

Public Safety Board

October 7, 2013

3:00 p.m.

City Council Chambers

Members present: Councilor Amanda Grady Sexton (Chair), Councilor Fred Keach, Councilor Jennifer Kretovic, Mr. Anthony Bourque, Mr. Jim Cotsana, Mr. Jim O'Neill, Mr. Michael Russell, Mr. Steve Edwards, Ms. Carol Hargrove (arrived 3:15 p.m.)

City Staff Present: Mr. Carlos Baia (Deputy City Manager for Development), Ms. Danielle Pacik (Deputy City Solicitor), Chief John Duval (Police Department), Chief Dan Andrus (Fire Department), Deputy Chief Sean Toomey (Fire Department)

Guests: Ms. Kim Murdoch (Murdoch Social Capital), Ms. Liza Poinier (Intown Concord)

Excused: Councilor Stephen Shurtleff, Ms. Lisa Brown

Absent: Councilor Richard Patten

Call to Order

Councilor Grady Sexton called the meeting to order at 3:00 p.m. Board members, guests, and City staff introduced themselves.

Approval of Meeting Minutes

Mr. Russell moved to approve the minutes of May 6, 2013. Mr. O'Neill seconded the motion. The motion passed unanimously.

Council Referral on Special Events, Life Safety, and Standby Personnel

Councilor Grady Sexton said that the purpose of the meeting was to respond to a referral from the City Council on a report submitted by the fire chief on life safety at special events. She asked Chief Andrus to review the report and additional information.

Chief Andrus said that the legal basis for life safety evaluations and requiring standby personnel is the 2006 International Fire Code, adopted as City ordinance by Chapter 26 of the City Code, and the state fire code. Chief Andrus reviewed some of the language of those codes and the specific responsibility of local authorities to review indoor and outdoor events and to require additional protection based on identified hazards. He talked about the need for additional resources at special events due to high service demand or unusual hazards. At one point, there were two engines and two ambulances

committed to Market days on two separate incidents, using more than 50% of the City's resources. There was a boat staffed with a crew for the Concord Triathlon, part of which was held on the Merrimack River in July where there had been four incidents in July, with one death. There is the issue of equity, not using public resources to support a private event, as well as legal and financial risk for the City in not following adopted codes.

Chief Andrus said that the practice of having standby personnel has been beneficial. A fire inspector was at a circus tent in July and identified a sagging portion due to rain from a thunderstorm. They were able to get fire equipment on scene to take care of the hazard before it became a threat. There were six medical incidents at the Rock 'N Race event and one referral to the Police Department from a participant who complained about a stalking incident.

Chief Andrus talked about the role of private EMS companies and that their participation is welcome, but a seriously ill or injured patient would need to have care transferred to the Concord Fire Department.

Mr. O'Neill asked what the problem was with the tent? Was there an inspection? Chief Andrus answered yes, the tent had been inspected for fire extinguishers and other requirements. Mr. O'Neill said that there is a difference between events that are for profit versus those that are not for profit.

Councilor Keach asked if we have the ability to implement this now. Chief Andrus said yes. Councilor Keach said that there is a balancing act between cost and public safety. There should be some guidelines on how these are applied.

Mr. O'Neill spoke about the needs to have the rates known. Chief Andrus said the hourly charge is \$60.49 per hour. That number includes fringe benefits, such as retirement. The number is calculated by the Office of Management and Budget and is applied uniformly so that event costs are not driven by who is actually staffing the event. The charge is part of the City's fee schedule. Deputy Chief Toomey said that there is a two hour minimum.

Councilor Kretovic asked if other events have been charged. Chief Andrus said that events using fireworks are charged a permit fee of \$299 (Note: There is also a \$20 application fee). That covers the cost of inspection. Mr. Russell asked about using private EMS. Can they provide service? Chief Andrus said yes, but larger events should have their own coverage to keep units available in other parts of the City.

Councilor Kretovic asked about the amount of revenue this year. What did we charge? Chief Andrus said that the budget for special details is \$15,000 per year.

Ms. Murdoch said that Intown Concord learned of a \$4,700 charge ten days before Market Days started. The issue of costs had not been discussed prior to that. The Fire

Department used to be present without a charge. She was unaware of the number of calls on site. She would like a better understanding of Fire Department response. She said that Intown Concord has a fantastic working relationship with the Fire Department. They just need to work together to figure this out. Ms. Poinier said that they did not pay anything this year and that there was no fixed Fire Department presence. Ms. Murdoch said that they need to know of costs by November at the latest.

Mr. Russell asked about costs. Ms. Murdoch said there is a need for safety inspections. She said the cost of inspections can be passed on to vendors. She thinks emergency medical services could be outsourced. They receive in kind donations from private companies. There is a need for public safety. Black Ice Pond Hockey used a private service. NAMI used a private service that was donated. There is a cultural event that is looking to move the event out of Concord due to regulations.

Councilor Kretovic asked about the profit from the Market Days event. Ms. Murdoch said that it is a four digit number, less than \$10,000. Mr. Bourque asked about needing more lead time. Ms. Murdoch said that yes, and they should still separate EMS, and be allowed to engage the services of a private company. She said that she spoke to the New Hampshire Bureau of Emergency Medical Services and they said the private companies could do transports. Councilor Keach said that there is no doubt that these events need additional services and he believes we have the services to cover these now. Ms. Hargrove commented that Ms. Murdoch had done a very good job. Ms. Murdoch said she has not looked at all of the statistics from the event to evaluate. Chief Andrus said that there were ten emergency incidents at Market Days, plus 4-1/2 hours of inspections and two hours of public education provided by the Fire Department.

Deputy Chief Toomey talked about the Rock 'N Race. There was an issue with tent permits. The Fire Department did not want to hold up the event. The Boston Marathon bombing had occurred just a few weeks previously and Dr. Hirsch from Concord Hospital saw the need for EMS coverage. The impetus for the Fire Department's involvement came from the hospital, not the City. Chief Andrus said that Dr. Hirsch was in the medical tent at the Boston Marathon and that his quick action saved many lives. He said that Dr. Hirsch sees a strong need for EMS at special events.

Mr. McNeill spoke about the use of enterprise funds when he was a member of the City Council and Julia Griffin was the City Manager. He said that he firmly and strongly believes that we have the responsibility for the community. It is a shared responsibility. Events circumvent this. There is a strong need to promote events.

Councilor Keach said that the City gives money to Intown Concord. We have police details and now there is a fire detail. Ms. Murdoch said they have been able to reduce costs for police details. Councilor Keach said that half of the contribution goes back to police and fire coverage. He asked about the legal authority. Mr. Bourque asked if there is legal liability if events are not covered.

Ms. Pacik said that there is legal authority to do this. Councilor Keach said that clearly we can do this. The process needs to be uniform, consistent, and transparent. Who is in charge of this? What are the rules? Going to City Hall can be daunting at times. Mr. Russell asked what would happen if we are told to cover these events with existing services. Chief Andrus said that they would do the job with the resources provided. He said that it is his job to provide the best information to City Administration and the Council so that they can make decisions on service levels. Mr. O'Neill said that there is involvement from Police, Fire, Health and Code. We need some thresholds. Rock 'N Race is unique.

Mr. Baia said that we need flexibility. The City should have some ability to evaluate each event and provide coverage as appropriate. We have a growth of events. There is some push back from the City Council on costs. Mr. O'Neill asked if Administration should be responsible. Mr. Baia said they can come up with a policy.

Chief Andrus spoke on the history of events and costs so far this year. The Capital City Triathlon cost event organizers \$920.62. The circus cost organizers \$332.70. He listed two other events where coverage was not required, but where event organizers requested Fire Department presence and the charge was \$272.21 for each of the events. Councilor Kretovic gave Halloween Howl as an example. Who closes the road?

Ms. Hargrove said that we charge \$60.49 per hour. What do other cities charge? Chief Andrus said that he did not know but that he would research that number. He said that Manchester requires coverage for all events at the Verizon Center, among other activities. Councilor Keach asked if the regatta was cancelled because of costs. Chief Andrus said that it was his understanding that yes, they cancelled the event due to costs.

Deputy Chief Toomey talked about the collaboration between Police, Fire, and Code over the last six months. He said that we also need to consider General Services. Councilor Kretovic asked what Chief Andrus was telling them. She said that she did not get the information from the report that she needed. She asked Chief Andrus what he was trying to accomplish. Chief Andrus said that some questions had come up in early July and that City Administration saw the need to provide a report to the City Council. He said that today's discussion had provided him with the additional questions that he needed to answer. Councilor Kretovic said that we need to streamline the process. There is a need for flexibility to evaluate events.

Mr. McNeill asked if we budget for this now. Chief Duval said that they budget for the fireworks events. Detail rates apply to other events. Chief Andrus said there is no budget for events at this time. The Fire Department has a revenue budget for events coverage and most of that is for medical details at football games.

Mr. Bourque asked Chief Andrus what his recommendation was. Chief Andrus said that he would revise his report to the City Council to answer the questions raised today.

Councilor Kretovic moved to have Chief Andrus revise the report and send it to the City Council adding the detail that was discussed at this meeting, including the fee structure; coordination between the Fire, Police, Health, Code, and General Services Departments; possible criteria for waiving fees for non profits; and additional details on costs, including service charges. Mr. O’Neill seconded the motion. The motion passed unanimously.

The board discussed the need to monitor events. Mr. Bourque suggested that the board already makes an annual report to City Council and that this could be included as part of that report.

Councilor Kretovic moved to include a report on the costs of special events as a part of the board’s annual report on the state of public safety to the City Council. Mr. O’Neill seconded that motion. The motion passed unanimously.

Next Meeting

The next meeting will be held at the call of the chair.

Adjournment

The meeting was adjourned at 4:05 p.m.