

**PUBLIC SAFETY COMMITTEE**  
5:30 p.m., Thursday, August 7, 2008

The regular meeting of the Public Safety Committee was held at 5:30 p.m. on Thursday, August 7, 2008 in the Training Room of Fire Station 2, 44 Forty-first Avenue, Isle of Palms, South Carolina. Attending the meeting were Chairman Bettelli, Councilman Buckhannon, Mayor Sottile, City Administrator Tucker, Fire Chief Graham, Police Chief Buckhannon, Assistant to the Administrator Dziuban and City Clerk Copeland.

1. Chairman Bettelli called the meeting to order and acknowledged that the press and the public had been duly notified of the meeting in accordance with the Freedom of Information Act.

Before proceeding with the meeting, Chairman Bettelli reminded the members of the Committee that he had recently been appointed to the CARTA board. He, therefore, tendered his resignation as Chairman of the Public Safety Committee so that he could devote the necessary time to CARTA. Councilman Bettelli nominated Ryan Buckhannon to succeed him as Chairman of the Public Safety Committee; Mayor Sottile seconded and the vote was unanimous. Both Mayor Sottile and Chairman Buckhannon expressed their gratitude to Councilman Bettelli for his dedication to the City and continuing hard work on its behalf. Councilman Bettelli passed the gavel to Chairman Buckhannon to continue the meeting.

2. **Approval of Prior Meeting's Minutes**

**MOTION: Mayor Sottile moved to approve the minutes of the regular meeting of July 9, 2008 as submitted; Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.**

3. **Citizens' Comments**

Will Millman, 408 Ocean Boulevard, came to the Committee asking that Section 7-3-5(b), Use of Surf Board Restricted, of the City Code of the Isle of Palms specifically add kite boarding. This section of the code reads as follows:

“ No surfboard or other apparatus designated in this section shall be used at any time within a distance of . . . 100 feet of any bather.”

Mr. Millman noted that swimmers were only visible from the neck up, that the kite boarders were preoccupied with their sails and were traveling so fast that there was no way they could be mindful of swimmers. He reported that, with the way that the kite boarders maneuver in the water and onto the beach, they were not staying one hundred feet (100 ft) from sunbathers. He expressed his opinion that the kite boarders present a safety hazard to both swimmers and bathers; he suggested that the ordinance state that the kite boarders remain one hundred feet (100 ft) from the water's edge.

Mayor Sottile agreed that the kite boarders presented a serious situation; he stated that he had received an email recently on this subject that he had forwarded to other members of Council. Although he was concerned about the enforceability of an ordinance, he did think that the ordinance could be improved upon for the 2009 season.

Bobby Simmons, 1305 Woodlock, Mount Pleasant, and owner of the restaurant/bar called the Acme Cantina, addressed the Committee in opposition to any type of non-smoking ordinance. He expressed disappointment that City Council members had not attempted to visit the local bars and restaurants to talk with the employees to get their input on the subject.

Chairman Buckhannon announced that there was going to be a Special Meeting of City Council at 5:00 p.m. on Monday, August 11 for the sole purpose of allowing Council members to voice their opinions on a non-smoking ordinance for the City. Mayor Sottile added that the public was welcomed to attend, but would not be allowed to speak because it was a Special Meeting. Council members will be provided information on existing ordinances in the state and receive a legal opinion during Executive Session.

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

##### **A. Update of Public Safety Building**

Chief Graham reported that one load of rebar has been delivered; two containers are on site for storage for the sub-contractors; pile driving was completed Wednesday, August 6; the pile driving equipment is to be removed on Monday when the site work is to begin; the back fill is to arrive on Monday at which time the work will begin to build the pad up; and cages for the foundation are to be constructed on Monday, as well. A committee has been formed between members of the Fire and Police Departments to coordinate efforts in the purchase of furniture for the building to maintain uniformity and to ensure that the purchases are within budget. In the week of August 18, work will begin digging out the foundation of the building. No problems have been reported by Coastal Engineering; the superintendent, Rod Jackson, has the field reports that were submitted to the structural engineers for the special inspections and they are available for review. The limited parking will remain open until August 19; more rebar and blocks will be delivered to the site that week. Chief Graham reported that the site is being well maintained and there have been no reports of trespassing or theft. There will be a meeting with Mashburn on Friday, August 8.

Chief Buckhannon stated that the loss of parking in the City lot that Chief Graham referenced would have an impact on Front Beach parking. It has been determined that the persons using these twenty-three (23) spaces are employees of Front Beach businesses; therefore, the Administrator and Chief Buckhannon have elected to reserve

metered spaces for them. The City will be impacted by a loss in both meter and parking lot revenue.

## **B. Update on Golf Cart Parking**

Chairman Buckhannon had nothing new to report on this subject. He did ask Chief Graham if the golf carts were out of the emergency access at 25<sup>th</sup> Avenue with the changes made there; she said that she had not seen any golf carts parked on the access path.

Chief Buckhannon reported that the signs indicating golf cart parking had been placed along the fence line down 25<sup>th</sup> and some concrete stop blocks are going to be added to reduce the possibility of damage to the fence. The Chief also described additional signs and the relocating of signs that make it very clear the regulations on golf cart parking at that particular beach access. He added that the police officers have been seeing golf carts on other narrow beach access paths; there is also golf cart parking in the yards of residences along the beach. In one case, a golf cart did two thousand dollars (\$2,000) in damages to the landscaping and irrigation system in a residential yard. Chief Buckhannon said that more of an effort must be made to educate people not to take golf carts down the access paths other than as designated. In addition, golf carts have been lining up along the 21<sup>st</sup> Avenue beach access that is limiting handicap access. Two (2) suggestions made to handle the problems were (1) a sign that has a golf cart with a line drawn through it and (2) placing posts in the middle of the narrower paths that would obstruct the way for a golf cart.

*Public Safety Building:* Administrator Tucker interrupted the order of business to present the change order from Mashburn that she had introduced at the previous meeting related to the mobile fencing; the change order is in the amount of \$5,306.35. The Administrator informed the Committee that the architects had approved the change order.

**MOTION: Councilman Bettelli moved to approve the change order from Mashburn Construction in the amount of \$5,306.35 and to recommend approval to Ways and Means; Chairman Buckhannon seconded and the motion PASSED UNANIMOUSLY.**

## **B. Update on SC DOT Demonstration Project at 41<sup>st</sup> and Palm**

Administrator Tucker explained that Chief Buckhannon had been tasked with implementing the project; therefore, he would make the report. He reported that he had been in contact with the Highway Department and had learned that removing the signs would not be as simple as originally thought. Once the signs are installed, the Highway

Department will be responsible for monitoring the project. If Chief Buckhannon and Chief Graham determine that the project is not working, they must explain the problems to the Highway Department before the signs could be removed. The members of the Committee expressed their disappointment with the Highway Department; all agreed that a deciding factor to approve the implementation of the project was the ease with which the project could be removed if it was not successful. Mayor Sottile suggested that, once the City decided the project was a failure, the signs be covered with bags until the Highway Department could remove them.

Chief Buckhannon did announce that the signs would not be up before Labor Day.

### **C. Parking Problem at 25<sup>th</sup> Avenue**

Color photographs were in the meeting packets illustrating the problem from which the resident was seeking relief; Ms. Donovan was requesting that NO PARKING signs prohibiting "parking all the way to the corner of 25<sup>th</sup> and Waterway." Ms. Donovan stated that primarily Goat Island residents park along 25<sup>th</sup>. Mayor Sottile asked Chief Buckhannon if he could confirm that to be true and if the vehicles were parked there every day, all day. Chief Buckhannon responded that the parking was sporadic, there are some Goat Island residents and some are assumed to be guests of Goat Island residents. The Chief stated that he had explained to Ms. Donovan that what is occurring now was the probable outcome of installing the NO PARKING signs.

Councilman Bettelli commented that the vehicles in the pictures are not parked in residential yards, but are legally parked in the right-of-way.

The Committee decided not to take any action on Ms. Donovan's request, and Administrator Tucker was asked to communicate that decision to her.

### **D. Update on Possible Smoke-Free Workplace Ordinance**

Chairman Buckhannon announced that there was going to be a Special Meeting of City Council at 5:00 p.m., Monday, August 11 for the members to express their personal feelings and to debate the value of such an ordinance to the City.

## **5. New Business**

### **A. Resident's Request for Crosswalk at 45<sup>th</sup> Avenue**

Chairman Buckhannon recounted that the Committee had previously discussed this issues and decided that 45<sup>th</sup> Avenue was a bad location for a crosswalk because of its proximity to the entrance of Wild Dunes. Mr. Kynoski will return on Monday and has

stated that he has ideas for reworking the entrance to Wild Dunes; the point was also made that any change would require Department of Transportation approval before implementation.

**B. Consideration of Donation of Retired Avon Boat to Awendaw Fire Department**

Chief Graham related that the boat in question had been put in service shortly after Hurricane Hugo; it has a small, slow leak, a beaten up trailer and no motor.

**MOTION: Mayor Sottile moved to donate the retired Avon boat to the Awendaw Fire Department; Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.**

**C. Consideration of Changes to Job Descriptions for Fire Department Lieutenant and Captain**

Administrator Tucker stated that, in the current job descriptions, any person promoted to one of these positions is allowed a period of time to attain certifications; the Chief would prefer to require the necessary certification to be eligible for promotion. The key argument against the change was that it could discourage competent people, who do not want to be EMT certified, from applying for the job knowing that they would not be able to achieve promotion. Chief Graham countered that a supervisor should master every skill of the persons working under him/her, and she stated that the career path is explained to all employment candidates. Chief Graham distributed a schedule listing the larger municipalities in Charleston County and their position on requiring EMT training for Lieutenant and Captain positions; she stated that she had been surprised at the results, i.e. only one fire department, James Island, requires EMT training for eligibility for promotion.

**MOTION: Chairman Buckhannon moved to approve the requested changes to the job descriptions for Lieutenant and Captain of the Fire Department and to send the job descriptions to the Personnel Committee; Mayor Sottile seconded and the motion PASSED UNANIMOUSLY.**

**D. Boundaries of NO SWIMMING/NO WADING at Breach Inlet**

Chief Buckhannon recounted that the City has an ordinance prohibiting swimming and wading in Breach Inlet; the problem is that the ordinance does not adequately define Breach Inlet. Chief Buckhannon distributed copies of two (2) properties from Charleston County's property tax system that are side by side, but only one of the properties is described as being located at Breach Inlet.

The issue that has come up in the Breach Inlet area is that some homes are advertising their residences for rent in a way that implies that swimming is possible in front of the unit, while, at the unit next door, swimming is prohibited. He expressed his opinion that, if Breach Inlet is not correctly/clearly defined, that the City could be at risk because of the risks involved in swimming and/or wading in Breach Inlet.

Administrator Tucker referenced an email from Chris Jones, the City's coastal engineer, who said that the no swimming/no wading area should extend a quarter mile from the bridge, which would be roughly between lots 155 and 156. At a distance of only ten (10) houses, he did not think that too much of an imposition to swim safely.

Administrator Tucker suggested that the Committee charge her to task the City attorney to arrive at proper language for an amendment to the City Code that would adequately define Breach Inlet. Mayor Sottile expressed concern that the City would be interfering with the property rights.

The Administrator stated her thoughts that the attorney would craft a description of Breach Inlet that would be consistent with the area that has been normally enforced; therefore, any questioning could be defended by the fact that the City was not doing anything different from what it had done in the past.

**E. Consideration of Award of Contracts in Excess of \$10,000 – None**

**6. Highlights of Departmental Reports**

**A. Fire Department, July 2008 – Chief Graham**

Chief Graham referred to a fire in Wild Dunes on July 8 where the guests in the unit called Wild Dunes Security rather than the IOP Fire Department when they smelled smoke. Wild Dunes security did check the unit, found nothing and left. A short time later the residents smell smoke again and again called Wild Dunes; security again went to the scene and found nothing. Approximately forty-five (45) minutes passed before the IOP Fire Department was called; IOP Fire Department found a fire in one of the closets that was quickly distinguished. Subsequently, Chief Graham has followed up with Wild Dunes about the proper protocol in such a situation.

The Chief noted that the activity level had been so high during the month of July that no fire inspections were performed.

Captain Tetor and Firefighter Hommel completed the Fire Marshal Certification course that prepares participants for the Fire Marshal Certification exam.

Vehicle maintenance for the month was \$33,646.04; Chief Graham reported that some of it was water related and some was for corrosion related to apparatus being housed in the tent.

## **B. Police Department – Chief Buckhannon**

Chief Buckhannon reported that July had been a very busy month for the Police Department in that several major cases were resolved. On July 4<sup>th</sup>, the two (2) individuals committing larcenies on the beach were apprehended; fifty-seven (57) charges were ultimately placed on them. He stated that the City has experienced sixty-six burglaries in 2008, which is almost two times the number that occurs in a typical year. Based on the outstanding work by the City's Detectives Tarr and Caldwell, fifty-seven (57) crimes in Isle of Palms, Mount Pleasant and Hanahan were solved. The evidence acquired by the detectives, SLED contacted Chief Buckhannon to commend their efforts.

Chief Buckhannon recounted that officers had been working a narcotics case; they received a search warrant on or about July 22. Upon entering the residence, the officers found that they were not only growing marijuana plants, but also had some Schedule 2 and Schedule 4 type narcotics; two (2) individuals were charged.

A traffic stop on July 27 yielded marijuana seizure and approximately \$250 in counterfeit bills; the case has been turned over to the United States Secret Service for follow-up.

Chief Buckhannon explained that the Police Department is working closely with Public Works; when deficiencies in the City, i.e. broken sidewalks, are sighted, notification is made to the Public Works Department to contact the necessary agency for the repair.

There were twenty (20) livability calls in July that resulted in the writing of eight (8) tickets.

Chief Buckhannon reported that he is currently looking to fill four (4) positions; they are Animal Control Officer, one dispatcher, one patrol officer and the Livability Officer. Officer O'Donnell resigned today; he has been unable to sell his home at Pawley's Island and has chosen not to continue the commuter lifestyle.

## **7. Miscellaneous**

### **Expression of Gratitude to Fire Department from Owners of 69 Ocean Point**

The owners wrote a letter of thanks for the excellent work done by the IOP Fire Department and added to it a check for one thousand dollars (\$1,000).

Administrator Tucker also read into the minutes a letter of thanks to the Police Department for a job well done by Officers Troy Capps and Gerardo Chavez in quickly solving the theft problems Carroll Reality was experiencing. There was also a of appreciation to both the Fire and Police Departments from the family of the gentleman who drowned August 2 for the timely and caring response to their circumstances.

Councilman Bettelli told Chief Buckhannon and Chief Graham that he and his wife had stopped in Long Beach, Mississippi on their way to Texas to visit family; this was the community that representatives from the Isle of Palms helped after Hurricane Katrina. He stated that he had met with the Long Beach Mayor who remembered the assistance his community had received from the City of Isle of Palms. He had given Councilman Bettelli and his wife a tour of the new school that will open its doors for the first time in August. Councilman Bettelli reported that their recovery is very slow; he noted that debris from Katrina is still washing up on their beaches.

**Next Meeting Date: 5:30 p.m., Monday, September 8, 2008.**

**8. Adjourn**

**MOTION: Councilman Bettelli moved to adjourn at 7:05 p.m., Mayor Sottile seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk