

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: March 24, 2015 CUT OFF DATE: March 17, 2015

RESOLUTION ___ ORDINANCE ___ PUBLIC HEARING ___

ITEM TITLE: Skate Pavilion Park Advisory Board Recommendation

STAFF RECOMMENDATION: Temporarily open the Skate Pavilion with volunteer help to gather data in order to make a good decision.

PUBLIC NOTICE AND HEARING:

ADVISORY BOARD RECOMMENDATION: Motion to request from City Council the ability to reopen the Skate Pavilion with either; a volunteer or

FUNDING DATA: None

INSURANCE:

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda. The Director's initials for approval or disapproval address only the readiness of the issue for Council consideration. This does not address the Director's recommendation for approval or denial of the issue.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. Parks & Recreation Director			3/13/2015
2. _____			
3. _____			
4. _____			
5. City Attorney			3/16/2015
6. City Manager			19 Mar 2015
7. Clerk of Council			

Initiating Department Director's Signature: Date: 3/13/2015



APPROVED AS TO FORM:

3/16/2015 CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Jennifer Jones, Director of Parks and Recreation
Date: March 13, 2015
Re: Skate Pavilion in Jim Barnett Park

THE ISSUE: Park Advisory Board recommendation regarding the Skate Pavilion in Jim Barnett Park

RELATIONSHIP TO STRATEGIC PLAN: The Skate Pavilion is related to the Strategic Plan Goal of Creating a More Livable City for All. The Skate Pavilion is a free amenity in Jim Barnett Park that offers and outlet for physical activity for mostly teenagers.

BACKGROUND: The initial idea to build a Skate Park for the skateboarding community began back in the early 2000. The idea received a new energetic push in 2011 as the Winchester Police Department was having issues with skateboarders riding boards in Old Town and in front of local businesses. City Council approved funding of the Skate Pavilion in order to provide a safe and legal place for skateboarding. This Park Advisory Board Recommendation was requested by Winchester Common Council after a Liaison Report presented by the Director of Parks and Recreation updating member of Council about the temporary closure of the Skate Pavilion due to non-compliance with the helmet rule. Please see attached Park Advisory Board minutes.

BUDGET IMPACT: Temporarily opening the Skate Pavilion with volunteer or contracted help via fund raising dollars will have no budgetary impact.

OPTIONS: The Recommendation is temporary as the Park Advisory Board seeks to gather data regarding helmet usage. Options will be given upon the formal and permanent recommendation in June/July 2015.

RECOMMENDATIONS: Park Advisory Board member, Brain Wigley made a motion to request from City Council the ability to reopen the Skate Pavilion with either; a volunteer or sub-contracted monitor and collect data on usage for a 3 month period. Shelly Lee seconded the motion and it was approved with a 7-0 vote.

Winchester Parks and Recreation
Park Advisory Board Meeting
Monday, February 23, 2015
6:30pm

Meeting Location: Lord Fairfax Room, War Memorial Building

Present: John Bentley (Chairman), Shelly Lee (Vice-Chairman), Jules Bacha, Matt Mintschenko, Kyle Homan and Hector Robertson and Brian Wigley

Absent: Regina Coates and Rosie Schiavone

City Staff: Jennifer Jones, Lisa Hamaker and City Manager, Eden Freeman

Media: Derek Gomes

Guests: None

John Bentley called the meeting to order at 6:33pm.

Skate Pavilion Future Plans / Recommendation and Vote

Jennifer Jones, Park Director, gave a power-point presentation to the Park Advisory Board that included the Liaison Report, she recently gave City Council on the Skate Pavilion's monitoring efforts and temporary closure; a National helmet required study, skateboarding injuries, extreme sport participation numbers, National and Virginia locality matrix requiring helmets, design engineer recommendation, estimated relocation costs and finally 5 options for the Skate Pavilion's future.

Upon hearing her Liaison Report on January 3, 2015, City Council requested additional information as well as a recommendation from the Park Advisory Board.

Jones explained the additional information she had collected in the following manner:

- a) Helmet Required National Study reveals out of 1000 skate park policies surveyed, 37.7% indicated that helmets were required.
- b) Skateboarding Injuries; most skateboarding injuries happen to inexperienced skateboarders about 2% of participants per year and the most common injuries among skateboarders are ankles (26%) and wrists (74%). Although 50% of head injuries occur in sports and recreational type activities such as bicycling, skateboarding or skating incidents. Skateboarding ranks 7 out of top 14 injury related type sport or recreational activity with basketball at # 1. The summary of the skateboarding injury statistics: There are 8.5 million skateboard participants, each year 66,000 are injured which is 2%. Most the injuries are ankles and wrists and involve novice skaters. Head injuries occur more often on playgrounds, playing contact sports and riding bicycles. The conclusion was that head injuries though not very common, when they do occur during skateboarding tend to be more severe.
- c) Skateboarding ranks # 2 as the most popular extreme sport in the US and # 3 among young adult outdoor activities. The recently received Needs Assessment Report reveals quality of recreation programs for youth and teens ranks # 4 of importance with a continued emphasis placed on them.
- d) No additional insurance is needed for a skate park whether helmets are required or not. Based on past City documentation, the three stated reasons for the helmet required rule is low ceilings, the brick pillars, and the 3" level change between the concrete pad and the pavilion.
- e) The department created a matrix (poling from both National and Virginia localities) in areas that have Skate Parks in operation determining that majority do have

fenced areas. Of those polled in Virginia, all 8 parks required helmets though only 3 of 8 enforced the rule with an attendant while 2 loosely enforced the rule and 3 did not enforce the rule at all. In the National Survey, 5 of 8 parks required helmets, 4 enforced the rule through the use of an attendant and one was loosely enforced. Three of the 8 parks only recommend helmets. The skate parks with 100% helmet enforcement had paid attendants/monitors to enforce the rule.

- f) Jones asked a Design Engineer from Painter Lewis to give her a site recommendation, in Jim Barnett Park, if the Skate Park were to be moved from its current location. Tim Painter recommended moving the Skate Park between the BMX Track and Cork Street. He did not recommend the original plan presented to Council that the skate park be placed in the new parking area on the ADA BMX Capital Improvement Project.
- g) Estimated costs to relocate the Skate Park to the recommended area would cost approximately \$73,000. Of that Jones is requesting \$28,152 be placed in the CIP (Capital Improvement Projects) FY 16 budget as part of the BMX ADA project. If that amount were to be funded and approved by City Council she indicated the remaining \$45,000 would become a Community fundraising effort.
- h) Jones indicated a Skate Park monitor would cost approximately \$20,000 annually and that position would have to be hired.

Jennifer Jones proposed 5 options before the Park Advisory Board for their discussion and recommendation.

- 1) Close the Skate Pavilion and sell the obstacles at an estimated 50-75% resale value.
- 2) Keep the Skate Pavilion open at Family land and hire monitors for the proposed hours anticipating approximately \$20,000 in personnel costs.
- 3) Move the obstacles from the Skate Pavilion and store them at the Park Maintenance compound, incorporate project funds into BMX ADA Capital project and raise the remaining balance. Helmets Recommended.
- 4) Move the obstacles from the Skate Pavilion and store them at the Park Maintenance compound, incorporate project funds into BMX ADA Capital project and raise the remaining balance. Hire a monitor. Helmets Required.
- 5) Move the obstacles from the Skate Pavilion and store them at the Park Maintenance compound, incorporate project funds into BMX ADA Capital project and raise the remaining balance. Helmets Required- Loosely enforced.

John Bentley led the Board discussion asking the Park Advisory Board to view each option individually and comment.

If the Skate Pavilion were to close; Brian Wigley inquired about donated funds. Based on information obtained from the Winchester Park Foundation funds would not need to be returned since the facility was built and equipment was purchased.

Shelly Lee interjected she did not want to see the facility close because it had come so far and there is a population that needs a place to skate.

Jules Bacha commented "children need a place to play freely; do their own thing spontaneously" therefore wearing helmets would be optional.

Brian Wigley pointed out that once a dangerous situation has been identified the City is required to manage that liability. The State of Virginia does not waive negligence. He suggested speaking with the City Attorney. Eden Freeman reinforced the concern the City Attorney has about the City's liability and having the helmets required.

Jennifer Jones commented to the Advisory Board when the Park staff were monitoring the facility kids would rather not come at all, than come and wear a helmet; mainly the high-school age group.

John Bentley wanted to ensure that if more money was to be spent he wanted to see if the complying helmet participant numbers were large enough. Having only 15 kids coming would not support more funding. He stated. "Fifteen kids coming does not support funding for moving the facility to the BMX track nor does it support paying a monitor \$20,000. My intent is not to penalize or be mean to skateboarders. I would rather spend \$93,000 (\$73,000 + \$20,000 for a monitor) to help 150 kids rather than just 15. In other words, if we have any extra money, I would vote to spend it to help kids with programs that can have a positive effect on more children. We cannot open up the park on March 21st unless we can have 100% monitoring."

Matt Mintschenko suggested one more helmet monitoring period from March 21 until end of June to make sure that data collection is accurate. 100% enforcement would take place and documented. At the end of this period a sound decision could be made whether to recommend to City Council the facility stay open and relocate to BMX or close permanently.

Jones expected monitoring efforts to be at a cost of approximately \$5,000 to cover the months of March – June. Shelly Lee voiced that it may be possible to secure a donation for either contracted services or a volunteer.

John Bentley listed the Park Advisory Board's thoughts:

- 1) March 21; no personnel funds to re-open
- 2) Find a Volunteer or secure a donation for 5,000 to have 100% enforcement
- 3) Monitor from March 21- July 1; collect good data
- 4) Make a final recommendation to City Council July 1

Recommendation:

Brain Wigley made a motion to request from City Council the ability to reopen the Skate Pavilion with either; a volunteer or sub-contracted monitor and collect data on usage for a 3 month period. Shelly Lee seconded the motion and it was approved with a 7-0 vote.

Respectfully submitted; Jennifer Stotler; Park Administrative Coordinator