

MILFORD CITY COUNCIL
MINUTES OF MEETING
July 28, 2016

A Meeting of the Parks and Recreation Committee was held in the Joseph Ronnie Rogers Council Chambers at Milford City Hall on Thursday, July 28, 2016.

PRESIDING: Parks and Recreation Committee Chairman Arthur Campbell

IN ATTENDANCE: Committee Members:
Councilmembers Katrina Wilson and Owen Brooks Jr.

City Manager Eric Norenberg and City Clerk Terri Hudson

Chairman Campbell called the Committee Meeting to order at 5:33 p.m.

Parks and Recreation Director Brad Dennehy was also present.

Proposal & Recommendations/Park Fees & Charges

City Manager Norenberg informed the committee that we are receiving an increased number of requests for groups to use open space in our parks and it may be advantageous to add a new classification. As a result, an 'incidental' park usage fee is being proposed by the Parks and Recreation Director.

Mr. Dennehy does not want to increase fees for residents and nonprofits, but feels there is a need to address people who are making a profit in some capacity. He has had requests for yoga-type programs, dog instruction and kayak tours. He is favor of using the park for those uses, though we should not increase the fee for residents and nonprofits. However, anyone making money and especially those charging an admission fee to other people, should be charged appropriately. In those cases, the parks will have to be maintained and policed. In addition to other services, the trash containers must be emptied before and after an event by the park staff.

The current code has a flat fee for residents, nonprofits or for profits with no distinction.

He would like to keep the fee structure that was put in place in 2014 for residents and nonprofits. However, the fees should be increased for nonprofits and participants who are charging an admission fee.

The Director referenced the code which does not elaborate on the length of time the park can be rented and recommends a four-hour increment. He also suggests a fee schedule be established for a multi-day event. They have looked at other communities and have found that they typically break out the rental time into four-hour increments. If rented for the entire day, the renter would be charged for two four-hour increments or eight hours; two days would be four four-hour increments or sixteen hours, etc.

Mr. Dennehy is also proposing an 'incidental park usage fee'. Currently there is no fee charged to a person wanting to teach Tai Chi, yoga or something similar. There is a rental fee for Memorial Park of \$75 though he feels that is expensive if someone is teaching a Tai Chi or yoga class for an hour. As a result, they are proposing a \$25 fee for a two-hour or less instructional use. In turn, the organizer would receive all admission fees though the city will only receive the \$25 incidental fee.

Mr. Campbell asked if \$25 is too inexpensive; Mr. Dennehy explained that the City Manager provided various options, some which were based on acreage. He prefers to take some money in and simply being aware of the activity occurring in the park versus having a lot of different rental categories. That is the reason they want some feedback from the committee.

Mr. Dennehy feels if the Committee believes \$25 is too cheap, that can be discussed.

Mr. Norenberg feels that by keeping the fee affordable will provide the opportunity for someone to come in and teach dog obedience, yoga or Tai Chi. These programs provide more opportunities for recreation in our parks which will allow us to serve our community with programs that our staff does not have to provide. Also, we do not have to go out and look for a yoga, Tai Chi or dog obedience instructor.

In addition, the City can also do some cross promotions that will benefit the community without it creating additional burdens on the Parks and Recreation staff. If we were to charge \$100 or \$50, any admission charge would have to be increased to accommodate the City fee. At this point, they recommend a nominal fee as we police and keep track of the activities. He does not feel this will create a huge burden on our facilities because most of what is being discussed is open space use. By creating this incidental fee, we can still rent the pavilion for a birthday party at the same time a Tai Chi class is held in another area of the park.

Mr. Dennehy said it is his passion to offer kayaks and canoes and provide a program operated by college kids and certified instructors. Because his department does not have those resources, it makes more sense to contract with an established kayak company who is insured and certified and can schedule classes and tours on a weeknight or Saturday morning. But the \$25 fee could discourage that if they were only on the river for two hours.

Mr. Campbell asked if we will charge \$25 per day or per week in that case. Mr. Dennehy explained that if there was a class scheduled each Wednesday for six weeks, they would be charged \$25 per week for the six-week program.

Mr. Brooks asked what happens if the program gets rained out; Mr. Dennehy said they would be credited most likely and that fee applied to the following week. He said we are not trying to make a lot of money though our residents enjoy the parks and a lot of church groups use them. We don't want to discourage those people from using the parks.

He recalled a recent event that popped up involving skateboarding and rock music. There were concerns about the event and when they tried to partner with the annual Jonathan Dukes' event, Mr. Dennehy referred them to the Milford Boys and Girls Club who allowed them to use their property.

The Director said he also wants to stop people from coming in at the 11th hour and think the City can put together a lot of resources at the last minute for the event.

He said Parks and Rec is receiving more and more requests and they need to respond with something more official on the books.

Mr. Campbell asked if there are any liability issues, Mr. Dennehy said the City has its own liability insurance for anything that occurs in the park. But usually require a copy of the participant's liability insurance to prevent someone who may be hurt during a Tai Chi event from suing the City if they are injured.

The City Manager said there are three components to this recommendation:

- (1) Period of time associated with fee and clarify it is for a four-hour period; anything beyond that involves another fee period.
- (2) The current fees are doubled for the 'for-profit' groups/individuals but will remain the same for residents and nonprofits who want to use the park and all rentals will be based on four-hour increments.
- (3) Implement a new incidental fee of \$25 for uses of up to two hours for Tai Chi, yoga, etc. that are not a burden on the park and could be complimentary to the City's existing programs.

Mr. Norenberg said the other option is to form a partnership with instruction or recreational type groups and charge a

different rate if it is something the City is unable to provide but will enhance the recreational programs in Milford. However, that will need to be carefully thought out.

He wanted this presented to the Committee for feedback in order to present that to the full Council as an ordinance amendment.

Mr. Campbell said he was approached by the Milford Senior Center about moving some potential classes outside in the park area.

The City Manager responded by stating that someone who schedules a class every Tuesday and Thursday has the privilege and ability to reserve a specific area in the park in advance. In that manner, they can sell their clients the opportunity to be in that class every week at the same place over the next several weeks. Right now, someone could decide at the last minute to use Bicentennial Park for a Tai Chi class sponsored by Milford Senior Center while our staff is there mowing the grass. But having a fee structure and schedule creates the reservation and guarantees their space, weather permitting on that date and time.

Ms. Wilson likes the idea and in particular, the 'as-needed' type events. She does not feel there will be much additional work to partnering with the different groups in the City but prefers they come to the office with their ideas. It will be our job to let people know what is available and the costs. She feels \$25 is very appropriate and knows other places that charge much more.

She also agrees that three-day functions may be too much as well. She recalled a carnival type festival that was held at the Riverwalk Shopping Center from Friday to Sunday. She felt that was a lot for this community to handle and recalled that most of the people involved were not from this area.

Mr. Dennehy said if it was a carnival they were making money. That is the reason he is addressing the fees though he does not want anyone to think Parks and Recreation is against private enterprise. However, Milford has spent a lot of money developing and maintaining their parks and it is only appropriate the City receive a small cut from that money. For those type events, we would double our rate and limit the event to four hours, unless more time is needed which would come with an additional fee.

Mr. Dennehy said they try and feel people out on the type of event someone is planning. They have ten to twelve questions that are asked to anyone requesting to rent the parks. That prevents people from using religion as a guise. For example, they will present an event as a revival but once these questions are asked, they learn that vendors are coming in to sell things. He feels that any event that is raising funds should pay a fee, because it does create a need for City services and will impact City finances because at a minimum, his staff has to come in on Monday to clean up the parks and empty the additional trash.

Mr. Campbell pointed out there is a definite impact on the police department which is another factor that must be considered.

Mr. Norenberg said they were also considering charging a fee for a fundraising event and a separate fee for non profits that will make money from the event. Instead, they did not want it overly-complicated with the first iteration and is how they came up with what was presented to the Committee.

The City Manager wants to make a couple changes initially and come back later to review the process and determine if it still needs to be adjusted.

Mr. Brooks asked if there has been any consideration about renting the armory for events. He is aware of some Milford students that travel to Dover to play indoor hockey. He asked if the armory can be used for that.

Mr. Norenberg said they have been exploring how to use the armory because there are a number of challenges including no heating or cooling at this time. It is also not ADA accessible. A lot of the wall covering and flooring, except for the basketball court, was stripped out for various remediations, including asbestos, when the last occupants moved out.

He reported they have recently talked to a couple nonprofit groups that are interested in utilizing the building and are working on some ways to collaborate with them to lease the building from the City in exchange for making some of the repairs. That will prevent the City from a lot of out-of-pocket expenses particularly with the heating system, paint and other necessary repairs.

One of the ideas, according to Mr. Norenberg, is to make it a nonprofit incubator with one master tenant who can create space that other nonprofits could use. In particular, those groups may not have a home base in Milford but do provide services here so occasional office space is needed.

He also stated there are challenges with recreational uses, and in addition to the HVAC and ADA issues, there is no space beyond the sidelines of the basketball court for spectators. As a result, they are holding off as they continue to investigate these other uses.

Mr. Brooks said even though the City got the building for \$1, there was \$20,000 budgeted which means \$100,000 over a five-year period without any use. Mr. Norenberg advised that very little money has been spent on the building. Utilities have been minimal and the money was actually budgeted for heating and cooling costs though it has been determined the cost just to heat the building would be much higher if used on a regular basis. The outbuildings in the rear are being utilized for storage by public works mainly and the police.

Mr. Dennehy said he contacted several contractors and it was very difficult to get anyone to look at the antiquated boiler system. One quote was finally able to be obtained and was in the neighborhood of \$60,000 though that involved scrapping the original boiler system and installing a new and modern system,

He also noted that we must adhere to the conditions of the transfer from the State of Delaware that it must be used as a nonprofit community benefit.

Mr. Brooks said it used to be used for basketball and then the school started charging the City to use their gym. Mr. Dennehy said the City has a good relationship with the Boys and Girls Club and the basketball program is strong. The problem with the armory is the court with no room for spectators.

Ms. Wilson moved to recommend to accept and adopt the new fees as presented by the Parks and Recreation Director, seconded by Mr. Brooks. Motion carried.

Review & Recommendations/No Smoking Ordinance in Parks

Chairman Campbell reported that he has been approached by several older residents about the possibility of a designated smoking area in the Bicentennial Park versus totally prohibiting it.

Ms. Wilson said that people have gone to her and have stated the same concerns. She said she has been a nonsmoker her entire life though her father smokes a cigarette and pipe. He is a fisherman who fishes along the river in various areas of the park. He was very upset when he learned of this rule and told her that normally, he is by himself and there is no one around him. He did not understand the reasoning because it is in an open-air area and there is rarely anyone even close to him.

Mr. Campbell agreed these residents questioned him about the possibility of smoking a pipe or cigar in a designated area. They explained they typically take a cigar, walk away from any people they are with, take a couple puffs and then return to their family.

Mr. Brooks said he recalled talking about the no-smoking rule at the Little League Park where a smoker simply walks to the edge of the road, to smoke. He recalled many years ago, when people used to smoke in the Council Chambers and he came in one night and made a motion to prohibit smoking there. He expected some resistance, but the motion passed within the following five minutes.

Mr. Campbell reiterated they are only asking for a designated area. They have also offered to clean up after themselves to prevent those problems. He told them he would present the concept on their behalf.

Mr. Dennehy said from a park perspective, he feels they could create a designated area that would have to be striped off and signs posted. However, the ordinance would have to be adjusted to reflect that smoking was permitted in the designated areas.

Ms. Wilson said there are a lot of residents that walk through our park and smoking is offensive to many people. Therefore, it makes this very difficult and the reason Council decided to make the parks no smoking versus providing designated areas.

The City Manager said that it sounds like the residents who talked to Mr. Campbell would be responsible parties and respectful of the designated area and clean up. But someone else may be using the park and when they see smoking is allowed in another area, they believe it is permitted in the park. There are also associated litter problems which can cause much bigger problems. In addition, more signs would be needed which would clutter the park.

Mr. Dennehy said they we purchased a backpack leaf vacuum that is used for cigarette butts in the parking lots. It is used before a special event and often in the parking lots by Arena's, Park Place and behind Georgia House. He said there are an unbelievable number of cigarette butts found in the streets, gutter pans and parking lots. It is a serious problem for his staff to clean up especially when the parks are supposed to be smoke free.

Mr. Campbell will inform the residents it will be left as status quo.

Recommendations/Special Events-Rules & Regulations

Mr. Norenberg advised the Committee that staff is working on developing a special event application process and a sample is included in the packet. As we start to see more event requests, some may be somewhat random and not well planned, which means that not all City departments were informed though they could be impacted.

As a result, we are looking at something that will be as much of a planning guide for people who want to hold a special event, as well as an educational tool for City requirements.

The City Manager believes it will be helpful to have a guide that can be downloaded in addition to receiving the request in a timely manner. This does not involve any new regulations but instead pulls all pertinent information into one document/application so that all city departments are able to review the plans in advance of the event.

The Police and Fire Departments will need to be involved and he only wanted the Committee to be aware it is being worked on. He encouraged the Committee Members to contact him with any comments or recommendations.

Adjourn

There being no further business, Ms. Wilson moved to adjourn the Parks and Recreation Committee Meeting, seconded by Mr. Brooks. Motion carried.

The Meeting adjourned at 6:19 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Terri K. Hudson". The signature is written in a cursive style with a large initial "T".

Terri K. Hudson, MMC
City Clerk/Recorder