

SUMMARY OF MINUTES

PUBLIC SAFETY COMMITTEE

5:30 P.M., MONDAY, NOVEMBER 13, 2006

COMMITTEE ROOM

ROOM 239, CITY HALL

MEMBERS PRESENT: Council Member Vivian H. Burke, Chair
Council Member Molly Leight, Vice Chair
Council Member Nelson L. Malloy, Jr. (in at 5:34 p.m.)
Council Member Wanda Merschel (out at 6:49 p.m.)

OTHERS PRESENT: Council Member Joycelyn V. Johnson

Chair Burke called the meeting to order and noted that she had been receiving many calls regarding robberies, shootings, vicious dog attacks and prostitution problems. She asked staff to investigate whether or not the City has enough Public Safety staff to effectively deal with these problems.

1. ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS ON CITY STREETS - *Mid Salem Drive, Glen Way Drive, Westover Drive, Louella Drive; Neighborhood Limits: Meadowlark Glen Lane, Pagebrook Drive, Pagebrook Circle, Deckerleaf Court and Ashbry Run Drive.*

Council Member Leight made a motion to approve the item. The motion was duly seconded by Council Member Merschel and unanimously carried.

2. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH STEWART-COOPER-NEWELL ARCHITECTS, P.A. FOR PROFESSIONAL DESIGN SERVICES RELATED TO THE CONSTRUCTION OF FIRE STATION #20. [*\$114,000 from Two-Thirds Bond Funds.*]

Mr. Gregory M. Turner, Assistant City Manager, presented the staff report.

Council Member Leight made a motion for approval of the item. The motion was duly seconded by Council Member Merschel and unanimously carried.

(Council Member Malloy entered the meeting at 5:34 p.m.)

3. ORDINANCE AMENDING CHAPTER 38 OF THE CITY CODE REGARDING POSSESSION AND DISCHARGE OF FIREARMS TO ADD PART G ELIMINATING HAZARDOUS WILDLIFE AT THE SMITH REYNOLDS AIRPORT.

Assistant Police Chief Ronnie Abernathy presented the staff report and noted that Mr. Chris Veal with Smith Reynolds airport was present to answer any questions.

Mr. Chris Veal, 3801 N. Liberty Street, explained that letters containing the proposed ordinance language was sent to all of the neighborhood associations bordering Smith Reynolds Airport and a meeting was conducted with Castle Heights Neighborhood Association representatives. He noted that the officer with the North Carolina Wildlife Association that will supervise elimination efforts was also present at that meeting and representatives of all of the affected neighborhoods have expressed satisfaction with proposed efforts and the ordinance language. Mr. Veal pointed out that the City's ordinance contains stricter language than many other airports around the country.

Council Member Leight inquired if the fences could be modified to prevent more deer from coming onto the Airport property.

Mr. Veal explained that they currently do not have the funds to replace fencing around the 550-acre Airport property. He explained that the deer have been jumping the fence and coming through fences that were damaged. Mr. Veal stated that staff has increased efforts to maintain vegetation around the fence line to help discourage deer from jumping the fence.

Council Member Johnson inquired as to how residents can keep deer population under control in their neighborhoods.

Assistant Chief Abernathy noted that it is illegal for citizens to discharge firearms inside the City limits and stated that the Forsyth County Animal Control Office should be contacted to respond to those efforts.

Chair Burke requested that information about efforts at the Airport be advertised on TV-13.

Council Member Malloy made a motion to approve the ordinance. The motion was duly seconded by Council Member Leight and unanimously carried.

4. RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN FORSYTH COUNTY AND THE CITY OF WINSTON-SALEM TO SHARE DEPARTMENT OF JUSTICE GRANT FUNDS.

Assistant Police Chief Barry Roundtree summarized the staff report.

In response to Council Member Merschel's question, Assistant Chief Abernathy indicated that all patrol cars are currently equipped with laptop computers and this agreement would provide funds to replace some of those computers.

Council Member Malloy inquired about how many computers would be purchased with these funds.

Assistant Chief Roundtree responded, stating that approximately 100 computers and mounting devices would be purchased.

In response to Council Member Johnson's question, Assistant Chief Roundtree explained that 80% of federal funds from drug seizures made by a governmental agency are returned to that agency.

Mr. Lee Garrity, City Manager, pointed out that if the Sheriff's Department makes the seizure, the funds are returned to them.

Assistant Chief Roundtree noted that those funds are split in cases where two different agencies are involved in the operations.

Chair Burke requested staff provide data on the amount of funds received in the past five years for drug seizures and use of those funds.

Council Member Malloy made a motion for approval of the item. The motion was duly seconded by Council Member Leight and unanimously carried.

5. CONSIDERATION OF ITEMS RELATING TO THE CITY'S STRATEGIC PLAN:
 - a. REVIEW OF STRATEGIC PLAN DRAFT.
 - b. RESOLUTION ADOPTING THE CITY'S 2006-2009 STRATEGIC PLAN.

Mrs. Martha Wheelock, Assistant City Manager, presented a brief overview of the staff report.

Chair Burke encouraged the Committee Members to contact staff with any questions or suggestions.

Council Member Merschel made a motion for approval of the resolution. The motion was duly seconded by Council Member Malloy and unanimously carried.

6. DISCUSSION OF PROPOSED DRUG PARAPHERNALIA ORDINANCE.

Assistant Chief Abernathy presented the staff report.

Council Member Malloy inquired as to how store owners selling these items are dealt with under the current Statutes.

Assistant Chief Abernathy explained that it would be illegal if rose stems and scouring pads were sold packaged together, and noted that Statutes require law enforcement officials to prove that the items are being used for the ingestion of illegal drugs. He indicated that staff will work to educate store owners on the Statutes, perform random checks of the stores and charge them if they are in violation. If stores are found to be in violation, staff will continue to conduct undercover operations at those locations.

Council Member Malloy inquired about the extent and success of previous education efforts.

Assistant Chief Abernathy stated that staff remains in communication with store owners on a regular basis and noted that many of them will voluntarily remove the items from their inventory.

Council Member Malloy inquired if there is a list of locations where owners have agreed to remove those items.

Chair Burke asked for a list of the locations that have a large amount of sales of the items.

Assistant Chief Abernathy explained that the scouring pads are used as filters for smoking the drugs through the rose stems.

Council Member Johnson inquired about the possibility of banning sale of one of those items in areas where they are purchased at a high rate of frequency.

Ms. Julie Risher, Public Safety Attorney, explained that it would be difficult to prove intent of use to allow the City to ban selling the items. She pointed out that most drug users will find a way to use almost any type of paraphernalia to ingest drugs.

Council Member Johnson stated that enforcement via the Statutes is not effective and noted that many residents are complaining about sale of the items.

Mr. Garrity indicated that staff will investigate ways to better enforce the laws and noted that information from business licenses could be utilized to send warning letters to store owners.

Council Member Merschel suggested using those types of violations as part of the nuisance abatement process.

Chair Burke asked staff to provide education to the Council Members regarding types and use of drug paraphernalia.

In response to Council Member Johnson, Assistant Chief Abernathy stated that anyone who purchases both of these items in one transaction will be in violation of the law. He noted that, outside of law enforcement personnel, anyone observing such a purchase would have to appear in court as a witness.

Council Member Johnson asked staff to include current jargon used by drug abusers with the education package to Council Members.

Council Member Malloy requested that staff go ahead and start making cases against the violating store owners and users.

Chair Burke suggested revoking business licenses of those store owners who continue to sell the items.

In response to Council Member Johnson, Assistant Chief Abernathy stated that if a store owners is engaged in criminal activity, their ABC license can be revoked.

Mr. Garrity explained that although the City cannot make the decision to revoke an ABC license, it can make the recommendation to the State. He pointed out that the City's legislative package includes efforts to allow local governments more control over initial permitting and revocation processes.

Assistant Chief Abernathy explained to Council Member Leight that in order for store owners to be in violation of the law, the two items must be packaged for sale as one item.

Council Member Merschel pointed out that issues with ABC licensing have been part of the City's legislative package for years and suggested that staff add the concerns with sale of drug paraphernalia as part of that item.

By consensus it was agreed to encourage staff to continue with enforcement efforts including changes in the Legislative package, education of store owners and undercover efforts of those stores with violations.

Chair Burke requested that the item be brought back to the Committee in January, and staff provide a report prior to meetings with Legislative delegates in January.

7. REPORT ON EMERGENCY RESPONSE LEVELS.

Mr. Turner presented the staff report. In response to concerns raised by Council Member Leight, he indicated that the City is required by federal law to establish three levels of cordoned areas for major incidents.

Chair Burke noted that Public Safety personnel should immediately take control of the area and not allow onlookers and media representatives to enter the cordoned-off areas.

Council Member Merschel inquired if the Level 2 instructions are derived from reporting techniques taught through the National Incident Management System (NIMS) training.

Mr. Turner indicated that those instructions preceded the NIMS training and resulted from the Chatham Road incident and have been refined as other incidents arose. He explained that there were issues with the tests taken at the NIMS training event and suggested that Council Members take the online NIMS test to obtain their certificates.

Mr. Garrity noted that there had been issues with staff testing as well, and Emergency Management staff is looking into the process.

Mr. Turner explained that staff is working on arranging a mock exercise for Council Members as part of Phase 2 of the NIMS training.

Council Member Johnson encouraged staff to quickly set up the exercise and noted that it had been almost a year since Phase 1 training efforts.

Mr. Turner indicated he would send instructions to Council Members on how to take the online test with NIMS.

8. REPORT ON THE APEX CHEMICAL FIRE.

Mr. Turner presented the staff report and pointed out that there are no facilities such as this in

Forsyth County. He noted that there are instances when residents should not be evacuated and they would be instructed to remain in their homes.

Council Member Leight noted that there are research facilities in the County that house many chemicals and the Fire Department may not have lists of those chemicals.

Chair Burke stated that staff should ensure that Public Safety personnel are made aware of those chemicals and possible interaction threats.

Council Member Johnson requested information on the presence of sprinkler systems in City facilities, as well as how often fire drills are performed with staff and visitors to those facilities.

In response to Council Member Merschel, Mr. Turner indicated that the State requires recordkeeping of chemicals stored at these types of hazardous waste disposal sites; however, they are allowed to maintain the paperwork in-house.

Council Member Merschel suggested that the City Council adopt a resolution to send to State officials regarding the need to update requirements in light of recent events.

Chair Burke suggested staff check with the School System on their status with sprinkler systems.

9. REPORT ON FORSYTH COUNTY EARTHQUAKES.

Mr. Turner presented the staff report and explained that there had been an overload on the 911-system as a result of the earthquakes due to the fact that many residents were unsure of where to report that they had felt the earthquake. He noted that the best way to report an earthquake is via e-mail to the U.S. Geological Survey.

Council Member Johnson pointed out that many citizens do not have access to e-mail and need an alternative method for reporting earthquakes.

Mr. Garrity noted that the proposed Contact Center would be helpful for reporting efforts.

In response to Council Member Johnson, Mr. Turner noted that earthquakes sometimes are felt far away from their epicenter and it would be difficult to determine the sensitivity area for use with the reverse-911 system.

Council Member Leight noted that staff reported at the Emergency Management Advisory Council meeting that the earth motion involved in these quakes was shallow, resulting in the ability for citizens to feel the quakes and she stated that could have contributed to the wide range of areas in which the movement was felt.

In response to Council Member Malloy, Mr. Turner noted that there is a fault line running through Winston-Salem.

ADDITIONAL ITEMS

Questions Related to Smith Reynolds Airport

Council Member Johnson inquired about preparations at Smith Reynolds Airport for extension of one of the runways.

Mr. Turner stated that the Airport is clearing land for the extension of approach lights and stated those efforts are ongoing from New Walkertown Road to Bowen Boulevard and to the Airport. He noted that although the Airport plans to enhance the facility, the project had not yet begun.

Update on Public Safety Efforts Related to Gang Activity

Assistant Chief Abernathy reported that there was a recent incident involving gang-related graffiti and tagging at Kimberly Park Elementary School, as well as a City underpass and street signs, and he noted that clean-up efforts are underway. He also stated that there was a report of gunfire in the area on November 10, 2006; however, officers have so far been unable to locate any suspects. An article of clothing was found with a handgun in the pocket and the investigation is continuing.

Council Member Malloy noted that the Principal of Kimberly Park Elementary was unable to attend tonight's meeting, but had stated that graffiti is an ongoing problem at the school. He stated that removal of graffiti from the school's marquee destroyed the sign, which was paid for with funds raised by the school. Council Member Malloy requested that staff follow-up with the Principal and inquired about coordination of efforts with the Sheriff's Department and School System.

Assistant Chief Abernathy indicated that a Gang Intelligence Unit works with the Sheriff's Department School Resource Officers (SRO's) in schools, as well as the jail intake process to compile information on the number of gangs within the County, as well as their dynamics.

Council Member Merschel asked staff to obtain the replacement cost of the sign at Kimberly Park Elementary School and possibly replace it on behalf of the City and Community Safety Partnership.

Chair Burke cautioned that this assistance could lead to others expecting the same and suggested that the school's insurance be considered prior to any offer being made by the City.

In response to Council Member Leight's question, Assistant Chief Abernathy stated that it is considered trespassing if someone is on school property after hours.

Chair Burke stated that, in the past, there has been evidence of gang activity in elementary schools.

Assistant Chief Abernathy acknowledged that Mr. Alvin Atkinson and Mr. Rick Pender were in attendance from the Center for Community Safety. He presented a report on Winston-Salem's Response to Gangs Executive Summary, as compiled by staff and the CCS. In response to Chair Burke's question, he stated that these efforts have already begun to address gang activity through use of the strategies in the Summary.

Mr. Garrity noted that plans will be developed by the Steering Committee and all other organizations involved.

Council Member Johnson expressed concern about the information on gang racial demographics and asked for a breakdown of how the information was derived and the location of the residences of the individuals.

Chair Burke stressed the importance of involving school guidance counselors to conduct training sessions with students.

Council Member Johnson suggested that staff investigate the option of imposing curfews on youth.

Chair Burke asked that neighborhood groups and recreation centers be involved in curfew discussions.

Council Member Malloy asked that members of the faith-based community be invited to join the Steering Committee. He stated that his constituents have requested flyers to pass out in their neighborhoods to advise of gang activity, as well as a contact number for the Gang Activity Unit.

Assistant Chief Abernathy stated that citizens can contact him at (336)773-7800.

Chair Burke stated that a booklet would be produced with information and resources for parents and children. She stressed the importance of verifying that individuals are actual gang members to prevent them from being labeled. Chair Burke asked Committee Members to contact Assistant Chief Abernathy with questions or suggestions.

Assistant Chief Abernathy indicated that after a survey is developed and completed, staff will bring additional information back to the Committee.

Mr. Rick Pender, Center for Community Safety, thanked the Committee and staff for their assistance. He stated that many strategies have been learned and the next step is to apply these practices in a gang dynamic to address the issues.

In response to Council Member Malloy, Mr. Pender stated that a previously utilized notification program could be modified to bring in gang leaders and deliver a message regarding the City's intolerance of their activities.

Council Member Malloy stated that many families of troubled teens are doing all they can to address the problems and need resources for assistance.

ADJOURNMENT: 7:18 p.m.