

PARK AND RECREATION COMMISSION MEETING

Tuesday, March 12, 2013

4:30 p.m., Snack Bar, Bunker Hill Golf Course

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

OTHERS PRESENT: Dan Mellon, Jesse Shekleton and Earl Brimeyer of Dubuque Water Sports Club; Jane McCall of Dubuque Humane Society; and Dr. Mareth Ellsworth of M & M Ranch

STAFF PRESENT: Marie Ware, Steve Fehsal, Eileen Trimble

MINUTES APPROVED; VOTE: It was moved by Lyness, seconded by Harris, to approve the minutes of the February 12, 2013, meeting with one correction – in the Lincoln School Neighborhood section, Ms. Nadeau asked if there was *much participation from Spanish and Marshallese speakers*. The motion passed unanimously.

REMOVE SLEDDING RECOMMENDATION FROM THE TABLE; VOTE: Leisure Services Manager Marie Ware explained to commissioners that in order to be able to discuss the sledding ordinance, a formal motion would need to be made to remove the sledding recommendation from the table.

It was moved by Hoffmann, seconded by Lyness, to remove the sledding recommendation from the table. The motion passed unanimously.

SLEDDING ORDINANCE RECOMMENDATION; VOTE: Commissioner **Blocker** asked: • if cross country skiing and snow shoeing would be off limits at Eagle Point because of the ordinance; • would the two most popular areas along North Grandview Avenue still allow sledding; • if people are sledding after dark will Police be called and people taken to jail? Manager Ware said cross country skiing and snow shoeing would not be affected because this ordinance is for sledding; sledding would be allowed on North Grandview; and whether someone was taken to jail would probably depend on how that acted when the police arrived.

Commissioner **Schlueter** asked if there was immunity for sledding and Ms. Ware said no, that is why the ordinance was being recommended. Commissioner **Nadeau** asked if signage could be put in each park to sled at your own risk. Ms. Ware said the parks are so big, how many signs would you have to place and would people see the signs or not.

Commissioner **Hoffmann** said the best thing would be to get the immunity passed through the legislation but we need to protect ourselves until that happens. Commissioner **Schlueter** agrees with Mr. Hoffmann on protecting ourselves, and the ban could always be removed if and when the legislation passes that would protect cities. He also asked if the signage should include anything about no alcohol. Ms. Ware said she would check with Legal Department on whether language about alcohol would be appropriate.

It was moved by Schlueter, seconded by Hoffmann, to approve the sledding ordinance as presented. The motion passed 6-1 with Blocker, Harris, Hoffmann, Klinge, Nadeau and Schlueter voting yes, and Lyness voting no.

continued

PET  
ORDINANCE  
RECOMMEN-  
DATION; VOTE:

Manager Ware explained that at their March 4th meeting the City Council voted down the ordinance change regarding pets in parks that was recommended by the Commission. Any Council member that voted on March 4th can request to bring the item back. Because of this, on March 18th the recommendation will go back on the Council agenda as a first voting and they can discuss, ask for changes, et cetera.

After the March 4th Council meeting and the article in the paper, Manager Ware received a call from Louis Pfeiler, Board Member of the Veterans' Memorial Plaza. The group was asking for the memorial area to be added to the "no pets" area. They are concerned about all the engraved marble and family names. Ms. Ware said she would take the request to the Commission since it was not specifically discussed at past meetings. Correspondence was also received from Councilperson Ric Jones asking that the Commission consider revising the ordinance to prohibit pets in play areas and at the Veterans' Memorial Plaza.

Commissioner **Blocker** clarified that Mr. Pfeiler wants the memorial plaza to be a pets free area and Mr. Jones wants the memorial plaza and playground areas in parks to be pets free; Ms. Ware said yes. Commissioner Schlueter asked if the City Council could amend the recommended ordinance themselves without the Park and Recreation Commission recommending more changes; Ms. Ware said yes. Manager Ware told Commissioners that the City Council members were very appreciative of all the time and effort spent in coming up with a recommendation for the Council.

Commissioner **Schlueter** said it isn't going to hurt the Commission's feelings just because the Council didn't agree with the recommendation and just let the Council make these new changes. Commissioner **Klinge** said leave these new changes to the Council. Commissioner **Nadeau** said if the City Council wants us to represent what the public wants then it's up to us to amend the recommendation and she would be in favor of amending. Commissioner **Lyness** agreed, the Council is giving us an opening. Commissioner **Harris** agreed and said if the Commission does nothing, the ordinance won't pass. Commissioners Lyness, Nadeau and Harris don't think the Council will bring the issue back up unless they get input from the Commission.

It was moved by Harris, seconded by Lyness, to add to the recommended ordinance to make all Veterans' memorials and playground equipment areas in parks as "no pet" areas. The motion passed 5-2 with Blocker, Harris, Klinge, Lyness and Nadeau voting yes; Schlueter voting no; and Hoffmann abstaining.

APPROVE  
MILLER  
RIVERVIEW  
MANAGEMENT  
AGREEMENT;  
VOTE:

Leisure Services Manager Marie Ware explained that the department was asking to retain the same management as last year, with Ken and Nancy Clayton. Commissioner Schlueter asked if the manager is responsible for rentals at the Water Sports Club; Manager Ware said yes, for limited number of camping units.

It was moved by Schlueter, seconded by Klinge, to approve the Miller Riverview Management Agreement with Ken and Nancy Clayton. The motion passed unanimously.

APPROVE  
LEASE WITH  
DUBUQUE  
WATER  
SPORTS CLUB;  
VOTE:

Dan Mellon - 2013 President, Earl Brimeyer – 2013 Vice-President, and Jesse Shekleton - 2012 President were present at the meeting to request renewal of the lease with the City of Dubuque. The Club felt they went the extra mile in 2012 and created a business plan and mission statement, made improvements and received many compliments. They plan on being proactive and involved in the master planning for Chaplain Schmitt Island once the RFP is awarded. The Club is working to get more people involved in fitness activities. They will be sponsoring the National Canoe Championships this year and will be involved with America's River Festival. They have a good relationship between the paddlers and the skiers.

Commissioners Lyness, Hoffmann and Blocker complimented the Club on doing a great job last year.

It was moved by Schlueter, seconded by Nadeau, to renew the lease between the City of Dubuque and the Dubuque Water Sports Club. The motion passed unanimously.

TABLE HUMANE  
SOCIETY  
AGREEMENT /  
REALLOCATION  
OF PET PARK  
CIP; VOTE:

Jane McCall from the Humane Society was present at the meeting. She explained that the Humane Society purchased 5 acres of land at the Northwest Arterial and Chavenelle Drive to remodel their new facility and build a pet park. They requested approximately \$100,000 from the City for fencing and amenities. Usage would be on a members-only basis using a slide card but there would be assistance for low income.

Leisure Services Manager Ware explained that the topic of reallocation of funds from the current CIP to the Humane Society is being brought to the Commission for consideration and comment. She was directed to draft an agreement with the Humane Society and that was a part of the Commission packet.

Commissioners asked: • What will the charge be; • Has the Humane Society moved into the new building yet? If not, when; • Will there be any agility equipment? • What will the hours of the pet park be? • What will the name of the pet park be? Will the City be recognized in any way and will they have any say in how the pet park is run, for instance representation on the Humane Society Board?

Ms. McCall said they are looking at charging \$10 a month or \$100 a year, which would pay for maintenance. They have not moved into the new building but hope to be in by July or August of 2013. There will be agility equipment. Hours will most likely be 8:00 a.m. to 8:00 or 9:00 p.m. but they may need to change the opening time to 6:00 a.m. The name of the pet park will be *Hadley's Pet Park*. As far as city representation on the Humane Society Board, she would check into it.

Commissioner **Harris** thanked Ms. McCall for being at the meeting to answer questions. He feels the proposal is almost too good to be true and asked if they had enough funds to complete construction of their facility? The last figure he

saw said they only had 63% of needed funding. He would like to see the group established in their new facility before the City signs any agreement or gives them any funds.

Ms. McCall said the 63% was an old figure; they now have 1.2 million collected. If the Commission wanted to wait on the agreement and funds she said that wouldn't be a problem except it seemed more logical to do all the plumbing at the same time, including out to the pet park.

Commissioner **Nadeau** is opposed to the pet park CIP funds going to the Humane Society. It's good they want to have a pet park but she doesn't want this one substituted for the one that was supposed to be at the corner of Dodge and Locust. The Humane Society location is not accessible to all the downtown citizens and they are the ones most likely not to have transportation available. She doesn't feel the citizens that have paid for one license should have to pay for a second. Ms. McCall said they would be providing a place for a second pet park and the City would provide the money.

Commissioner **Schlueter** asked what was the status of the pet park on IDOT property. Ms. Ware said we have a concept plan and IDOT has reviewed it. If they give the property to the City the City would need a new snow dumping site for the IDOT. Commissioner **Hoffmann** asked if the snow being dumped there would ruin the pet park. Ms. Ware said the city would have to find an alternate snow dump site. Mr. Hoffmann said maybe we can go to the City Manager and see if we can get other dog park money because he doesn't want to lose the IDOT spot even though it's a great opportunity with the Humane Society.

Commissioner **Nadeau** asked if the City Council can reallocate the funds without input from the Park and Recreation Commission and Manager Ware said yes. Ms. Ware will be reporting the Commission's discussion back to the Council. The agreement was drafted without any input from the Humane Society. City Health and Legal departments gave input so far. McCall has not had time to share it with the Humane Society Board but did get a draft several days ago. The agreement takes pieces of what the City Council discussed at their meeting and incorporates it in the draft. It is a reallocation of funds which means something goes away and the final decision would be with the City Council.

Commissioners **Blocker** and **Klinge** felt it should be tabled and Commissioner **Nadeau** would like the City Council to wait on making a decision to reallocate the funds. Commissioners asked McCall to come to the next meeting to answer questions they had asked and give her time to review the Agreement with her Board.

It was moved by Hoffmann, seconded by Klinge, to table the reallocation of Pet Park CIP and agreement with the Dubuque Humane Society until time for further consideration. The motion passed 5-2 with Blocker, Harris, Hoffmann, Klinge and Lyness voting yes; Nadeau and Schlueter voting no.

continued

Kate Lydon was present and asked to speak regarding the proposed pet park fee. She said a \$100 fee would not go down well with dog owners here in Dubuque. For those that live downtown, having to pay \$100 and then having to drive all the way across town to get to the pet park would get very costly. Ms. McCall said the west end of town deserves something too. Lydon said they do but they already have Bergfeld where dogs are allowed on leashes.

POSSIBLE  
RENTAL FEES  
FOR BERGFELD  
AND OTHER  
AREAS

Manager Ware explained that the department has charged for pavilions as well as park use fees for specific parks. Each year we are seeing an increase in special event requests throughout the park system. Recently we noted when reviewing special event requests that we charge for areas like Jackson / Flora / Washington / A.Y. McDonald Parks at a rate of \$115 to use the park for a special event but when an organization requests to use Bergfeld for a race event start/finish or the Town Clock Plaza area, we charge no fees. Most of the events are fundraisers so it doesn't seem fair that some pay and some don't. Ms. Ware requested feedback from the commissioners.

- Commissioner **Lyness** asked if we charge for Washington Park and the gazebo;
- Commissioner **Bloeker** asked what fee is charged for Washington;
- Commissioner **Hoffmann** felt we should charge the \$115 except Town Clock Plaza area;
- Commissioner Nadeau felt it should be \$115 across the board except Town Clock Plaza area because it's almost like part of the street.

Ms. Ware said if someone rents the entire Washington Park the fee is \$115; if the Gazebo only is rented, the fee is \$23. Based on Commission feedback, fees will be reviewed for all park areas. A recommendation will be forthcoming for 2014.

TABLE  
REQUEST  
FROM M & M  
PONY RIDES;  
VOTE:

Dr. Mareth Ellsworth from M & M Pony Rides was present at the meeting. She has a pony party business and provides pony rides for company picnics, birthday parties, family reunions, etc. She is requesting permission to provide her pony rides at functions in the parks. That way she can advertise and know that she has permission. Dr. Ellsworth said each pony has a handler; the ponies are not on a carousel. She has had parties in parks in Madison, Monroe and Browntown and never had an accident; has always cleaned up after the ponies; and has very good insurance.

- Commissioner **Klinge** asked what size trailer she would bring into the park – 15' behind a truck and 4 ponies would fit in it.
- Commissioner **Schlueter** asked if part of the request was for a yearly agreement.

Dr. Ellsworth said yes that would be ideal so she didn't have to request permission for each party. Manager Ware said the current ordinance reads "horse drawn vehicles, riding horses or any other domesticated animals used for such purposes shall be prohibited in any park unless permission is granted by the Park and Recreation Advisory Commission of the city." From a city perspective the pavilion renter would need to get a special event permit. In order for Dr. Ellsworth to do what she wants, the Park and Recreation Commission could give her a yearly ok but we would still need the renters to do a special event permit; most any special gathering now has to do a special event permit. If the Commission says ok to

her request then staff will work with Dr. Ellsworth and go over the parameters.

- Commissioner **Lyness** said if we have a problem with dogs in parks how can it be ok to have horses?
- Commissioner **Schlueter** said it seems like she is covered by insurance and seems to be responsible, and it's only one person.
- Commissioner **Nadeau** said it would open the door to others with animals.
- Ms. **Lyness** asked if we could make a designated area and only allow the ponies in a special area.
- Ms. Nadeau said people can't rope off areas to have a wedding or reunion or something so if you rope off an area for the ponies, you are creating a second set of rules; she is not in favor of an open permit – don't even have dogs now.
- Commissioner **Hoffmann** suggested that Dr. Ellsworth come back with a different proposal at another time or come back after the City Council has made a final decision on the dog ordinance.
- Commissioner Blocker thought the decision should be deferred until after the pet ordinance is final.

It was moved by Harris, seconded by Klinge, to table the Request for Pony Ride Service in parks until after the final decision has been made on the pet ordinance. The motion passed unanimously.

PARK DIVISION  
REPORT:

Park Division Manager Steve Fehsal informed commissioners:

- Crews have been busy clearing snow and ice; tree crew had 20 calls related to the storm.
- Seeding for summer flowers is well under way at the Greenhouse.
- Steve Pregler has attended a couple trainings recently.
- Work on picnic tables should be completed this week.
- Interviews are being scheduled for the Assistant Horticulturalist position.
- Giese Electric installed 42 energy efficient lights on the inside of the Sutton Pool building.

MANAGER  
REPORT:

Leisure Services Manager Marie Ware informed commissioners:

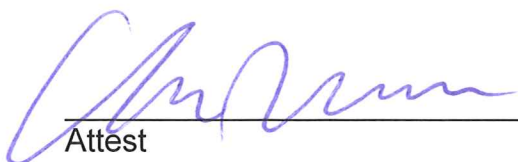
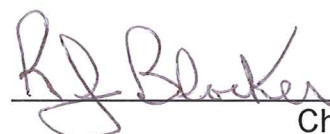
- The city held an emergency drill at the Emergency Operations Center to work through issues that would come up if a big event happened and to make sure departments would be ready. All departments were represented and over 100 people were in attendance.
- Manager Ware continues to work through the hiring process to fill open positions – Dan Kroger has been hired as the Recreation Division Manager; Civil Service test is tonight for the Golf Technician.

OTHER  
BUSINESS:

- Reminder that the April meeting is switched to Tuesday, April 2nd.

ADJOURN;  
VOTE:

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

  
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Attest  
\_\_\_\_\_  
Chairperson