AGENDA

PUBLIC SAFETY COMMITTEE

6:00 p.m., Monday, March 20, 2017

COMMITTEE ROOM

Room 239, City Hall

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COMMITTEE MEMBERS:  Council Member James Taylor, Jr., Chair
Council Member Jeff MacIntosh, Vice Chair
Council Member Vivian H. Burke
Council Member John C. Larson

GENERAL AGENDA


G-2. PROPOSED UNIFIED DEVELOPMENT ORDINANCES TEXT AMENDMENT ADDING "NEEDLE AND HYPODERMIC SYRINGE EXCHANGE PROGRAM" AS A USE.

G-3. UPDATE ON HANDICAP PARKING DOWNTOWN. [Item continued from the November 2016, Community Development/Housing/General Government Committee.]

G-4. REVIEW OF SUMMER YOUTH EMPLOYMENT PROGRAM.
CONSENT AGENDA

C-1. ORDINANCE AMENDING SECTION 42-122(F) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS (WEST, NORTH AND NORTHEAST WARDS) - York Road, Paddington Lane and Clovelly Road, Bittersweet Road, Beacon Drive and Pioneer Trail, and Appomattox Drive, Bull Run Road, Harpers Ferry Road, Antietam Drive, Antietam Court, Chancellorsville Drive and Chickamauga Drive.

C-2. CONSIDERATION OF RESOLUTIONS AUTHORIZING THE LEASE OF SPACE IN THE WINSTON MUTUAL BUILDING: (EAST WARD)
   
   a. RESOLUTION AUTHORIZING A LEASE EXTENSION FOR A PORTION OF THE SECOND FLOOR IN THE WINSTON MUTUAL BUILDING FOR THE POLICE DEPARTMENT’S CRIME PREVENTION UNIT.
   
   b. RESOLUTION AUTHORIZING A LEASE OF THE FOURTH AND FIFTH FLOORS IN THE WINSTON MUTUAL BUILDING TO PROVIDE SPACE IN WHICH TO ROTATE POLICE DEPARTMENT STAFF WHILE THE PUBLIC SAFETY CENTER IS BEING RENOVATED.

C-3. RESOLUTION AUTHORIZING THE CITY MANAGER TO DONATE SURPLUS FIRE PUMPER TRUCK TO FORSYTH TECHNICAL COMMUNITY COLLEGE.

C-4. APPROVAL OF PUBLIC SAFETY COMMITTEE SUMMARY OF MINUTES - February 13, 2017.
TO: Mayor Allen Joines and Members of the City Council  
FROM: Barry D. Rountree, Chief of Police  
DATE: March 9, 2017  
SUBJECT: WSPD 2016-Employee & Officer of the Year  
CC: Lee Garrity, City Manager  

The Winston-Salem Police Department will introduce to the Public Safety Committee the WSPD 2016- Employee & Officer of the Year recipients.

This introduction is designed to keep members of the City Council and the public informed.

Please feel free to contact me if you have any questions or comments before the public safety committee meeting. Please contact me at 773-7760 or btree@wspd.org.

Regards,

Barry D. Rountree  
Chief of Police
TO: Public Safety Committee  
FROM: Angela I. Carmon, City Attorney  
                    Jerry N. Kontos, Assistant City Attorney  
DATE: March 2, 2017  
RE: Proposed *Unified Development Ordinances* Text Amendment Adding Needle and Hypodermic Syringe Exchange Program as a Use  
CC: Lee Garrity, City Manager  
        Paul Norby, Planning and Development Services Director  

With the passage of S.L. 2016-88 (attached), effective October 1, 2016, the General Assembly has authorized the establishment of needle and hypodermic syringe exchange programs. The new law sets forth requirements and prerequisites to be followed by operators of such programs.

Accordingly, a needle and hypodermic syringe exchange program has commenced in Winston-Salem, with additional such programs anticipated to commence in the near future. The *Unified Development Ordinances* ("UDO") currently does not have a needle and hypodermic syringe exchange program distinguished as its own use. Given the traffic impacts that such programs will have upon residential areas in the City, it is believed to be important to create the use "needle and hypodermic syringe exchange program" so that its land use impacts can be effectively addressed.

The proposed *UDO* text amendment would create the use Needle and Hypodermic Syringe Exchange Program, as authorized by G.S. 90-113.27. The use would be allowed in the HB, GB, C, and GO zoning districts. The proposed ordinance would also require existing Needle and Hypodermic Syringe Exchange Programs, made nonconforming by the text amendment, to discontinue on or before June 1, 2019.
AN ORDINANCE PROPOSED BY THE CITY ATTORNEY’S OFFICE AMENDING THE UNIFIED DEVELOPMENT ORDINANCES TO ADD NEEDLE AND HYPODERMIC SYRINGE EXCHANGE PROGRAM AS A USE

Be it ordained by the City Council of the City of Winston-Salem, North Carolina, that the Unified Development Ordinances is hereby amended as follows:

Section 1. Chapter A, Article II – Definitions is hereby amended as follows:

Article II – Definitions

NEEDLE AND HYPODERMIC SYRINGE EXCHANGE PROGRAM (W). Any use of land which meets all the requirements of a needle and hypodermic exchange program set forth in G.S. 90-113.27.

Section 2. Chapter B, Article II, Section 2-4 – Permitted Uses is hereby amended as follows: Addition to TABLE B.2.6.

Needle and Hypodermic Syringe Exchange Program (W) (Hi): Insert a “Z” for the following zoning districts:

HB, GB, C and GO

Section 3. Chapter B, Article II, Section 2-5 – Use Conditions is hereby amended as follows:

2-5.55.1 NEEDLE AND HYPODERMIC SYRINGE EXCHANGE PROGRAM (W)

(A) Compliance With Applicable Laws
    Needle and Hypodermic Syringe Exchange Programs shall comply with all applicable local, state and federal laws.

(B) Accessory Use
    Needle and Hypodermic Syringe Exchange Programs shall be permitted as an accessory use only within the zoning districts in which the use is allowed as a principal use, as designated in Table B.2.6.

(C) Amortization of Needle and Hypodermic Syringe Exchange Programs
    Needle and Hypodermic Syringe Exchange Programs made nonconforming by the provisions of this Ordinance, shall be discontinued on or before June 1, 2019.

Section 4. This ordinance shall be effective upon adoption.
AN ACT TO PROVIDE THAT RECORDINGS MADE BY LAW ENFORCEMENT AGENCIES ARE NOT PUBLIC RECORDS, TO ESTABLISH WHETHER, TO WHOM, AND WHAT PORTIONS OF A RECORDING MAY BE DISCLOSED OR A COPY RELEASED, TO ESTABLISH THE PROCEDURE FOR CONTESTING A REFUSAL TO DISCLOSE A RECORDING OR TO OBTAIN A COPY OF A RECORDING, TO DIRECT STATE OR LOCAL LAW ENFORCEMENT AGENCIES TO PROVIDE, UPON REQUEST, ACCESS TO A METHOD TO VIEW AND ANALYZE RECORDINGS TO THE STATE BUREAU OF INVESTIGATION AND THE NORTH CAROLINA STATE CRIME LABORATORY, TO AUTHORIZE GOVERNMENTAL AND NONGOVERNMENTAL ORGANIZATIONS TO ESTABLISH AND OPERATE HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS, AND TO OFFER LIMITED IMMUNITY TO EMPLOYEES, VOLUNTEERS, AND PARTICIPANTS OF AUTHORIZED HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 132 of the General Statutes is amended by adding a new section to read:

"§ 132-1.4A. Law enforcement agency recordings.

(a) Definitions. – The following definitions apply in this section:

(1) Body-worn camera. – An operational video or digital camera or other electronic device, including a microphone or other mechanism for allowing audio capture, affixed to the uniform or person of law enforcement agency personnel and positioned in a way that allows the camera or device to capture interactions the law enforcement agency personnel has with others.

(2) Custodial law enforcement agency. – The law enforcement agency that owns or leases or whose personnel operates the equipment that created the recording at the time the recording was made.

(3) Dashboard camera. – A device or system installed or used in a law enforcement agency vehicle that electronically records images or audio depicting interaction with others by law enforcement agency personnel. This term does not include body-worn cameras.

(4) Disclose or disclosure. – To make a recording available for viewing or listening to by the person requesting disclosure, at a time and location chosen by the custodial law enforcement agency. This term does not include the release of a recording.

(5) Personal representative. – A parent, court-appointed guardian, spouse, or attorney of a person whose image or voice is in the recording. If a person whose image or voice is in the recording is deceased, the term also means the personal representative of the estate of the deceased person; the deceased person's surviving spouse, parent, or adult child; the deceased person's attorney; or the parent or guardian of a surviving minor child of the deceased.

(6) Recording. – A visual, audio, or visual and audio recording captured by a body-worn camera, a dashboard camera, or any other video or audio recording device operated by or on behalf of a law enforcement agency or law enforcement agency personnel when carrying out law enforcement responsibilities. This term does not include any video or audio recordings of
interviews regarding agency internal investigations or interrogations of suspects or witnesses.

(7) Release. – To provide a copy of a recording,

(b) Public Record and Personnel Record Classification. – Recordings are not public records as defined by G.S. 132-1. Recordings are not personnel records as defined in Part 7 of Chapter 126 of the General Statutes, G.S. 160A-168, or G.S. 153A-98.

(c) Disclosure; General. – Recordings in the custody of a law enforcement agency shall be disclosed only as provided by this section. A person requesting disclosure of a recording must make a written request to the head of the custodial law enforcement agency that states the date and approximate time of the activity captured in the recording or otherwise identifies the activity with reasonable particularity sufficient to identify the recording to which the request refers.

The head of the custodial law enforcement agency may only disclose a recording to the following:

(1) A person whose image or voice is in the recording.
(2) A personal representative of an adult person whose image or voice is in the recording, if the adult person has consented to the disclosure.
(3) A personal representative of a minor or of an adult person under lawful guardianship whose image or voice is in the recording.
(4) A personal representative of a deceased person whose image or voice is in the recording.
(5) A personal representative of an adult person who is incapacitated and unable to provide consent to disclosure.

When disclosing the recording, the law enforcement agency shall disclose only those portions of the recording that are relevant to the person’s request. A person who receives disclosure pursuant to this subsection shall not record or copy the recording.

(d) Disclosure; Factors for Consideration. – Upon receipt of the written request for disclosure, as promptly as possible, the custodial law enforcement agency must either disclose the portion of the recording relevant to the person’s request or notify the requestor of the custodial law enforcement agency’s decision not to disclose the recording to the requestor.

The custodial law enforcement agency may consider any of the following factors in determining if a recording is disclosed:

(1) If the person requesting disclosure of the recording is a person authorized to receive disclosure pursuant to subsection (c) of this section.
(2) If the recording contains information that is otherwise confidential or exempt from disclosure or release under State or federal law.
(3) If disclosure would reveal information regarding a person that is of a highly sensitive personal nature.
(4) If disclosure may harm the reputation or jeopardize the safety of a person.
(5) If disclosure would create a serious threat to the fair, impartial, and orderly administration of justice.
(6) If confidentiality is necessary to protect either an active or inactive internal or criminal investigation or potential internal or criminal investigation.

(e) Appeal of Disclosure Denial. – If a law enforcement agency denies disclosure pursuant to subsection (d) of this section, or has failed to provide disclosure more than three business days after the request for disclosure, the person seeking disclosure may apply to the superior court in any county where any portion of the recording was made for a review of the denial of disclosure. The court may conduct an in-camera review of the recording. The court may order the disclosure of the recording only if the court finds that the law enforcement agency abused its discretion in denying the request for disclosure. The court may only order disclosure of portions of the recording that are relevant to the person’s request. A person who receives disclosure pursuant to this subsection shall not record or copy the recording. An order issued pursuant to this subsection may not order the release of the recording.

In any proceeding pursuant to this subsection, the following persons shall be notified and those persons, or their designated representative, shall be given an opportunity to be heard at any proceeding: (i) the head of the custodial law enforcement agency, (ii) any law enforcement agency personnel whose image or voice is in the recording and the head of that person’s employing law enforcement agency, and (iii) the District Attorney. Actions brought pursuant to
this subsection shall be set down for hearing as soon as practicable, and subsequent proceedings in such actions shall be accorded priority by the trial and appellate courts.

(e1) Release of Recordings to Certain Persons; Expedited Process. – Notwithstanding the provisions of subsection (f) of this section, a person authorized to receive disclosure pursuant to subsection (c) of this section, or the custodial law enforcement agency, may petition the superior court in any county where any portion of the recording was made for an order releasing the recording to a person authorized to receive disclosure. There shall be no fee for filing the petition which shall be filed on a form approved by the Administrative Office of the Courts and shall state the date and approximate time of the activity captured in the recording, or otherwise identify the activity with reasonable particularity sufficient to identify the recording. If the petitioner is a person authorized to receive disclosure, notice and an opportunity to be heard shall be given to the head of the custodial law enforcement agency. Petitions filed pursuant to this subsection shall be set down for hearing as soon as practicable and shall be accorded priority by the court.

The court shall first determine if the person to whom release of the recording is requested is a person authorized to receive disclosure pursuant to subsection (c) of this section. In making this determination, the court may conduct an in-camera review of the recording and may, in its discretion, allow the petitioner to be present to assist in identifying the image or voice in the recording that authorizes disclosure to the person to whom release is requested. If the court determines that the person is not authorized to receive disclosure pursuant to subsection (c) of this section, there shall be no right of appeal and the petitioner may file an action for release pursuant to subsection (f) of this section.

If the court determines that the person to whom release of the recording is requested is a person authorized to receive disclosure pursuant to subsection (c) of this section, the court shall consider the standards set out in subsection (f) of this section and any other standards the court deems relevant in determining whether to order the release of all or a portion of the recording. The court may conduct an in-camera review of the recording. The court shall release only those portions of the recording that are relevant to the person’s request and may place any conditions or restrictions on the release of the recording that the court, in its discretion, deems appropriate.

(i) Release of Recordings; General; Court Order Required. – Recordings in the custody of a law enforcement agency shall only be released pursuant to court order. Any custodial law enforcement agency or any person requesting release of a recording may file an action in the superior court in any county where any portion of the recording was made for an order releasing the recording. The request for release must state the date and approximate time of the activity captured in the recording, or otherwise identify the activity with reasonable particularity sufficient to identify the recording to which the action refers. The court may conduct an in-camera review of the recording. In determining whether to order the release of all or a portion of the recording, in addition to any other standards the court deems relevant, the court shall consider the applicability of all of the following standards:

(1) Release is necessary to advance a compelling public interest.
(2) The recording contains information that is otherwise confidential or exempt from disclosure or release under State or federal law.
(3) The person requesting release is seeking to obtain evidence to determine legal issues in a current or potential court proceeding.
(4) Release would reveal information regarding a person that is of a highly sensitive personal nature.
(5) Release may harm the reputation or jeopardize the safety of a person.
(6) Release would create a serious threat to the fair, impartial, and orderly administration of justice.
(7) Confidentiality is necessary to protect either an active or inactive internal or criminal investigation or potential internal or criminal investigation.
(8) There is good cause shown to release all portions of a recording.

The court shall release only those portions of the recording that are relevant to the person’s request, and may place any conditions or restrictions on the release of the recording that the court, in its discretion, deems appropriate.

In any proceeding pursuant to this subsection, the following persons shall be notified and those persons, or their designated representative, shall be given an opportunity to be heard at any proceeding: (i) the head of the custodial law enforcement agency, (ii) any law enforcement agency personnel whose image or voice is in the recording and the head of that person’s
employing law enforcement agency, and (iii) the District Attorney. Actions brought pursuant to this subsection shall be set down for hearing as soon as practicable, and subsequent proceedings in such actions shall be accorded priority by the trial and appellate courts.

(g) Release of Recordings: Law Enforcement Purposes. – Notwithstanding the requirements of subsections (c), (e), and (f) of this section, a custodial law enforcement agency shall disclose or release a recording to a district attorney (i) for review of potential criminal charges, (ii) in order to comply with discovery requirements in a criminal prosecution, (iii) for use in criminal proceedings in district court, or (iv) any other law enforcement purpose, and may disclose or release a recording for any of the following purposes:

1. For law enforcement training purposes.
2. Within the custodial law enforcement agency for any administrative, training, or law enforcement purpose.
3. To another law enforcement agency for law enforcement purposes.

(h) Retention of Recordings. – Any recording subject to the provisions of this section shall be retained for at least the period of time required by the applicable records retention and disposition schedule developed by the Department of Natural and Cultural Resources, Division of Archives and Records.

(i) Agency Policy Required. – Each law enforcement agency that uses body-worn cameras or dashboard cameras shall adopt a policy applicable to the use of those cameras.

(j) No civil liability shall arise from compliance with the provisions of this section, provided that the acts or omissions are made in good faith and do not constitute gross negligence, willful or wanton misconduct, or intentional wrongdoing.

(k) Fee for Copies. – A law enforcement agency may charge a fee to offset the cost incurred by it to make a copy of a recording for release. The fee shall not exceed the actual cost of making the copy.

(l) Attorneys' Fees. – The court may not award attorneys' fees to any party in any action brought pursuant to this section.

SECTION 2.(a) Article 23 of Chapter 153A of the General Statutes is amended by adding a new section to read:

§ 153A-458. SBI and State Crime Laboratory access to view and analyze recordings.

The local law enforcement agency of any county that uses the services of the State Bureau of Investigation or the North Carolina State Crime Laboratory to analyze a recording covered by G.S. 132-1.4A shall, at no cost, provide access to a method to view and analyze the recording upon request of the State Bureau of Investigation or the North Carolina State Crime Laboratory.

SECTION 2.(b) Article 21 of Chapter 160 of the General Statutes is amended by adding a new section to read:

§ 160A-490.1. SBI and State Crime Laboratory access to view and analyze recordings.

The local law enforcement agency of any city that uses the services of the State Bureau of Investigation or the North Carolina State Crime Laboratory to analyze a recording covered by G.S. 132-1.4A shall, at no cost, provide access to a method to view and analyze the recording upon request of the State Bureau of Investigation or the North Carolina State Crime Laboratory.

SECTION 2.(c) Article 9 of Chapter 114 of the General Statutes is amended by adding a new section to read:

§ 114-64. SBI and State Crime Laboratory access to view and analyze recordings.

Any State or local law enforcement agency that uses the services of the State Bureau of Investigation or the North Carolina State Crime Laboratory to analyze a recording covered by G.S. 132-1.4A shall, at no cost, provide access to a method to view and analyze the recording upon request of the State Bureau of Investigation or the North Carolina State Crime Laboratory.

SECTION 2.(d) Chapter 15A of the General Statutes is amended by adding a new Article to read:

"Article 8A.

"SBI and State Crime Laboratory Access to View and Analyze Recordings.

§ 15A-220. SBI and State Crime Laboratory access to view and analyze recordings.

Any State or local law enforcement agency that uses the services of the State Bureau of Investigation or the North Carolina State Crime Laboratory to analyze a recording covered by G.S. 132-1.4A shall, at no cost, provide access to a method to view and analyze the recording.
upon request of the State Bureau of Investigation or the North Carolina State Crime Laboratory."

SECTION 3. G.S. 143-318.11(a) reads as rewritten:

"(a) Permitted Purposes. – It is the policy of this State that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required:

(10) To view a recording released pursuant to G.S. 132-1.4A."

SECTION 4. Article 5C of Chapter 90 of the General Statutes is amended by adding a new section to read:

"§ 90-113.27. Needle and hypodermic syringe exchange programs authorized; limited immunity.

(a) Any governmental or nongovernmental organization, including a local or district health department or an organization that promotes scientifically proven ways of mitigating health risks associated with drug use and other high-risk behaviors, may establish and operate a needle and hypodermic syringe exchange program. The objectives of the program shall be to do all of the following:

(1) Reduce the spread of HIV, AIDS, viral hepatitis, and other bloodborne diseases in this State.
(2) Reduce needle stick injuries to law enforcement officers and other emergency personnel.
(3) Encourage individuals who inject drugs to enroll in evidence-based treatment.

(b) Programs established pursuant to this section shall offer all of the following:

(1) Disposal of used needles and hypodermic syringes.
(2) Needles, hypodermic syringes, and other injection supplies at no cost and in quantities sufficient to ensure that needles, hypodermic syringes, and other injection supplies are not shared or reused. No public funds may be used to purchase needles, hypodermic syringes, or other injection supplies.
(3) Reasonable and adequate security of program sites, equipment, and personnel. Written plans for security shall be provided to the police and sheriff's offices with jurisdiction in the program location and shall be updated annually.
(4) Educational materials on all of the following:
a. Overdose prevention.
b. The prevention of HIV, AIDS, and viral hepatitis transmission.
c. Drug abuse prevention.
d. Treatment for mental illness, including treatment referrals.
e. Treatment for substance abuse, including referrals for medication assisted treatment.
(5) Access to naloxone kits that contain naloxone hydrochloride that is approved by the federal Food and Drug Administration for the treatment of a drug overdose, or referrals to programs that provide access to naloxone hydrochloride that is approved by the federal Food and Drug Administration for the treatment of a drug overdose.
(6) For each individual requesting services, personal consultations from a program employee or volunteer concerning mental health or addiction treatment as appropriate.

(c) Notwithstanding any provision of the Controlled Substances Act in Article 5 of Chapter 90 of the General Statutes or any other law, no employee, volunteer, or participant of a program established pursuant to this section shall be charged with or prosecuted for possession of any of the following:

(1) Needles, hypodermic syringes, or other injection supplies obtained from or returned to a program established pursuant to this section.
(2) Residual amounts of a controlled substance contained in a used needle, used hypodermic syringe, or used injection supplies obtained from or returned to a program established pursuant to this section.
The limited immunity provided in this subsection shall apply only if the person claiming immunity provides written verification that a needle, syringe, or other injection supplies were obtained from a needle and hypodermic syringe exchange program established pursuant to this section. In addition to any other applicable immunity or limitation on civil liability, a law enforcement officer who, acting on good faith, arrests or charges a person who is thereafter determined to be entitled to immunity from prosecution under this section shall not be subject to civil liability for the arrest or filing of charges.

(d) Prior to commencing operations of a program established pursuant to this section, the governmental or nongovernmental organization shall report to the North Carolina Department of Health and Human Services, Division of Public Health, all of the following information:

(1) The legal name of the organization or agency operating the program.
(2) The areas and populations to be served by the program.
(3) The methods by which the program will meet the requirements of subsection (b) of this section.

(e) Not later than one year after commencing operations of a program established pursuant to this section, and every 12 months thereafter, each organization operating such a program shall report the following information to the North Carolina Department of Health and Human Services, Division of Public Health:

(1) The number of individuals served by the program.
(2) The number of needles, hypodermic syringes, and needle injection supplies dispensed by the program and returned to the program.
(3) The number of naloxone kits distributed by the program.
(4) The number and type of treatment referrals provided to individuals served by the program, including a separate report of the number of individuals referred to programs that provide access to naloxone hydrochloride that is approved by the federal Food and Drug Administration for the treatment of a drug overdose."

SECTION 5. Sections 1, 2, and 3 of this act become effective October 1, 2016, and apply to all requests made on or after that date for the disclosure or release of a recording. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 30th day of June, 2016.

s/ Daniel J. Forest  
President of the Senate

s/ Tim Moore  
Speaker of the House of Representatives

s/ Pat McCrory  
Governor

Approved 2:51 p.m. this 11th day of July, 2016
At a previous Public Safety Committee meeting, staff was asked to research and share information related to providing handicap parking spaces in downtown. Staff communicated with various individuals in the city, researched what is being done in the City of Raleigh, NC and City of Greenville, SC since these were two locations referenced the most.

In 2009, the City of Raleigh installed 173 parking pay stations throughout its downtown core area. The installation of the pay stations, according to the article attached, reduced the potential of “placard abuse” because all parkers in the downtown area are now required to pay. Before the installation of the pay stations, Raleigh’s policy was similar to the City of Winston-Salem’s where individuals displaying a handicap placard or plate parked at a single space parking meter were not required to pay and could park as long as they wanted. City staff did not require payment at a single space meter due to the difficulty of a customer having to return every hour or so to feed the meter. Now that the pay stations are in place, individuals displaying a handicap placard can still park without a time restriction as long as they pay the required fee. Raleigh staff confirmed that they do not have any spaces identified as handicap spaces since handicap parkers can use any space to park.

The City of Greenville, SC designates parking spaces in its downtown for handicap parkers. Greenville has re-marked standard spaces blue adding the handicap symbol. It has additionally marked a 2-3’ strip behind the parking space, adding an ADA access ramp with detectable domes to give access to the sidewalks.

Jason Thiel of the Downtown Winston-Salem Partnership has indicated that he is in support of improving handicap parking downtown. He also expressed concerns that the on-street parking program is not consistent downtown since we have pay stations in some places and parking meters in others. This leads to inconsistencies on how handicap parkers are treated (see his statement attached).

Mr. Steele, Executive Director of The Adaptables, indicated he feels there may be confusion on the part of handicap parkers because most may not be aware that they may park at a single space parking meter for free without a time limit, but will have to pay at pay stations. So most try to pay at the parking meter and feed the meter to avoid receiving a citation.
The City of Winston Salem has 12 pay stations located on Church, First, Second and Main Streets. These cover approximately 100 parking spaces. Additionally there are 544 single space parking meters throughout downtown. Individuals displaying a handicap placard may park at any single space meter for any period of time without paying at the parking meters, except those identified as loading zones. Those time restrictions must be honored by all parkers. Similarly, individuals displaying a handicap placard may park in any parking space where a pay station is available for any period of time, however, they must pay the fee for parking the period of time they indicated. Similar to Raleigh, the City of Winston-Salem does not have individual handicap parking spaces on any on-street parking locations at this time. Adding pay stations to downtown would cost approximately $15,000 to $17,000 per pay station. Each pay station can cover 5 to 10 parking spaces depending on the length of the block, so the pay stations cost $1,500 to $3,400 per space. DOT staff has requested additional pay stations to be added downtown, and it is included the unfunded projects in the CIP. The cost to add an ADA ramp and dome is approximately $2,000-$2,500 per location including adding the signs and markings for the spaces. City DOT staff has identified trial locations to be considered, if directed by Council. One space on the west and one space on the east sides of Cherry Street could possibly be implemented using the Greenville, SC design.

The staff has also looked at the proposal that a designated on-street handicapped space provide a reserved area beside the passenger and/or drivers’ door that will make it safer to open these doors. With the available street and sidewalk widths in the downtown area, this was determined to not be feasible. Typical downtown on-street parking lanes are 7 feet wide. Typical downtown travel lanes are 9 to 11 feet wide. Typical downtown sidewalks are 5 to 15 foot wide with the wider sidewalks often used for sidewalk dining or lunch vending. With the City’s building setbacks, these width limitations mean that if one measure is going to increase, one of the others must decrease. In other words, making wider parking lanes (to have an area beside parking car doors) means the number of travel lanes would have to be reduced or the width of the parking lanes would have to be reduced.

Additionally, staff was asked to review what would be necessary for organizations downtown to reserve spaces for handicap parkers during events. We were unable to find any enabling legislation to effectively do this. At the staff level temporary parking changes during special events are coordinated. (For example, the Stevens Center may request to have use of the spaces on Marshall Street adjacent to their building for a particular show. Staff blocks off the spaces so they are available for the trailer associated with that show.) However, staff was unable to find legislation that gives the City authority to make special use spaces that can then be delegated to others.
LOCAL NEWS

Raleigh to install 173 new parking pay stations

Posted December 29, 2009

RALEIGH, N.C. — Raleigh will install 173 new pay stations for on-street parking beginning the week of Jan. 25, city officials announced Tuesday.

The new pay stations will be installed throughout the downtown core bounded by Edenton, South, Blount and Harrington streets. The pay stations also will be placed along Glenwood Avenue from Hillsborough Street to Peace Street in the Glenwood South area.

Installment of the pay stations is expected to be complete by mid-March. An additional 20 pay stations will be placed on Hillsborough Street between Oberlin Road and Gardner Street starting in the fall when the Hillsborough Street Roundabouts Project, Phase 1, is expected to be complete.

Duncan Solutions will provide the pay stations to Raleigh for at least eight years. The Duncan VM pay stations will accept nickels, dimes and quarters, and Visa and MasterCard credit card transactions.

Project managers from Duncan Solutions will be in Raleigh the week of Jan. 11 to visit the pay station locations along with city staff. Mounting pads for the pay stations will be installed before Jan. 25. The parking spaces also will be numbered, city officials said.
The city will have a two-week grace period with each installment of the pay stations during which parking enforcement officers will be made available to assist customers with operating the machines and answer any questions. Regular enforcement of other parking-related offenses will continue.

New blue metered parking signs will be put up at pay station locations to provide instructions on how to pay for parking. The signs will replace the current green time zone signs.

The new pay stations will allow downtown visitors to pay for parking time in 15-minute increments, from 15 minutes up to the maximum time allowed for a particular parking time zone. The minimum payment amount for credit card users will be $1.

Parking time restrictions currently in place will not change when the pay stations are installed.

The pay stations generally will not accept payment in any form from 5 p.m. to 8 a.m. on weekdays and all day on weekends and holidays as complimentary parking is provided during those times. However, the pay stations will allow visitors to prepay their parking time on weekdays only starting at 6 a.m. All prepaid time will take effect starting at 8 a.m.

Duncan Solutions VM pay stations use green cell zinc-air battery technology that contain no lead, creates no greenhouse gas and is classified as non-hazardous for disposal, city officials said. To save energy, down-time maintenance costs caused by mechanical failure and to reduce litter, VM pay stations do not print receipts.
RALEIGH, N.C. — For years, parking has been a sore spot for downtown Raleigh businesses, especially time-limited parking spaces taken up all day by vehicles with handicapped placards.

Floye Dombalis said she watched it every day from her cash register at Mecca Restaurant on Martin Street.

“It was being abused. I think people were using them who were not legally supposed to,” she said.

Handicapped placards lined up, which prevented parking turnover. But Dombalis says there has been a transformation in recent weeks that she credits to the new parking stations. Now, all drivers must pay to park.

“You can usually find a parking space right on our street,” she said.

The old Raleigh parking ordinance was intended to protect the disabled, but it backfired with abuse.

Since 2006, a series of WRAL investigations found questionable use of the tags, including a woman who walked away gracefully in high heels and another using her father's placard for all-day, free parking.
“I think the early abuse was the combination of two things – one of convenience to be able to park close to where they want to go and also the fact that parking was free,” said Raleigh Parking Administrator Gordon Dash.

Under pressure from downtown businesses desperate for parking turnover, Raleigh city councilors took away the financial incentive when they installed pay stations. Those with placards can still park all day, but the stations now require that they pay.

Raleigh parking enforcement agent Chip Murphy says using the pay stations has been a learning process for visitors to downtown.

There are fewer vehicles with placards parking on downtown streets, he said.

Don Carter, owner of the Capital Bank building on Fayetteville Street, pushed for pay stations in the hopes that it would free-up short term spaces.

“As soon as they had to start paying, it went away,” Carter said. “The only group that ended up losing were those that were abusing the system with all day parking, using the placard as a front.”

Many with placards were not abusing the system, such as Gail Lashock. She spoke with WRAL News two years ago and said her priority was an accessible space.

“If we have to pay, we have to pay. That's my attitude, just like anybody else. But, I do need that spot,” she said.

The pay stations not only increased parking turnover. They've also increased revenue for the city. Dash says downtown meters averaged $8,200 a month. The 82 pay stations now in place average more than $24,000 for the same period. Raleigh plans to more than double the number of pay stations to cover outlying downtown streets.

Parking administrators say many drivers with handicapped hang tags are migrating to areas where pay stations aren’t yet installed. On Wilmington Street near the North Carolina History Museum, five of seven cars parked there displayed placards on one recent afternoon.

Around the pay stations, though, it's a new world. Downtown business owners and drivers said they are seeing something they haven't seen in years – available parking.

CREDITS

Reporter  
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Toneq McCullough

From: Jason Thiel <jason@dwsp.org>
Sent: Tuesday, March 07, 2017 3:33 PM
To: Toneq McCullough
Subject: Handicapped Parking

Toneq,

The DWSP supports dedicated handicapped parking spaces and is happy to be involved in the conversation going forward.

However, it is relevant for people to understand that we have two separate on-street parking policies for handicapped parking now.

We have a more modern and updated system around City Hall and the Courthouses that utilize credit card machines and we have older and less modern coin operated parking spaces. Mixed in with both of these is some on-street parking that does not require payment but typically has time limits.

Around the modern pay stations that take credit cards, there is no free parking, even for the handicapped. Designated handicapped spaces should be added.

In the rest of downtown, where we have the old pay stations, we should have newer and more modern pay stations utilizing the same parking policies that are already in place in the City Hall vicinity.

Finally, I am hopeful that the upcoming Parking Consultant can finish their study and that we can discuss each of the potential recommendations and hopefully move forward with implementing some of them to the betterment of our downtown.

Given the tremendous growth of downtown and the new challenges with parking, we need to not only talk about handicapped parking needs, but the overall needs of the on-street and off-street parking system.

Jason Thiel
President
Downtown Winston-Salem Partnership, Inc.
305 W. Fourth Street, Suite 2E
jason@dwsp.org
(336) 354-1500 x.1
Please see Finance G-7 for printed material on this item.
City Council – Action Request Form

Date: March 20, 2017
To: The City Manager
From: Gregory M. Turner, Assistant City Manager

Council Action Requested:

Approval of an Ordinance Amending Section 42-122(f) of the City Code relating to 25 miles per hour speed limits (West, North and Northeast Wards).

Summary of Information:

The Department of Transportation has received a request to lower the speed limit from 35 miles per hour to 25 miles per hour on York Road, Paddington Lane and Clovelly Road (Attachment A), Bittersweet Road, Beacon Drive and Pioneer Trail (Attachment B), and Appomattox Drive, Bull Run Road, Harpers Ferry Road, Antietam Drive, Antietam Court, Chancellorsville Drive and Chickamauga Drive (Attachment C).

The Department of Transportation has conducted the necessary field investigations and traffic engineering studies of the roadways and is recommending the speed limit be reduced to 25 miles per hour.

Committee Action:

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ORDINANCE AMENDING SECTION 42-122(f) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS ON CITY STREETS

BE IT ORDAINED, by the City Council of the City of Winston-Salem as follows:

SECTION I. Section 42-122(f) of the City Code relating to 25 miles per hour speed limits is amended by adding the following subsection to the end thereof:

“York Road between Peacehaven Road and Clovelly Road.”

“Paddington Lane from Archer Road to Dead End.”

“Clovelly Road between Robinhood Road and Paddington Lane.”

“Bittersweet Road from Reynolda Road to Beacon Drive.”

“Beacon Drive from Bethabara Park Boulevard to Bittersweet Road.”

“Pioneer Trail from Bittersweet Road to Dead End.”

“Homestead Lane from Pioneer Trail to Dead End.”

Neighborhood limits:

“Appomattox Drive from Indiana Avenue to Chancellorsville Drive.”

“Bull Run Road from Appomattox Drive to Dead End.”

“Antietam Drive from Harpers Ferry Road to Appomattox Drive.”

“Antietam Court from Antietam Drive to Dead End.”

“Harpers Ferry Road from Appomattox Drive to Dead End.”

“Chancellorsville Drive from Appomattox Drive East to Dead End and West to Dead End.”

“Chickamauga Drive from Chancellorsville Drive to Dead End.”

SECTION II. This Ordinance shall be effective upon adoption by the City Council and upon the erection of appropriate signs giving notice thereof.
Attachment A
Proposed Truck Prohibition
York Road, Paddington Lane, Clovelly Road
Attachment A
Proposed Truck Prohibition
York Road, Paddington Lane, Clovelly Road
Attachment C
Neighborhood Speed Limits
Stonewall Neighborhood
Please see Finance C-3 for printed material on this item.
Please see Finance C-13 for printed material on this item.
SUMMARY OF MINUTES

PUBLIC SAFETY COMMITTEE

6:22 p.m., Monday, February 13, 2017

COMMITTEE ROOM

Room 239, City Hall

__________________________________________

MEMBERS PRESENT: Council Member James Taylor, Jr., Chair
Council Member Jeff MacIntosh, Vice Chair
Council Member Vivian H. Burke
Council Member John C. Larson

OTHER MEMBER PRESENT: Council Member Derwin L. Montgomery

Chair Taylor called the meeting to order and recognized the City Attorney, City Manager, Police Chief, Assistant Fire Chief and Director of Emergency Management.

Chair Taylor stated without objection, the Committee would first consider the Consent Agenda. No items were pulled.

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

CONSENT AGENDA

C-1. CONSIDERATION OF AN ORDINANCE ADOPTION SECTION 42-122(F) OF THE CITY CODE RELATING TO 25 MILES PER HOUR SPEED LIMITS (NORTHEAST AND EAST WARDS) – Gaither Road, Robertson Drive, Pickard Drive, Stokesdale Avenue, and Big House Gaines Boulevard.


GENERAL AGENDA

G-1. WINSTON-SALEM POLICE DEPARTMENT 2016 PRELIMINARY CRIME STATISTICS SUMMARY.

Chief Rountree, Chief of Police, and Assistant Police Chief Thompson, gave the staff presentation on this item.
Assistant Police Chief Thompson stated in some homicide cases, they officially are unsolved and in of the cases the District Attorney is aware of who the offenders are. There are a number of things to first consider when prosecuting cases and they are considered unsolved until all information is justified.

In response to Chair Taylor, Chief Rountree stated staff is continuing to work with the community to solve these homicide cases. He also stated, working with Crime Stoppers, digital advertisements, and working with The Violent Crimes Task Force are approaches used to help solve these cases.

In response to Council Member Montgomery, Chief Rountree stated to build up the recruitment process, since last year, staff has increased applications intake by taking recruits to New York. This idea was adopted from a program in another municipality that took their recruits to a special training program there.

In response to Council Member Burke, Chief Rountree stated currently there are three individuals taking advantage of the scholarship program that the City offers, attending Winston-Salem State University.

G-2. UPDATE ON THE SUCCESSFUL OUTCOMES AFTER RELEASE (SOAR) PROGRAM.

Mr. Evan Raleigh, Office of Business & Inclusion Director, gave a staff report on this item.

Council Member Burke suggested the participants of this program be tracked and share their experiences to be encouragers in support of the program.

In response to Council Member Larson, Mr. Raleigh stated the Chamber of Commerce has been contacted and asked how they can be a part of a grantee program to help support the continued efforts of this program.

Chair Taylor has suggested designated staff be assigned to find places where the SOAR participants can work outside the internal work force of the City and into the private sectors of employment.

Council Member Montgomery requested how are changes in workforce development going to be implemented.

ADJOURNMENT: 7:19 p.m.