

PARK AND RECREATION COMMISSION MEETING

Monday, May 6, 2013

4:30 p.m., Auditorium, Carnegie-Stout Public Library

PRESENT: Bob Blocker, Charles Harris, Paul Hoffmann, Karen Lyness, and David Schlueter

ABSENT: Ken Klinge and Evelyn Nadeau

OTHERS PRESENT Staff present: Marie Ware, Dan Kroger, Steve Fehsal and Eileen Trimble

Laura Carstens - Planning Services Manager, Wayne Buchholz – EB Lyons, Barb Potts, US Bank, Daniel and Ann Ernst and Jennifer Tigges – Friends of Mines of Spain, Leo Broughton – Tour Dubuque

EB LYONS TRUST- APPLICATION FOR DISBURSEMENT OF FUNDS; VOTE: Leisure Services Manager Marie Ware explained that the City, Iowa Department of Natural Resources, Friends of the Mines of Spain and Iowa Natural Heritage Foundation have been working together for expansion of the EB Lyons Interpretive Center. When a 52-acre parcel of land known as the Bottoms farm came up for auction the Iowa Natural Heritage Foundation purchased the property. The City and the INHF had a purchase agreement enacted for the property. The total cost of acquisition and development of EB Lyons Interpretive Area Expansion is \$1,970,085. The City applied for grants to assist with the acquisition costs and Friends of the Mines of Spain have been involved in private fundraising. Funds raised and grants to date total \$1,494,843.

Planning Services Manager Laura Carstens told Commissioners that the 52 acres acquired are west of the current Center with some wooded areas and some areas with beautiful views. The expansion includes a trail next to the Interpretive Center that persons with mobility issues could use.

Barb Potts, a Trustee of the EB Lyons Irrevocable Trust gave a little history of the trust. At a time when Edwin B. Lyons' company had acquired a lot of wealth he sold some properties and put the funds in a trust to provide for his son Edwin Lee Lyons and his wife Jane. Edwin Lee Lyons passed away in 1999 and Jane Milson-Lyons passed away in 2012. When Jane Milson-Lyons passed away, the funds reverted back to the original trust which has the City as recipient. The account started with \$100,000 and is now worth \$471,000.

The City has applied for disbursement of the funds for acquisition and development of EB Lyons Interpretive Area Expansion. US Bank as the Trustee has approved the City's application for the funds with the following three conditions: 1) approval in writing from the Council saying the entire account will be dedicated to the EB Lyons expansion and development; 2) US Bank will pay expenses as the project progresses; and 3) the area and Center retains the name of EB Lyons.

It was moved by Harris, seconded by Lyness, to recommend approving disbursement of funds from the EB Lyons Irrevocable Trust under will. The motion passed unanimously.

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AQUATIC
CENTER STUDY
FIRM; VOTE:

The Request for Proposals was approved by the Park and Recreation Commission, City Council and School Board. Nine proposals were received and the joint committee interviewed four firms the second week of April. The committee is recommending Novak Design Group. The hope is that the study will be done by late fall. The joint school/city committee's recommendation is going to the Park and Recreation Commission, City Council, School Facilities Committee and then the School Board.

This proposal is for a study to answer the many questions decision makers would need to determine whether to move forward with the project.

It was moved by Hoffmann, seconded by Harris, to approve recommendation of Novak Design Group for the Indoor Aquatic Center Study. The motion passed unanimously.

TOUR DUBUQUE
REQUEST TO
USE TRAILS AND
PARKS; VOTE:

Leo Broughton, owner of Tour Dubuque has requested permission to use Trikkes on trails and in some city parks. The Trikkes have a 250 watt electric motor and are hardwired to stay in economy mode (10 mph) which is a safe speed plus uses less battery.

Manager Ware said the Commission discussed this request at the April meeting and was split on a recommendation. Since that meeting Ware and other city staff have gathered additional information from the insurance company and reviewed all the previous information, all of which can be found as part of the original minutes. The city staff reviewing this request felt comfortable drafting a usage agreement with Tour Dubuque for a trial period.

Commissioner Lyness asked how many Trikkes Tour Dubuque has, how many people would be in a tour group and where do the tours currently go. Mr. Broughton said Tour Dubuque owns 28 Trikkes and there are usually 10 or less in a group. Currently tours go to the Port of Dubuque, Historic Millwork District, 11th Street past Prescott School, Old Jail, City Hall, 14th Street, Richards House and then turn around. They also go to the Town Clock area, Bluff Street by the shops, Main Street and back to 2nd and Main where their shop is. Mr. Broughton said they are in the process of equipping the Trikkes with turn signals and brake lights, etc. for safety.

Lyness said the problem some of the Commissioners had with the request was would it open up to all motorized vehicles like mopeds, etc. if we recommend this request. Mr. Broughton felt the City including the Legal Department had addressed that concern and the ordinance itself already delineates the type of vehicle. Commissioner Schlueter said they were also worried that approving this request would open the door to anyone with a Trikke type vehicle. If the Commission recommends approval, would this be for just this specific use and

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be for a one-year trial? Manager Ware commented that in most usage agreements with the City, there is a clause allowing for termination of the agreement in case issues come up.

Commissioners Schlueter and Hoffmann asked about the liability and covered limits for each occurrence if something would happen. Mr. Broughton did not have a copy of the insurance in front of him but Manager Ware said the City's insurance people put the amounts and coverage requirements in all agreements the City has so the City would be covered.

Ms. Ware told Commissioners that Commissioner Nadeau asked her to forward comments regarding this request: Ms. Nadeau is still against this Usage Agreement because she feels it opens the door too much.

It was moved by Lyness, seconded by Hoffmann, to allow Tour Dubuque Trikkes on the Riverwalk and other areas approved by the city, with a one-year trial period. The motion passed unanimously.

OTHER
BUSINESS:

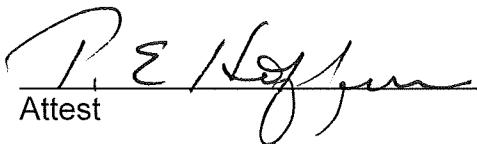
Commissioner Blocker asked when the marina is opening. Manager Ware said the ribbon cutting is scheduled for Saturday, June 1st.

ADJOURN;
VOTE:

It was moved by Schlueter, seconded by Harris, that the meeting be adjourned at 5:20 p.m. The motion passed unanimously.



Robert J. Blocker
Chairperson



Attest

