

## SUMMARY OF MINUTES

### PUBLIC SAFETY COMMITTEE

6:30 P.M., MONDAY, MAY 10, 2010

COMMITTEE ROOM

ROOM 239, CITY HALL

---

*MEMBERS PRESENT:* Council Member Vivian H. Burke, Chair  
Council Member James Taylor, Jr., Vice Chair  
Council Member Wanda Merschel

*MEMBERS ABSENT:* Council Member Derwin L. Montgomery

*OTHERS PRESENT:* Council Member Denise D. Adams

Chair Burke called the meeting to order and stated that without objection, the Committee would first consider the Consent Agenda and asked if any items needed to be pulled.

Council Member Taylor requested to pull Item C-2. No other items were removed for discussion.

Council Member Merschel made a motion to approve the balance of the Consent Agenda. The motion was duly seconded by Council Member Taylor and carried unanimously.

#### CONSENT AGENDA

- C-1. ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS ON CITY STREETS - *Lockwood Drive, Briar Lake Road, Little Creek Circle, Meadowview Drive, and Greencedar Lane.*
- C-3. RESOLUTION AUTHORIZING THE CITY OF WINSTON-SALEM TO APPLY FOR A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE DEPARTMENT OF HOMELAND SECURITY FOR THE 2010 ASSISTANCE TO FIREFIGHTERS GRANT FOR THE PURCHASE OF FIRE SUPPRESSION EQUIPMENT.
- C-4. APPROVAL OF COMMITTEE OF THE WHOLE SUMMARY OF MINUTES - *April 12, 2010.*
- C-2. ORDINANCE AMENDING CHAPTER 38, ARTICLE 1, SECTION 15.1 RELATING TO GRAFFITI, POSSESSION OF SPRAY PAINT. *Public Hearing: June 7, 2010.*

Mrs. Angela I. Carmon, City Attorney, stated that two ordinances were presented: one for the possession of a graffiti implement and one for the sale of graffiti implements. She also stated that if there was no objection or further questions, the ordinances would be presented for public hearing at the June 7 City Council meeting.

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

### GENERAL AGENDA

#### G-1. RESOLUTION BY THE PUBLIC SAFETY COMMITTEE TO REVOKE THE TAXICAB DRIVER'S PERMIT ISSUED TO OUSSEYNOU WANE.

Mr. Gregory M. Turner, Assistant City Manager/Public Works, stated that the North Carolina Department of Motor Vehicles withdrew Mr. Wane's license for a criminal issue and staff felt it appropriate to withdraw the City's Certificate of Public Convenience and Necessity.

Mrs. Carmon noted that as Mr. Wane was entitled to a public hearing, Chair Burke would need to address the audience and determine if Mr. Wane or a representative were in attendance. No one came forward.

Council Member Taylor noted that as Mr. Wane no longer has a license, there is no need for him to have a permit to drive a taxicab.

Mr. Carmon noted that staff is considering amending the City's ordinance where any suspension of a license would be an automatic revocation of a taxicab certificate.

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

#### G-2. RESOLUTION APPROVING THE REVISED CITY/COUNTY COOPERATIVE GOVERNMENTAL SERVICES FUNDING AGREEMENT. *[Item continued from the April 12, 2010 Committee of the Whole meeting.]*

Mrs. Ann Jones, Budget/Evaluation Director, stated that staff added language concerning Historic Bethabara Park to indicate that the County is considering not only removing funding for that park, but also for other parks in the County that are within municipal boundaries. There is also an amendment to the Federal Justice Agency Grant changing the allocation from an even split to an allocation of 60% City and 40% County, which reflects a more true proportion of the crime within the County. In response to Council Member Taylor's question, Mrs. Jones stated that there will be a savings to the City of \$63,000 overall and a General Fund savings of \$238,000.

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

G-3. ORDINANCE AMENDING CHAPTER 74 RELATING TO STREETS AND SIDEWALKS.

Mrs. Carmon stated that this ordinance will make it unlawful for anyone to block or obstruct a public street, sidewalk, bridge or walkway that prohibits the free passage of a pedestrian or vehicular traffic, ingress or egress to or from any public building, meeting place or place of business. Various concerns have been expressed for several months regarding citizens blocking the passage of others around the Winston-Salem Transit Authority (WSTA) building.

Mr. Ron Clein, 2847 Kensington Road, stated that there has been a problem with the same people standing in front of his store or on the sidewalk, mainly on weekdays, and he requested that something be done to alleviate the problem or he will no longer be able to operate his business in that location.

Council Member Merschel noted that Mr. Clein and his family have been in business there for a long time and she has witnessed the activity that he described. She also noted that there needs to be some type of ordinance or regulation that is enforceable and that City Council and staff are working to find a solution to this problem.

Mr. Clein noted that he has witnessed various illegal activities and that individuals flee the area when they see Winston-Salem Police Department (WSPD) Bike Patrol approaching, then return once they are gone. He also noted that this activity does not just occur on one block and that it may be happening in other locations across the city. In response to Council Member Taylor's question, he further stated that there is a small percentage of individuals coming from the WSTA area to engage in these activities, but the majority of people in that area are simply there for transportation needs. Mr. Clein stated that he feels less activity occurs on weekends because there are not as many citizens at the WSTA or walk-by traffic, so there are fewer people to approach and engage. He also stated that he has some customers who are afraid to visit his business due to the crowd outside.

Mr. Ameen David, 533 West First Street, owner of Mooney's Mediterranean Café, noted that he has been in this location for the last year and a half and has noticed a small group of people coming from the WSTA area that are leeching off of upstanding citizens using the WSTA for transportation. He also noted that he has had several customers express a desire to dine on the sidewalk, but they do not because of other citizens asking for money or offering to sell them drugs. He further noted that this small group of people is affecting the quality of life for a majority of people and stifling the efforts of the downtown area and its businesses. Mr. David stated that some of the vagrants attempt to use his restaurant as place to hide from police. In response to Council Member Merschel's question, he stated that although the WSTA is on the corner of Trade and Liberty Streets, various benches, alleyways and locations encourage vagrants to move further down the street towards Fourth Street and other areas.

Mr. Nathan Potts, 859 Phillips Road, Davidson County, owner of Liberty Tattoo at 416 North Liberty Street, stated that his main concern is the store next to his, where interior tables and chairs encourage citizens to loiter there. He also stated that he has witnessed five illegal drug sales from his business in the last week, in addition to illegal drug activity and prostitution. He further stated that his business cannot remain on Liberty Street if something is not done because he has too many

clients that will not visit that area.

Council Member Adams stated that she is sympathetic to the needs of downtown business owners, especially with the concentration of funding spent on the downtown core to revitalize the area. She noted that similar efforts need to be put forth at the perimeter of downtown, near Liberty and Trade Streets and other surrounding streets. She also noted that the citizens' concerns for safety need to be addressed and that data from the WSPD may be able to shed some light on situations occurring in those areas.

Mr. Keith King, 706 Pecan Ridge, Kernersville, stated that probably 2% of the citizens coming from the WSTA are using Liberty Street and the transit station to take advantage of citizens visiting that area. He questioned if it would be possible to have more WSPD Bike Patrol presence in that area. He also stated that he is amazed at the amount of money spent to revitalize Trade Street but nothing was done for Liberty Street, which is very close in proximity. He further stated that simply from the appearance of Liberty Street, it is evident that it has been neglected and questioned why more efforts have not been put forth in that area. Mr. King noted that it appears to be the same group of three to four individuals participating in illegal activities.

Chair Burke stated that she has begged City staff to do something in the area of Liberty Street to remedy the issues that have arisen from the WSTA area and that it is time for a change. She also stated that citizens feeling unsafe will not be tolerated and staff will ensure that WSTA private security will maintain a safe area for citizens. She further stated that staff needs to ensure there is an ordinance on record that will be enforceable to remedy this situation.

Mr. Garrity stated that the proposed ordinance will provide an additional tool for WSPD to utilize when citizens are blocking the street, and although the improved security at WSTA has been fairly successful, the illegal activity element has simply moved to another location. He also stated that Chief Cunningham has worked with WSTA staff to determine if a private security company will continue to serve that area or if the WSPD will assume that responsibility and add additional officers. He further stated that for the WSPD to assume that responsibility it will cost \$100,000 and there is no guarantee that the change will effectively remedy the situation.

Mr. Clein noted that nuisance citizens have moved to a gathering place at King's Market so other citizens do not want to pass through that area, and surrounding business owners have no recourse.

Chair Burke questioned if there was a possibility of addressing the building capacity inside of King's Market.

Sergeant Danny Watts, WSPD Bike Patrol, noted that he assumed his position with Bike Patrol in January and quickly realized the problem that needed to be addressed. He helped to develop the Liberty Street Corridor Committee, who meets regularly and the WSPD has done several sting operations in the area. He also noted that Bike Patrol is in the area constantly looking for panhandlers, drug use, alcohol consumption, and other illegal activities and works with Vice, Narcotics and Street Crimes Operations to address issues that are not easily handled by patrol functions. This ordinance will give patrol officers an immediate tool to remedy a situation to clear sidewalks and streets for patrons to pass freely.

Chief Cunningham noted that the WSPD has heard these concerns and through various meetings with the City Manager and other staff, it has stepped up its presence and formed new partnerships with the WSTA. He also noted that there is a risk in attempting to predict what will happen as a result of these partnerships, but he feels confident that by September, WSPD will be able to show quantifiable improvement in these situations.

Mr. David suggested that the alleyway between the newsstand and the empty Woolworth building be closed, as it is not wide enough for cars to travel through and citizens use it as an area to hide from the Bike Patrol and for conducting illegal activities. He also questioned if cameras could be installed in that area to help prevent street crime, and if a secondary Bike Patrol office could be located close by or in the WSTA. He further requested that once the ordinance is adopted, that clear signage be posted indicating what the ordinance will do.

Council Member Taylor expressed his appreciation to the business owners for expressing their concerns and suggestions and expressed his thanks to Chief Cunningham and Mr. Garrity for their efforts to protect citizens. He also suggested that business owners not point fingers at one another, as this situation is no one person's fault.

In response to Council Member Merschel's statements, Mr. Art Barnes, WSTA Director, confirmed that WSTA staff does enforce the transportation center ban of over 100 citizens and adheres to policies set forth to protect citizens' safety. He also stated that he has regular meetings with Chief Cunningham and WSPD staff to discuss policy, procedures, strategies and enforcement. He further stated that he meets monthly with Bike Patrol staff and there are excellent coordination efforts. Mr. Barnes noted that Bike Patrol has an office inside the WSTA and that the number of surveillance cameras has been increased to keep track of all who pass through the WSTA. He also noted that he meets with area business owners once per month to discuss any new policies or procedures and that trees have been removed from around the WSTA to increase visibility, as well as the installation of signs noting policies.

Sergeant Watts stated that WSTA staff is thorough in communicating those citizens banned from the WSTA and many patrol officers can point out those individuals in a crowd.

Council Member Merschel expressed concern that if citizens are banned from one area, they will just move to another and create a never ending cycle.

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

#### G-4. REPORT ON SECURITY AT THE PUBLIC TRANSIT CENTER.

Mr. Turner noted that the Committee members had just had this discussion during the previous item, and unless there were further questions, there was no need for a report.

ADJOURNMENT: 7:23 p.m.