

PARK AND RECREATION COMMISSION MEETING  
Tuesday, June 12, 2012  
4:30 p.m., City Council Chambers, Historic Federal Building

PRESENT: Bob Blocker, Chuck Harris, Paul Hoffmann, Ken Klinge, Karen Lyness, Evelyn Nadeau and Dave Schlueter

OTHERS PRESENT: Staff present: Marie Ware, Pat Prevenas and Eileen Trimble

MINUTES APPROVED; VOTE: It was moved by Klinge, seconded by Lyness, to approve the minutes of the May 8, 2012, meeting. The motion passed unanimously.

RECREATION DIVISION REPORT: ■ Pool opened Saturday, May 26th except for the water playground at Flora because of a mechanical problem; swim lesson begin Monday. ■ Golf course had the best May since 2000 and best round for the last four years. ■ Summer programs start June 11th. Playgrounds are offered at fourteen sites with four free lunch programs and a new free breakfast at Comiskey. ■ The spring division report was sent to commissioners in agenda packet and may be found as part of the original minutes. There was one big drop in numbers from last year for the weekend open gym program but that was due to the good weather – people were outside instead of inside the gyms. ■ Registration for summer programs began April 11th and 50% of the registration was online, compared to 40% last year. ■ Facility rentals are now online but we still have a few bugs to work out. ■ Mike Denman's official last day of work is July 5th and he is using up vacation right now; Gerry Lange has been appointed Acting Golf Superintendent. The Civil Service test for the position has to be postmarked June 11th.

■ Leisure Services Manager Marie Ware told commissioners that Recreation Division Manager Pat Prevenas gave his formal retirement notice this week, effective the end of August.

PARK DIVISION REPORT: ■ Staff is busy planting flowers and doing general park maintenance. The new hanging flower baskets are up at Bee Branch and Historic Millwork District. Bee Branch has a watering system in the poles. ■ Historic Millwork District has ten planters and the hanging flower baskets with reservoirs which allow staff to water once every two to four days instead of once or twice per day. Our department will be responsible for maintaining baskets plus trash collection. ■ There are 18 people on the certified list for the **Natural Areas and Sustainable Practices Specialist**. We are getting applications now. ■ Manager Ware has reviewed the **Park Division Manager** applications.

MANAGER'S REPORT: ■ Three public meetings were held on site at the **three mini parks**, Creek Wood, Eagle Valley and Westbrook. A notification letter was sent to neighbors inviting them to the meeting so they could see the conceptual plans and we could get their feedback and comments. Creek Wood Park had two conceptual plans and neighbors liked Conceptual Plan A with the playground area. Most of the others had more detail oriented questions regarding lighting, security, et cetera. We hold the public meetings first to get neighbor feedback then take those comments to the designer for changes. We would come back to the neighbors again and if all is ok the plans would go to the Park and Recreation Commission

for approval. Eagle Valley had the highest turnout of neighbors.

■ Commissioner Nadeau wanted it on the record that she objects to the development at this time of **Creek Wood** Park since there are other parks that came into the system before this one and it doesn't seem right to jump the line and get this one done first.

■ A public meeting was held three weeks ago for the **North End Trail Lighting** project. The project provides lights for the Heritage Trail Extension that starts north of Comiskey Park and goes to 32nd. They will mirror the look of those in the Bee Branch. Letters were mailed to 739 residences in a three or four block radius of the area. There were mostly favorable comments. The City Council will initiate the bidding process for the project at the June 18th council meeting and we hope to complete the project in this calendar year. Commissioner Harris is also the North End Neighborhood President and he said most of the group was happy with the project.

RECEIVE AND  
FILE PETITION  
TO ALLOW DOGS  
IN PARKS:

It was moved by Lyness, seconded by Harris, to receive and file the petition for changing the city ordinance to allow pets in parks. The motion passed unanimously.

CURRENT  
ORDINANCE AND  
HISTORY:

Manager Ware shared the current ordinance has been in place since at least 1969 with few changes. In 1953 the Council established an ordinance prohibiting unleashed pets in public areas, including parks.

Commissioner Hoffmann asked if we were talking about dogs only or other animals too. Manager Ware said the Park and Recreation Commission has the right to recommend anything they want to the City Council, but what was presented to them was a petition limited to dogs. Commissioner Harris asked what the ordinance meant by other domestic animals. Ware told commissioner the ordinance says dogs, cats, and other domestic animals so if they want to include other animals it might be a good idea to get some input from Health Services Department. Commissioner Hoffmann said this meeting would focus on dogs.

OTHER INPUT  
RECEIVED OR  
REFERRED TO  
LEISURE  
SERVICES:

Manager Ware said the department has received letters, e-mails and phone calls that just came in to the office; there was no formal input gathering. The comments and communications from the public are ongoing. All comments are correspondence received by the department through Friday, June 8th were sent to Commissioners as part of the agenda packet and may be found as part of the original minutes.

WEB SURVEY:

Manager Ware told Commissioners since there was no formal gathering of information or request for comments, that we could put a survey on the city website. It would be done through Civic Plus Web Q/A and be very simple. A person could answer simple yes/no questions and then the comments would be compiled. A sample of what the survey might look like on the website was part of the agenda packet. Commissioners could tweak the sample and make specific questions. There would be no fee involved for the department because it would be done through the city website. Manager Ware just wanted commissioners to know the option was available.

Comments: Hoffman said commissioners received a lot of comments both for and against changing the ordinance and there were obviously strong feelings on both sides of the issue. He thinks they have a pretty good handle on the issues and doesn't know if we need a web survey or not. Nadeau thought it would be a good idea to get input from a larger group and maybe ask what they think the solutions are. Klinge said as long as the public understands it is just a survey to get input on people's feelings, not a vote looking for the highest numbers. Schlueter wants to make sure we are concerned about the issue not just the numbers because big numbers one way or the other doesn't solve the issue. Blocker said by the numbers on the "yes" paperwork, there are a lot of people that want pets in the park. Harris felt people who have strong feelings have already made their comments known and probably wouldn't go to website; no need for a survey.

INFORMATION  
RELATED TO  
DOGS IN PARKS  
IN OTHER  
CITIES:

Manager Ware distributed a handout that compared other large cities in Iowa with regard to pets in parks issue. A copy may be found as part of the original minutes.

- Are dogs allowed in your parks? All the cities asked were yes, except Dubuque. They all had their ordinance just as long as Dubuque had the ordinance prohibiting pets in parks.
- Do you have dog parks available? All were yes except Council Bluffs. Pets are not mentioned in their ordinances because their policy is to allow pets.
- Do you receive a lot of complaints? Some do, some don't. The city with the most issues is West De Moines.
- Do you offer waste bags? Most provided waste bags in the pet parks only, not all the rest of the parks.
- Do you have a leash law? All must be on a leash and many of them allowed a maximum 6' leash. One city did not allow pets within so many feet of a playground. Manager Ware said health officials, community police, park patrol, police, etc. say this would be very difficult to enforce.

Commissioner Klinge asked if there was any record of how many dog incidents there may have been in the past. Ware said they are not recorded very often and there is no way to go back and check. In Fiscal Year 2012 the Health Department had 2,270 animal-related complaints (all animals). In calendar year 2011 there were 124 bites but that included bites on private and public property. According to the American Veterinary Medical Association Dubuque is estimated to have 12,312 dogs. In calendar year 2011 only 6,215 animals were licensed. A lot of people do not license their pets.

Commissioner Klinge asked if there were fines in place now for dogs in parks. Recreation Division Manager Pat Prevenas said he thought it might be around \$200 but Manager Ware said police and park patrol usually don't write tickets up for pets in parks, they warn the person.

PUBLIC INPUT  
REGARDING  
PETS IN PARKS:

- **James Kress**, 3090 Keokuk Street. I have lived in Dubuque all my life. I am retired, use the park every day and do not want dogs in parks. There will be problems with bites and dog waste – just take a look at the trail at Miller Riverview and A.Y. McDonald parks, the River Walk, Grandview Avenue and in neighborhoods and you will see dogs not on leashes and dog waste all

over. In January 2012 Linwood and Mt. Calvary cemeteries no longer allow dogs on their property due to noncompliance with the rules. There was an article in a Nebraska newspaper just the other day that listed five dog bites in parks in ten days and in three of those cases neither the dog nor owner could be located so the victims had to go through series of shots. When I Googled dog bites in city parks on the Internet there were 24,700,000 articles. If you can keep one child from getting bitten in city parks you will be doing a good job. Keep parks safe and do not allow dogs in parks.

- **Sandy Kohn**, 2491 Northstar Drive in Embassy West. I have a corner lot and I do not have to pick up dog waste; my neighbors are responsible and clean up after their dogs. I have had a dog my entire life and I enjoy socializing with my dog. If you take the dog to the Pet Park it is different. I am asking to take the dog with the family on outings and socialize – it's good for the dog too. I walk along Bergfeld pond/trail and on the floodwall and there is some waste but it's not bad. Pet owners are taxpayers too and they just want a chance to take dog to family outings in the park and socialize with their families. Maybe you could start out small and if don't want to allow in all parks, at least allow dogs in some. Please don't penalize all dog owners because of the ones that aren't responsible.
- **Lisa Johnson**, 206 Southgate Drive. I have lived in Dubuque since 1985 and I want to go in to Murphy Park when I'm walking on South Grandview Avenue. I always clean up after my dog and even carry extra bags with me. I take my dog to training classes. You could charge a hefty fine for those dogs not on leashes and for not picking up dog waste. I'm asking that you allow dogs in at least one or two parks as a trial and develop another bigger area for another dog park. I support hefty fines for those that don't have dogs on a leash and don't pick up after their dog.
- **Chris Piper**, 2820 Burlington Street. I am a lifelong Dubuquer and am not a dog owner. I was bitten as a child by a nice dog. I am at Eagle Point Park all the time and when I go to the park I don't want to see, feel, touch, hear or smell dogs. It would be ok in smaller neighborhoods or limit the areas but not in bigger parks, especially Friday through Sunday. If you were going to allow dogs in the parks, limit to certain hours and only on Monday through Thursday. Please do not allow dogs in the bigger parks, especially Eagle Point where you pay to get into the park and rent pavilions.
- **Jennifer Tigges**, 4927 Wildflower Drive. You should have a copy of the letter I sent to Marie. I live, own a home, pay taxes and run a business in the city. I am in favor of changing the ordinance to allow dogs in city parks. State parks allow dogs on leashes not to exceed 6' in length. This is exactly what should be allowed in Dubuque parks. It is a quality of life issue for our family, or fur children as I call them. Part of quality of life is retention of our young people and recruitment of young professions to our city. Some small things that help are attractive outdoor spaces and places to foster emotional connections with other people of a similar age. Dubuque is growing. We must be known as a pet friendly city and this includes city parks. The economic value of Dubuque Convention and Visitors' Bureau securing the national Dock dogs competition the next five years is expected to bring \$1.5 million to Dubuque. We need to show this national group that we are a pet friendly community and city. The new public boat slips will be bringing visitors and tourists with their pets. We need this tourism for our economic development. We will soon have three new neighborhood parks that we talked about earlier. We must be known as a pet friendly city and community.

Greater Dubuque Development Corporation has shown us that Dubuque can grow and change. We have won numerous awards for our recruitment of businesses and employees. We have proven as a city that change is good. We can change and we can make this work for all. We must change the current ordinance and allow Dubuque to be known as a pet friendly city with dogs allowed on leashes in city parks. There are currently 1,105 signatures to the online petition in favor of allowing dogs in our parks and they were gathered during a two-week window. If you do a web survey, those that don't have Internet access should be given a chance to participate with some type of paper survey or through the Library.

**COMMISSION  
DISCUSSION:**

Commissioner Hoffmann told those present that they were welcome to stay and listen to discussion since it was a public meeting but no recommendation may be reached tonight and the City Council will be the body that decides whether to change the ordinance or not; what the Commission comes to is not binding.

Manager Ware informed commissioners that with an ordinance change the City Council has to enact three readings. Also, when she talked to the legal department about how the ordinance was written, it became apparent that we will need to do some clean-up of the ordinance language.

**Harris:** I am not totally opposed to the idea of dogs in parks but dogs will act differently when large groups of people are around. Maybe we could allow dogs in some of the neighborhood parks, but not the showcase parks. They would need to be on a leash and charge hefty fines if they aren't. It would be hard to enforce. We have 52 parks so we would need to pick which ones to allow dogs in and which ones not.

**Schlueter:** I am a lifelong dog owner and I would like to see some kind of compromise. I would not allow dogs in all of the parks, especially not Arboretum and Eagle Point until we see how it goes; scale down and allow in some parks. I am not opposed to Flora and Murphy to see how it goes. The problem is the ones that are not responsible. The potential for bites is scary but I would like to find a compromise. We need to put people first as much as we love our pets; safety first. Maybe have a trial period for one full year to base a decision on. Accumulate data to decide if it's a good idea or not. Some people are afraid of dogs but it doesn't seem fair to keep dogs out because of some people. I would like to try allowing dogs in certain areas on a leash with 6' length limit and police or patrol would need to ticket offenders.

**Nadeau:** I am a dog owner but as a parent I am afraid of unleashed dogs, but you can't make rules based on people that aren't responsible or respectful. I feel the Arboretum and Eagle Point should not have dogs. The Arboretum is a labor of love and taken care of by volunteers. Eagle Point could maybe allow dogs in certain area. I support hefty fines like \$500 for not having dog on a leash and \$100 for not picking up your dog's waste. I would agree with a trial period and feel there are ways to make it possible for all to enjoy the parks.

**Hoffmann:** I own two dogs that are well cared for and have gone to training classes but no matter what I do the one dog snaps at other dogs all the time. Dogs have become more popular in the last twenty years and people are getting more and more attached to their dogs. The Des Moines Register is running

articles on the detriment of having pets in parks. The last article had an interview with a State Farm Insurance agent and he said liability for dog bites is up 48% from last year. He thinks some cities will move away from having dogs in parks; children are attacked the most. My sister was attacked by a dog when she was young. I don't see a need to have pets in parks but after listening to everybody here tonight, maybe we can have an area to try. I think we must protect the population but also respect dog owners' desire to walk dogs in certain designated areas.

**Blocker:** When you look at the number of large cities in Iowa, Dubuque is the only one with an absolute ban on dogs in parks. I think the large number of names on the petition weights heavily. I think we should vote yes to change the ordinance but allow dogs in all parks on a leash, across the board on a trial basis. Setting only designated areas in only certain parks would be very confusing to people. I don't think we really need a web survey. There is a risk involved in allowing dogs in parks but you can't remove risk from life.

**Lyness:** I own two dogs so I see both sides of the issue. I would like to see dogs allowed on a 6' leash in designated parks except the Arboretum. I think pet owners have become more responsible in the last couple years which is evidenced by the fact that a lot of hotels now allow pets. I think waste bags should be provided in parks where dogs are allowed because people seem to use them if they are there. There should be some kind of compromise.

**Klinge:** I love dogs and have dogs of my own but dogs are unpredictable no matter how well trained they are and I'm worked about the safety of the kids in the parks if dogs are allowed. I would be in favor of a trial at some parks but not the Arboretum, Eagle Point, Murphy, the showcase parks. When I walk on Grandview there is waste around. If you set fines how would it be enforced? If you allow dogs then you would need to provide waste bags. I would not want dogs in the parks when there are a lot of people around because he is leery of what could happen. I think there is a lot more we need to talk about and maybe we shouldn't make a recommendation tonight.

Mr. Hoffmann said we need to work on a compromise. He asked that everyone come to the July meeting with their own ideas/suggestions for a compromise and we can see if there is a trend in one direction or the other and then go from there. Mr. Blocker said it's a complex issue and there are going to be winners and losers. We don't want to go off half cocked and try and do anything in a big hurry without careful consideration. Ms. Lyness like's Hoffmann's idea of everyone bringing their ideas to the next meeting. Mr. Schlueter said we should come to the next meeting with some proposal but he doesn't want to be putting the issue off. He is hearing that some commissioners are kind of agreeable to a compromise so if they each bring their proposal in July, hopefully a recommendation can be decided. Mr. Klinge felt it will take more than one meeting to come up with a good recommendation to the City Council.

**OTHER  
BUSINESS:**

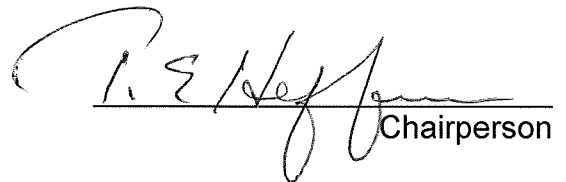
- Commissioner Blocker said he was asked about why there was no boat ramp access available for boaters during the **Catfish Festival** at A.Y. McDonald Park. He said there should be something on the news if the ramp is going to be closed, or it should not be closed. Commissioner Klinge said there are a

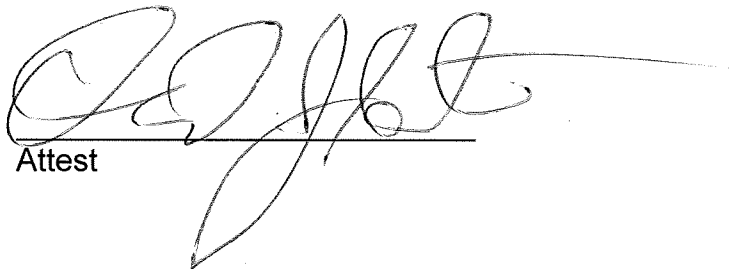
couple other ramps boaters could go to. Ware said the Catfish Festival has been getting bigger and bigger each year. Next year when they request their special event permit we will need to tell them.

- Blocker said he was walking in the **Port of Dubuque** and the new marina operation looks like it will be first class, and do we know opening date yet. He asked if there would be any free boat parking for a couple hours. Blocker recommends having some two-hour free boat parking spots.
- **Marina:** Manager Ware said there is no opening date. It is still a construction site and it belongs to the contractor. The boat slips are essentially done so people are using them as courtesy docks even though other areas are not done. The project is funded by federal grants and the marina operation cannot generate revenue until the grant is totally closed out. In order for that to happen, everything has to be finished.
- **MFC.** Commissioner Nadeau said she has been hearing from the Latino community that the person hired for the MFC was not required to speak Spanish. She is concerned that nobody will be able to communicate with the Spanish speaking community. Manager Ware said we have the applications for the Site Supervisor but have not begun the interview process. Speaking Spanish was not a requirement when the job was posted but it was listed as "preferred." There will be a review of the applicant pool and qualifications and look for the best skill set possible for the job the person will be doing.
- Commissioner Harris asked if it would be appropriate for us to have a public hearing regarding the pets in parks issue. Ware said commissioners could do that if they wanted to. The Commissioners would come up with a proposal and then have public hearing before the August meeting.
- Commissioner Hoffmann said this would be his last meeting as Chair and he wanted to thank commissioners for good attendance. He always encourages moving the meetings along and not dragging them out – stay focused.

ADJOURN;  
VOTE:

It was moved by Schlueter, seconded by Klinge, that the meeting be adjourned at 6:30 p.m. The motion passed unanimously.

  
Chairperson

  
Attest

