

## SUMMARY OF MINUTES

### PUBLIC SAFETY COMMITTEE

5:30 P.M., MONDAY, AUGUST 8, 2011

COMMITTEE ROOM

ROOM 239, CITY HALL

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*MEMBERS PRESENT:* Council Member Vivian H. Burke, Chair  
Council Member James Taylor, Jr., Vice Chair (in at 5:33 p.m.)  
Council Member Wanda Merschel  
Council Member Derwin L. Montgomery

*OTHERS PRESENT:* Council Member Molly Leight

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 removed for discussion. No items were removed.

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

#### CONSENT AGENDA

- C-1. ORDINANCE AMENDING SECTION 52-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS - *Madison Street and West Sixth Street.*
- C-2. SUMMARY OF INTENTIONALLY SET FIRES IN WINSTON-SALEM.
- C-3. APPROVAL OF PUBLIC SAFETY COMMITTEE SUMMARY OF MINUTES - *July 11, 2011.*

Chair Burke recognized the success of the National Black Theatre Festival (NBTF).

Mrs. Martha Wheelock, Assistant City Manager, noted that the NBTF had a successful run during the past week and a low incidence of criminal behavior. She also noted that Sanitation crews and Winston-Salem Police Department (WSPD) personnel worked hard each night to make the festival a pleasant event for everyone and she commended the work of Marketing and Communications staff as well. Overall, attendees and festival goers were very pleased and staff will bring a formal report at a later date.

Council Member Merschel expressed her thanks to the Public Works Department for painting the crosswalks on Fourth Street and for maintaining the downtown area. She also recommended that the City award Ms. Jackie Taylor with a resolution of appreciation as she has given eight performances over the course of 11 festivals, came out to join the crowds and celebrate after her performances, and that she brings world class talent to the community stage.

Council Member Montgomery echoed the comments of the other Committee Members and noted that many downtown businesses and restaurants are not normally open late at night but was grateful for the additional revenue brought in by the Festival.

### GENERAL AGENDA

#### G-1. DISCUSSION RELATING TO POSSESSION AND DISCHARGE OF FIREARMS.

Mrs. Angela I. Carmon, City Attorney, stated that the General Assembly has decided to eliminate the City's broad authority to prohibit concealed handguns in parks and the current blanket ordinance in existence needs to be amended. The legislation does allow for the prohibition of concealed handguns in or on recreational facilities, and staff tried to define recreational facilities, while keeping in mind their multi-purpose nature. Once the ordinance has passed, each facility, basketball court, soccer field, or other amenity, will have to be posted individually with notification that concealed handguns may not be carried on those premises.

Council Member Taylor requested to know the costs incurred with additional required signage.

In response to Council Member Leight's question, Mrs. Carmon stated that one sign cannot be posted at each park or recreational facility because there are areas where an individual could remain sedentary and a concealed permittee could carry a gun in that area.

In response to Council Member Montgomery's inquiry, Mrs. Carmon indicated a concealed permittee could carry a gun in a park with no playground facilities.

Council Member Merschel requested a list of passive parks, such as Grace Court and Winston Square and questioned what could be done to have them considered activity center parks so they may be incorporated into the no-carry list.

Chair Burke asked that Mr. Lee Garrity, City Manager, pass this information along to other Council Members and obtain their feedback.

#### G-2. REPORT ON THEFT OF SCRAP METALS.

Mr. Scott Cunningham, Chief of the WSPD, noted that the theft of copper and air conditioning units in the United States is at near epidemic proportions. The WSPD is currently working 400 metal-theft related offenses, made 40 arrests this year for these offenses alone, and has arrested several individuals involved in numerous offenses tied to these thefts. The WSPD is working with scrap metal dealers within the city and nearby areas, is pursuing a number of active investigations, working with the Crime Prevention Unit, neighborhood watch associations and community associations, and

asking the public to be proactive in aiding these efforts.

In response to Council Member Taylor's questions, Chief Cunningham stated that secondary metal recyclers have generally been cooperative with the WSPD, expressed a desire to work with the WSPD and offered to assist, have partnered with other area agencies and others have been somewhat hesitant to cooperate. He also stated there are two primary recyclers within the City limits and several outside. There are several within reasonable driving distance and a strong community of underground recyclers. He further noted that at some point, thieves do have to turn in the metal for cash and there are limited methods for metal to be recycled.

In response to Council Member Taylor's inquiry, Mrs. Carmon indicated that North Carolina General Statute (N.C.G.S.) 66-11 regulates scrap metal and municipalities are unable to adopt ordinances providing additional authority but they can approach the General Assembly for additional legislative authority.

Council Member Montgomery noted that metal theft is a national problem and additional authority is needed because what is currently outlined is not strong enough.

In response to Council Member Leight's questions, Chief Cunningham noted that while N.C.G.S. 66-11 requires scrap metal workers to produce receipts for their goods, metals are unidentifiable from a single source, and contain no unique markings, so it is hard to trace where the items come from. He also noted that copper is the most frequently sought metal as it is flexible, durable, there is a need for it, and it can draw a higher selling price than other metals.

Captain David Clayton, WSPD, indicated that N.C.G.S. 66-11 provides the WSPD the tools it needs to obtain criminal intelligence in the area of metal theft and allows it to identify secondary or underground dealers.

In response to Council Member Montgomery's question, Captain Clayton stated that the WSPD will utilize a department-wide comprehensive strategy and covert investigations to apprehend metal thieves. He also stated that WSPD may request specific equipment to further its efforts and noted that it has made a lot of progress in the last 30 days and will continue to move forward.

Chief Cunningham noted that the law allows for forfeiture proceedings, especially regarding metal theft, whereby the metals can be seized, and if an individual is proven to have engaged in criminal behavior, their automobile can be claimed as well.

Mrs. Carmon noted that staff spoke with other attorneys regarding an amendment to the legislation that metals be identified through serial numbers or markings to attempt to track the movement of metal.

Council Member Montgomery requested that staff also consider what additional authority could be granted at the local level.

G-3. SPECIAL WEAPONS AND TACTICS (SWAT) PRESENTATION.

Council Member Merschel requested information on WSPD mediation procedures as a companion piece.

Mr. Garrity noted that he would disseminate this information to other Council Members.

Chair Burke stated that given the information recently handed out and in the interest of time, if there was no objection from the Committee, this item would be held for consideration at the beginning of next month's agenda.

#### G-4. UPDATE ON COMMUNITY ORGANIZATIONS ACTIVE IN DISASTER STATUS.

Mr. Mel Sadler, Emergency Management Director, and Mr. Bob Conn, Community Organizations Active in Disaster (COAD), gave the update.

Council Member Merschel noted that the YMCA, YWCA and the Children's Home have facilities that may be of use in disaster situations.

Council Member Montgomery noted that the Winston-Salem/Forsyth County School System also had facilities that could be of use. He expressed his thanks to the COAD for their hard work and dedication and questioned what could be done as a city to play a larger role in disaster relief efforts.

Mr. Conn noted that an emergency fund would be helpful, especially for the Winston-Salem Transit Authority, as during the Alder's Point fire, buses were pulled from their regular routes to transport displaced victims.

Chair Burke noted that the City always steps up when needed and that involved volunteer groups could be developing emergency funds as well. She also noted that some hotels may be possible locations for temporary shelter.

Council Member Taylor noted that the Emergency Management Committee meets regularly, is organized, and provides regular reports. He expressed the need for the City to develop an emergency management fund as the night of the fire at Alder's Point, there was no source to immediately turn to for food or shelter. Char's Hot Dogs was contacted and provided 100 hot dogs and other citizens brought food out of their homes to feed residents who were displaced.

Council Member Merschel noted that Winston-Salem is a compassionate community always willing to step in and expressed hope that community organizations could engage in fundraising efforts to build emergency funds. She also encouraged each family to have an emergency plan, and for COAD to present its emergency plan to local businesses.

Mr. Conn stated that United Way meets regularly with COAD and most of the organizations involved are United Way agencies, so there is an underlying question of funding support allocations. He also stated that COAD encourages citizens to obtain renters insurance as it pays for a hotel stay in the event of displacement, replaces furniture and other items.

Mr. Hugh Quinn, Red Cross, provided a sample door hanger containing English and Spanish

instructions on the benefits of renters insurance. He also provided a sample family pledge form regarding fire safety being passed through local schools.

Chief Cunningham expressed his thanks to Council Members for their attendance at the funeral of Officer Russell Willingham.

Chair Burke expressed the Committee's condolence to Mr. Al Andrews, Assistant City Attorney, in the loss of his mother. She also expressed her thanks to Mr. Ed McNeal, Marketing and Communications Director, for his communication and coordination efforts on behalf of the City Council.

ADJOURNMENT: 6:36 p.m.