

TO: The Honorable Mayor and City Council Members
FROM: Michael C. Van Milligen, City Manager
SUBJECT: Title 10, Chapter 5 and Chapter 7 Ordinance Amendments
DATE: May 11, 2017

Title 10 is the ordinance related to Public Ways. Chapter 10 relates to Parks and Recreation specifically. Title 10, Chapter 7 relates to Boats, Boating and Waterfront Structures. Each of these chapters needed updates related to the Bee Branch Creek Watershed Project.

The Bee Branch Creek is a unique area as it serves a main purpose of storm water management yet its second purpose is park land, trail connection, creek and a greenway.

Below is a summary of the ordinance addition recommendations related to what would be called the Bee Branch Creek Greenway.

- A. Alcohol would be allowed. There are five different spaces that will be reservable – the overlook at 16th, overlook at 24th, amphitheater, and two smaller spaces below the 24th outfall area. It is anticipated that these will be sites for small weddings, renewal ceremonies or special occasion celebration and event spaces. Champagnes and wines are typical to have at some of these events. All other pavilions and rental spaces in the Leisure Services system allow alcohol. Additionally, the 16th Street Detention Basin will be recommended for fishing and the similar fishing pond at Bergfeld Recreation Area allows alcohol.
- B. Fishing would be allowed in the creek and detention basin at 16th Street. Many improvements to both have established these areas as good fisheries.
- C. Non-motorized skateboards, bicycles, scooters and hoverboards would be allowed.
- D. The parking lots associated with Bee Branch Creek Greenway would have 24-hour parking limits.
- E. Bee Branch Creek Greenway would be open for use 24 hours a day.

- F. Swimming and wading would be prohibited. The 16th Street detention Basin is brown water with limited visibility. The depth varies and certain areas have a current that isn't always seen. The Creek itself although clear water, will vary greatly in its depth of water as that will change based on rain patterns. There are fishing structures and cobbles built into the creek for fish and habitat. There is a drop-off from the limestone blocks to the creek level that does not make entry for wading or swimming easy or safe.
- G. Pets on leashes would be allowed in the Bee Branch Creek Greenway. The Heritage Trail as well as most other trails in the city were added to the areas allowing pets several years ago. At that time, AY McDonald and Pyatigorsk Parks were added because the Jaycee Trail started at AY McDonald and went through Pyatigorsk. The Bee Branch has similar characteristics. These additions have gone over well for pet owners and have not created issues.
- H. Canoeing and kayaking are allowed in the 16th Street Detention Basin. Standup paddle boards would also be allowed there.

The above changes and additions were presented to the Bee Branch Citizens Advisory Committee. Two of representatives then shared the recommendations at the North End and Point Neighborhood meetings. The topic receiving the most conversation at these meetings was the topic of allowing alcohol. At the end of those discussions it was felt allowing it would be acceptable with the understanding that if there were problems the ordinances could be recommended for a change.

The Park and Recreation Commission reviewed the ordinance recommendations and voted 6-1 in favor of approving the recommended ordinance.

Leisure Services Manager Marie Ware recommends City Council approval of ordinance amendments to address the addition of the Bee Branch Creek Greenway.

I concur with the recommendation and respectfully request Mayor and City Council approval.


Michael C. Van Milligen

MCVM:jh
Attachment

- cc: Crenna Brumwell, City Attorney
- Cindy Steinhauser, Assistant City Manager
- Teri Goodmann, Assistant City Manager
- Marie L. Ware, Leisure Services Manager