

SUMMARY OF MINUTES

COMMUNITY DEVELOPMENT/HOUSING/GENERAL GOVERNMENT COMMITTEE

4:00 P.M., TUESDAY, MAY 13, 2008

COMMITTEE ROOM

ROOM 239, CITY HALL

MEMBERS PRESENT: Council Member Nelson L. Malloy, Jr. Chair
Council Member Dan Besse, Vice Chair
Council Member Molly Leight

MEMBER ABSENT: Council Member Evelyn A. Terry

OTHERS PRESENT: Council Member Joycelyn V. Johnson (in at 4:07 p.m.)

Chair Malloy called the meeting to order and stated that without objection, the Committee would first consider the Consent Agenda.

No items were removed for discussion. Council Member Besse made a motion to approve the Consent Agenda. The motion was duly seconded by Council Member Leight and carried unanimously.

CONSENT AGENDA

- C-1. APPROVAL OF COMMUNITY DEVELOPMENT/HOUSING/GENERAL GOVERNMENT COMMITTEE MINUTES - April 15, 2008.
- C-2. RESOLUTION CONSIDERING AND ADOPTING APPROPRIATE AND VERIFIABLE PERCENTAGE GOALS FOR PARTICIPATION BY MINORITY AND WOMEN OWNED BUSINESSES FOR THE CONSTRUCTION OF OLD LEXINGTON ROAD INTERSECTION IMPROVEMENTS.
- C-3. ORDINANCE AMENDING CHAPTER 6 OF THE CITY CODE RELATED TO ANIMALS AND FOWL.

GENERAL AGENDA

- G-1. ORDINANCE AMENDING CHAPTER 38 OF THE CITY CODE ENTITLED MISCELLANEOUS OFFENSES AND PROVISIONS. [*Graffiti Abatement.*]

Mr. Ritchie Brooks, Director, Neighborhood Services, stated this item was presented previously to the Committee and the item was posted on the City's webpage to solicit citizen comments. He provided highlights of the ordinance and noted that the abatement period would be five days. He also stated that if a property owner is not eligible for financial assistance for graffiti removal, the City will remove it and the first three occurrences will have an associated cost of \$25. He further stated that a provision has been included to state that if a property owner takes proactive measures to prevent further occurrences, the \$25 charge will be frozen at that point. Mr. Brooks provided a definition of proactive measures and defined the resulting fee schedule if proactive measures are not taken.

Council Member Johnson in at 4:07 p.m.

In response to Council Member Leight's question, Mr. Brooks defined some proactive measures as the installation of additional lighting, shrubbery, and specific paints or solutions that allow graffiti to be easily removed.

Council Member Besse requested that the proactive measures be specified in the ordinance.

Mr. Derwick Paige, Deputy City Manager stated that the measures were not specified so property owners would not be limited to one or two options for removal.

Council Member Besse requested that language be added to the ordinance stating proactive measures with the addition of "but not limited to" those measures.

In response to Chair Malloy's question, Mr. Brooks stated that City-owned properties will be held to the same standards.

In response to Council Member Leight's question, Mr. Brooks stated that graffiti or trash under bridges and overpasses is the responsibility of the North Carolina Department of Transportation (NCDOT) to remove and the City can cite them for debris or trash.

Mr. Lee Garrity, City Manager, stated that in his experience, the NCDOT rarely pays any fines and may not remove the graffiti or debris in a timely manner.

Council Member Johnson requested that the solution allowing for easy removal of graffiti be applied at Northwest Boulevard and Thurmond Avenue, as well as Glenn Avenue and 30th Street, as these sites are frequently marred by graffiti.

Mr. Brooks stated that Mr. Tim Grant, Recreation and Parks Director, was arranging a test site for the solution and if the result is positive, it will be purchased to have on hand for removal.

In response to Council Member Johnson's question, Mr. Brooks stated that NCDOT is responsible for removing trash from underneath bridges and they may be contacted to review the bridges at Northwest Boulevard and University Parkway.

In response to Chair Malloy's inquiry, Mr. Brooks noted that the trash and debris under the bridge at Northwest Boulevard and Main Street/Chestnut Street has improved since trash receptacles have been placed there.

Mr. Paige noted that the Winston-Salem Chamber of Commerce has stated that given the changes recommended, they are not as opposed to this particular ordinance.

Council Member Leight made a motion to approve the item with the inclusion of specifying proactive measures. The motion was duly seconded by Council Member Besse. The motion carried unanimously.

G-2. ORDINANCE AMENDING CHAPTER 42, ARTICLE IV ENTITLED STOPPING, STANDING AND PARKING. [*No Parking on Front Lawns.*]

Mr. Brooks noted this item was presented to the Committee previously and was placed on the City's website to solicit feedback. The ordinance will prohibit parking on lawns unless a permit is obtained to install a driveway or parking pad, the driveway can cover no more than 30% of the front lawn, allows the City Manager to designate who will enforce these rules, exempts emergency and public service vehicles, and parking will be allowed on the front lawn for two events per year, per residence.

Council Member Besse requested that a public hearing be scheduled for this item to allow citizen's to express their concerns.

In response to Council Member Leight's question, Mr. Paige noted that a public hearing is not currently scheduled and it would probably be June or July before one could be adequately advertised and scheduled.

In response to Council Member Johnson's question, Mr. Brooks stated that even when an event is impromptu, citizens should still make an effort to obtain a permit if time allows. He also stated that it will be at the discretion of the Police Department whether or not a residence is in violation. He further stated that consideration may be given on the first occurrence.

Mr. Garrity stated that City Link could be utilized to issue permits more quickly.

In response to Council Member Johnson's inquiry, Mr. Brooks stated that there is no cost associated with the permit.

In response to Council Member Leight's question, Mr. Brooks noted that staff would prefer not to allow more than two permits within one year and weekends should not be exempted from the rules as that could create a recurrent problem.

In response to Council Member Besse's question, Council Member Leight stated the main focus of the ordinance is to protect permeable surfaces so they are not impacted by the parking, creating more impervious surface and adding to the stormwater runoff concern.

Council Member Johnson requested that impromptu family events not be penalized, but if a particular residence is in question repeatedly, it should be addressed.

Mr. Paige stated that while the ordinance is broad, it may help to resolve a few individual situations. He also stated that the item could be sent to the Planning Board as a UDO text amendment, where it could undergo a public hearing in that process.

In response to Mrs. Angela I. Carmon, City Attorney's question, Council Member Leight stated that the focus of the ordinance is to protect the ground surface as well as the aesthetics of a neighborhood.

Council Member Johnson suggested a public hearing be scheduled for the second Council Meeting in June.

Mrs. Carmon requested more time so the ordinance can be modified.

Council Member Johnson requested the information be shared with multi-family complexes in the University Parkway area prior to the start of the fall school semester in August.

Council Member Leight made a motion to hold the item in Committee until June and that a public hearing be scheduled for the July 7, 2008 City Council meeting. The motion was duly seconded by Council Member Besse. The motion carried unanimously.

Mr. Paige noted there would be a citywide neighborhood association meeting the second Saturday in June and the information would be presented there.

Council Member Johnson stated that the East Ward Town Hall meeting is scheduled for May 20th and the information would be shared at that time.

In response to Chair Malloy's question, Mr. Brooks stated there were no demolitions presented this month due to a mix-up in communication, but there will be 20 to 25 cases presented at the June Committee meeting.

Mr. Paige noted there are considerably less open demolition cases than in previous months.

Chair Malloy requested staff review a property on West 23rd Street off of Pittsburgh Avenue that has been marked by graffiti.

G-3. PRESENTATION BY FORSYTH FUTURES.

Ms. Jean Ervin, Vice Chair, Forsyth Futures, gave the presentation.

In response to Council Member Besse's question, Ms. Ervin stated that air/water pollution was included under the category of engagement due to resident's response, but it could be included in several categories as it is applicable in various areas.

In response to Council Member Johnson's question, Ms. Ervin stated that re-entry individuals are being tracked along with those entering prison, with special focus on juveniles and young adults.

In response to Chair Malloy's question, Ms. Ervin stated that the ultimate result would be community involvement, awareness, planning, building partnerships, and providing guidelines for the entire community to help citizens be more successful.

ADDITIONAL ITEM

Council Member Johnson distributed copies of an email she received from a citizen regarding the damage to the tennis courts at Hanes Park.

Mr. Paige noted that he already received the email as had various staff members and that he met with Mr. Grant to discuss the damage and estimated repair costs of \$100,000. He also noted that there was water damage at Miller Park. He further noted that there is a scheduled tennis camp at the end of May at Hanes Park as well as a tennis tournament scheduled the first two weekends in June. Mr. Paige stated that staff is seeking bids from cleanup crews and will get started as soon as possible, but resurfacing the courts will take about three weeks. He also stated that if the cleanup effort can get started this week, he feels confident it will be repaired before the tennis camp at the end of May. He further stated that there has been no assessment of the damage to the basketball courts at Miller Park and that staff is looking into future treatment of the courts. Mr. Paige noted that damage was only received to the clay tennis courts at Hanes Park.

In response to Council Member Johnson's question, Mr. Turner stated the probable cause of the damage was the intensity and quickness of the storm.

Council Member Besse requested to know what damage, if any was received to the baseball field and track area, and if either area was usable at this time.

In response to Council Member Johnson's inquiry, Mr. Paige stated that if cleanup efforts are started this week, there will be no backup plan needed, but if not, the tennis camp and tournament will have to be moved to a site in Statesville.

In response to Chair Malloy's question, Mr. Paige stated the tennis courts at Wake Forest University cannot be utilized because the court surface is not appropriate to the needs of the camp and tournament. He also stated that to avoid similar situations in the future, a larger drain will need to be placed at Miller Park.

ADJOURNMENT: 5:08 p.m.