; it is a space that holds dispatch equipment that is costly to maintain, but he also needs a more secure space for the Beach Services Officers to store their equipment that now sits on a table in the Squad Room unsecured. The Chief wants to move the BSOs and their equipment into a small office being used as a conference room and use the old dispatch office as a conference room which would be larger than the conference room presently in use. The floors must be completely redone, and he has received a quote of about two to three thousand dollars (\$2,000 – 3,000) and the walls need to be repainted and holes repaired, costing less than fifteen hundred dollars (\$1,500). He proposes that, rather than maintaining the old consoles, which are no longer in use, to use the budgeted funds to re-purpose the room; later he will sell the old consoles.

MOTION: Chair Bettelli moved to recommend approval of the \$4,500 for the re-purposing of the old dispatch office in the Public Safety Building; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.

6. Highlights of Departmental Reports

Fire Department – Chief Graham

Members of the Department responded to forty-three (43) calls in the month of January; twenty-two (22) of those calls were for EMS. The Chief reported that the QRV is now stationed on the island during the day, and they are not to cross the Connector. Forty-seven (47) pre-incident

surveys were written during the month, and thirty-nine (39) fire inspections were performed, noting twenty-three (23) violations. Personnel received a variety of training, such as fire behavior, personal protective equipment and building construction. The radiator replacement on Tower 1002 was quite expensive, in excess of six thousand dollars (\$6,000). The Chief attended a Response Provider meeting; this annual meeting is mandated by the Federal government to review response policies and best practices throughout the industry.

Chief Graham reported that the Fire Department has experienced several situations with employees that have increased overtime significantly; she noted that, when an employee is placed on light duty, the position has to be backfilled by overtime. One (1) employee had to resign to move home to assist with caring for his very ill father; another employee was in an accident off the job and will be out four to five (4-5) weeks; a third employee who was injured on the job, required surgery, has been out since early December and might not be able to return to work. The Chief noted that she is doing her best to keep the dollar amount of overtime at a minimum, i.e. bringing in a firefighter rather than an engineer.

On the rescue truck, Chief Graham reported that she was scheduled to go to Florida on February 17th for the final inspection, but one (1) backordered part is preventing the truck from going to the lettering shop. She anticipates that the truck will be ready for the final inspection at the end of February or early March; a couple to three weeks (2-3) later the truck should be on the island. The bid opening for the sale of the existing truck will be next week.

Police Department – Chief Buckhannon

The Chief reported that the Department has seen an uptick in credit card fraud recently; he urged citizens to be vigilant in their use of credit cards and do as much as possible to keep the card numbers from being compromised. The Command Staff recognized the following members of the Department for perfect attendance in 2015; they are Sgt. Ambas, Sgt. Meekins, Pfc. King, Pfc. Couche and ACO Enourato. During the month of January, officers issued forty-two (42) "Property Security Check" notices and eight (8) "You could have been a victim of a crime" notices; in addition, officers installed several child safety seats since several officers have been certified. On January 22nd, Pfc. Hardy and Pfc. Reynolds participated in the Lunch Buddies Program at Sullivan's Island Elementary School where they interacted with children from kindergarten to fifth grade. Telecommunication Specialists responded to a total of four thousand nine hundred thirty-five (4,935) total calls in the month; four thousand thirty-three (4,033) were for the Police Department. During the month, officers made two hundred eighty (280) traffic stops and wrote one hundred six (106) tickets. Of the eighty-nine (89) reports that officers wrote in the month, twenty-four (24) were for non-criminal offenses. As a whole, the Department received one hundred forty-five (145) hours of training; one course was on less lethal weapons, tasers in particular. He reported that Fourth Circuit Court of Appeals has changed the use of tasers for law enforcement; officers are encouraged to use other methods, such as batons or physically fighting with the perpetrator, instead of tasers. The Department received four (4) noise complaints, and two (2) received warnings because the complaints were made before midnight. Eleven (11) coyote sightings were reported, and the calls were primarily from Wild Dunes.

7. Miscellaneous Business

Chair Bettelli announced that the 16th Annual HOPE 5K Beach Walk/Run will be held on Saturday, September 17, 2016; the event is on the City's list of approved annual events.

The polar plunge for Special Olympics is scheduled for Saturday, February 20th at The Windjammer.

Next Meeting Date: 9:30 a.m., Wednesday, March 3rd in the Conference Room.

8. Executive Session – not needed

9. Adjournment

MOTION: Councilmember Carroll moved to adjourn the meeting at 11:08 a.m.; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk