

DRAFT

CITY OF WAUSAU – PARK AND RECREATION COMMITTEE MEETING MINUTES

Date/Time: September 3rd, 2013 at 5:00pm Location: City Hall (407 Grant Street) – Council Chambers
Members Present: Jim Brezinski, Gary Gisselman, Robert Mielke, David Nutting, David Oberbeck (c)
Others Present: Bill Duncanson–Director, Peter Knotek-Asst. Director, Anne Jacobson–City Attorney, Tara Alfonso–
Asst. City Attorney, Kregg Hoehn – City of Schofield, Shane Vanderwaal – City of Schofield,
Theresa Clift – Wausau Daily Herald, Pat Peckham – City Pages

In accordance with Chapter 19, Wisc. Statutes, notice of this meeting was posted and sent to the Daily Herald in the proper manner. It was noted that there was a quorum present and the meeting was called to order by Chairperson Oberbeck at 5:00pm.

Approval of Minutes – **Motion** by Nutting, second by Gisselman to approve the August 5th, 2013 draft minutes. **Motion carried** by voice vote. Vote reflected as 5-0.

Park Land Acquisition – Discussion and Possible Action on Acquiring 407 E. Kent Street for Park Purposes – In February 2013, the Park and Recreation Committee authorized staff to start negotiations to acquire 407 E. Kent Street. The proposed purchase conditions were approved by the Finance Committee on August 27, 2013. It is in the interests of Wausau to own the property because it may provide an entry point to the Eau Claire River Conservancy and/or support parking for the Marathon County Sports Complex. Questions were answered. **Motion** by Brezinski, second by Mielke to approve the purchase of 407 E. Kent Street and authorize entering into an Offer to Purchase for \$10,000 with the owner contingent upon approval by City Council. **Motion carried** by voice vote. Vote reflected as 5-0.

Radtke Point Park – Discussion and Possible Action on Reviewing Language and Current Compliance with the Current Lease Agreement and its Relationship to Future Leases and Management – Duncanson said at the last meeting this Committee had questions about the appropriateness of Wausau bearing the total municipal costs for a proposed CIP project for erosion control. The maximum funding was \$220,800 funded 50% by Wausau and 50% by the County Environmental Fund. The Committee wants to see what the options are to get the erosion taken care of and move forward with Schofield’s wishes to continue to have the park and do improvements in the future. Duncanson pointed out in the current lease under capital improvements that Schofield could make improvements without this Committee or Park Department being notified. Under maintenance it says the lessee shall protect and maintain the parkland and physical resources in good condition at sole cost of lessee. That’s the basis for wondering what Schofield’s role in having the erosion issue come up and how it will be resolved.

Schofield’s attorney, Shane Vanderwaal said Schofield’s impressions after having various meetings with Wausau was that it had had an agreement with Wausau ultimately that this was the City of Wausau’s property and the erosion control was beyond use by Schofield as a park and that the City of Wausau was going to undertake erosion control problems and obtain quotes to look at erosion control. He and Alfonso had been revising the lease agreement when it came to Schofield’s attention that the whole issue of erosion control is now being turned as a responsibility of Schofield. The current lease references the responsibility but there is also a law that refers to no one being responsible for acts of God. It was Schofield’s impression that Wausau was going to be handling this to the point that contacts were made to the County regarding the ATC funds of which it was suggested that this project would be an ideal candidate for.

Duncanson said he worked with the Becher Hoppe numbers and used the \$220,000 as a high end. In order to get access to the County Environmental Fund the sponsoring municipality has to do an application and one of the requirements is the applicant has to commit to their share of the cost. He came to the August Park and Recreation Committee meeting with this as a capital improvement project to seek the City’s half of the funds and the Committee decided that it wasn’t appropriate for Wausau to provide that half of the funds. His assessment is that Mayor Tipple had a direction that he started on, however these representatives of Council have disagreed with that direction and have stopped the process. Oberbeck wanted to clarify that this CIP project wasn’t approved at the CIP Committee so there were some actions taken prior to the Park and Recreation Committee discussing this.

Hoehn said before this was even brought to Wausau he had worked on the project himself and brought in a couple of contractors. He had talked twice to Mayor Tipple who told him the project would be taken care of. Schofield had wanted

a long term contract because they don't want to invest a lot of money and then lose the park back to Wausau. The airport then stepped with the short term lease requirement so they came up with a depreciation possibility that if they make improvements and Wausau takes the park back, Schofield could get some kind of percentage back on its investment. Schofield saw the erosion problem as a major issue last fall and he did not believe it was caused by Schofield.

Brezinski said all parties want to see a resolution to this issue and the Mayor cannot commit funds, it needs the support of Council. He commented there was frustration from the Airport Committee. Alfonso said that Schofield wants to make some large and expensive improvements to the park and they would like a long term lease. Right now they have a 10 year lease with Wausau and it has a 90 day termination provision in it. The problem is that the Wisconsin Bureau of Aeronautics said the leases weren't exactly the way they wanted them going forward to meet all the FAA requirements. The longest they want to see is five years and that created uncertainty from the beginning. Vanderwaal felt that Schofield understands and are past a lot of those type of issues. Alfonso said they wanted to satisfy Schofield's desire to improve the property with Wausau's need to keep this airport property in case the FAA tells the City it wants the City to take that property back because they want to change something. It was decided in the interim to agree on a short term two year lease with a 90 day termination in the hopes that the soil erosion issue would be resolved. There are two other issues left and one is whether or not Schofield can make improvements to the property during this term without getting Wausau's approval. Right now they can as long as they don't interfere with airport use. The second thing is whether or not during this two year term what kind of steps should or can be taken to minimize soil erosion from this point forward. That's a problem too because if the soil erosion is not going to be fixed how are they going to measure what is soil erosion through nature and what might be soil erosion by park users. She wanted to add that Schofield thought about buying the property but that is a very difficult proposition under the airport rules.

Mielke said it was his belief that Wausau would foot the majority of the bill for the erosion project and he questions Schofield as to what their share of the erosion project is going to be. Vanderwaal said they understand the precept that no one can bind anybody without the majority of anyone's Council, but coming out of past meetings Schofield was not under the impression that it was going to be responsible for any of those costs. If Wausau is asking Schofield to share in a portion of that cost beyond ATC funds, they cannot say they will pay 'X' percent but could look at Becher-Hoppe's quotes or get other quotes and go back to the City of Schofield and say the City of Wausau is asking them to bear a percentage of that beyond the ATC funds. Duncanson said the quote was generated by Becher-Hoppe at the request of Schofield and his understanding was that was the starting point but also the maximum, so he started the process to get the Park and Recreation Committee to commit to the funds that the County needed to have committed so that they would accept the project. Hoehn said he brought Becher-Hoppe to the park this spring and went through and showed them how Schofield would like to improve the park and the water and erosion problem and the steps. He told them to go on the high end because he didn't know when the project would be done but he needed some figures to bring to Wausau. He believes the erosion control work can be done for less than that \$220,000 amount.

Oberbeck said he had looked at site and people are moving up and down the site. There is also erosion on top and water is coming from the parking area and running over creating almost a sand beach in that area. The \$220,000 was presented as the only number and there were no other indications of what was happening or being done. His understanding also is the airport needs access roads around its fence. Vanderwaal said that Schofield completely understands that the airport trumps everybody. Hoehn said one of the main reasons for the erosion is the granite blocks are being lost into the water. They were put into the sand to stop erosion back a long time ago. The whole thing is made of sand, a little bit of dirt and granite rocks. He felt there were different ways to stop the erosion. Vanderwaal questioned if Wausau would be opposed to Schofield having other companies put together quotes and bring them back to Committee. Hoehn said Schofield would put up a fence until something could be done. Oberbeck said some other issues should be dealt with as far as what and how the point is used. Duncanson explained that the Becher-Hoppe opinion of estimate was for design services and some permitting and it gave a range of costs. The idea was they would have to develop a range of alternatives working with whoever was running the project. He looked at the site and felt it's more than just erosion. Every place there is a bench and overlook there is erosion because people run up and down the bank there is nothing to stop them. He discussed some of the safety issues in the park that he felt needed attention. Vanderwaal said Schofield would take care of any safety issues immediately. He didn't think anyone was prepared today to argue responsibility relative to shoreline erosion. They wanted to be able to look at other proposals so everyone knows what they are really talking about.

Brezninski said they have to take the airport requirement terms as a start and there is time to work out the issues. He believes Schofield has to realize they are going to have some significant costs in this if they are going to continue to have it as a park. Vanderwaal said Schofield was willing early on to enter into a 99 year lease and would have accepted taking care of everything but the hangup comes with the Bureau of Aeronautics so now they are looking at a five year lease and wondering how much they want to invest. Discussion followed on the County Environmental Fund process. Jacobson stressed the importance of getting the application in and then discussing how the difference will be split. Brezinski recommends Duncanson specify his concerns related to the safety issues. Nutting felt it was logical to have more than one estimate and doesn't have any problem with Schofield seeking quotes. He said they have to put in place a stopgap now until repairs can properly be made. Knotek said that as Schofield moves ahead with getting cost estimates they have to let the consultants know what their program is going to be there because that is what is going to drive the costs. If Becher-Hoppe thought a beach was wanted there that changes the concept tremendously otherwise it can be just filled in with rock. Vanderwaal said they would get some cost estimates. Oberbeck also said they should put forth a program as far as use of that property. Brezinski said the goal is to work together and find an equitable way to make sure they can keep this facility available to folks that use it while protecting the integrity of the site.

Alfonso, Jacobson, Vanderwaal, Hoehn left the meeting at 6:15pm.

Motion by Brezinski, second by Mielke that the park director share in a formal documentation to Schofield his and Committee's concerns regarding safety issues as they relate to the park. **Motion carried** by voice vote. Vote reflected as 5-0.

Park Inappropriate Behavior Policy – Report on Implementation of the Park Inappropriate Behavior Policy – Hardel said they had issued three park bans. They have arrested other individuals that are banned from attending a park because of their bond condition. The violation of a park ban has already happened and that's another citation. He believes there is only a handful of individuals that this is not going to impact. Overall the officers are saying there is a decrease in the numbers of people that have been attending the 400 Block that they have been dealing with on a regular basis. Hardel clarified that he is referring to individuals that go to the 400 Block every day and consume alcohol until they are completely intoxicated or incapacitated. His officers and Community Service Officer's (CSO's) have been confronted so many times this summer by visitors and families to the Wausau area observing this and asking officers why they are letting it happen. That's why he asked for some support and has been given some support. They are enforcing the ban as strictly as they can but there are going to be handful of individual that these civil citations won't impact. The park ban includes all parks within the city. Mielke asked what Hardel's recommendation would be dealing with these individuals. Hardel believes and he understands not everyone is going to agree, but not to allow alcohol consumption on the 400 Block outside of events. Brezinski did not like the idea of making a policy based on the inappropriate behavior of a handful of individuals. He hopes the forthcoming public drunkenness ordinance will give them another tool to deal with these people. Gisselman agrees with Brezinski and said there has to be other ways of dealing with this. He questions where these people are purchasing their alcohol. Duncanson said he is not ready to call this a failure because it only has been in effect for a month. He would prefer not to go to an outright alcohol ban but if there is no other way he can see it getting there. Hardel commented that in other cities banning access to alcohol does help reduce crime and nuisance. Gisselman said that the Public Health and Safety Committee may be interested in how access could be controlled. Nutting felt it was important that the City be a steward of this investment of private money. He didn't think they would stop drunkenness by preventing drinking at the 400 Block because they will take it somewhere else but it will not be in that public square.

Chief Hardel left at 6:40pm

2014 Budget – Discussion and Possible Action on Initial Budget Submittal – Duncanson said that this item was put in as a placeholder in case there were new developments. Generally there is nothing new to report about the budget. Oberbeck said a comment had been made at the Finance Meeting that the Parks Department was not doing enough for youth. A suggestion was made that \$25,000 be taken from the Park Department to fund the Boys and Girls Club. Oberbeck said he sees a lot being done by the Park Department and he would be willing to look at expanding the budget to better serve the community. Duncanson discussed the history of the recreation program. He said the model that was developed is that the department acts as a catalyst for people that want to run programs. There was already a youth sports program going that

was volunteer operated and the park department provided facilities. This model is a lot less expensive than having a full blown recreation department. It's cheaper and it is effective as long as there are community volunteer groups and this community is very good at that. The department looks for gaps in program and service delivery and tries to fill them. He doesn't believe it is fair to say the department is underserving the community. He said that they don't have \$25,000 that is not doing good work for the community. Oberbeck said this Committee could look at what services the department provides and discuss expanding some. Nutting sees activities at the Boys and Girls Club, such as the indoor skate park that children can use year round as conducive to what parks already offer, just in another venue. Gisselman said the Park Department struggles every year with its budget and Committee would have to be prepared that it will cost more money if they act on anything.

Fundraising – Discussion and Possible Action on Potential On-Line Donation Technology – Duncanson said the new reservation/registration system brings lots of opportunities to the department. There is software available that allows users to donate money to the department if they wish. Staff has heard of varying levels of success in other cities. Staff is just getting ready to build the online shelter reservation system and would like to start incorporating the donation feature. Duncanson did not have an exact cost but wanted to know if Committee was interested in the department pursuing this and depending on the amount possibly going to contingency to take advantage of this opportunity this year. Brezinski agrees that it is a great idea. **Motion** by Mielke, second by Gisselman to move forward with the online donation technology concept based upon making a recommendation to the Finance Committee for approval. **Motion carried** by voice vote. Vote reflected as 5-0.

Fourth Aquatic Facility – Discussion and Possible Action on the Need for a Fourth Aquatic Facility in Wausau and its Relationship to Existing Aquatic Facilities in the Wausau Area – Oberbeck said there are two components to this discussion about a fourth pool and its location and also there was discussion at the Finance Committee meeting about the possibility of management of regional type aquatic facilities. Gisselman thinks the Finance Committee should have directed the regional idea to this Committee first before making an overture to another community. Brezinski said it was a suggestion from Finance Committee to explore that potential and they had been looking at all sorts of avenues of cooperation with other communities. Brezinski questioned if there was potential in any cooperation for example volume purchasing. Duncanson said there was not a lot of opportunities. Wausau Chemical is in town and it would be difficult to get cheaper than that. Knotek said they may be able to place an order and have it distributed over time but staff doesn't want to be in a position of storing large amounts of chlorine or acid because of potential hazards when Wausau Chemical is set up to deal with that. If Wausau is thinking about a fourth pool to have more similar service delivery it has to think about overall supply and demand in the community and if there is going to be a regional pool authority he thinks they would talk to surrounding communities as to what the facilities and fees should be so they aren't poaching each others customers. If Wausau is not looking at attracting people from outside of Wausau, which has been the neighborhood pool focus, it is not looking to poach other customers but is looking to provide only enough facilities for its residents. Mielke believes if a fourth pool is looked at, Brockmeyer would be a good area. As far as a regional pool system he believes it's a little early to look at that now until all the pools are built.

Oberbeck said Wausau has expanded greatly to the west. They should look at the next 50 years and where people will be served within a reasonable distance. It's a long term investment and will serve children and adults for a lot years. They could look at different phasing of the pools including a fourth one. Mielke agrees the west side is expanding and he said the City is committed to three right now but the fourth should be looked at within five years. Oberbeck said the City has committed to funding one pool, the CIP hasn't been approved for the other two and they could easily add a fourth pool to address those needs. He felt Brockmeyer Park would be a good area for a fourth pool. Highways 29 and 51 are big barriers to children moving around. Duncanson said the distribution of pools could be better. Some people have a long way to go to a pool. At the same time he has to think about pools and their capacities being built on overall population. Oberbeck said the City has had four pools in the past and it had been promised that McDonald Pool would be replaced. Brezinski believes all the work done up to now was with remodeling three pools. If Oberbeck wants to look at a fourth one down the road that is fine but he is uncomfortable with interjecting it in now. Oberbeck believes they have to look at changes in population and the idea that these are neighborhood pools. Gisselman said there was a lot of discussion and planning to get to the point of having three neighborhood pools. Oberbeck stepped down from the chairmanship and gave it to Mielke to make a **motion**, second by Nutting that the City start planning for a fourth neighborhood pool for the purpose of addressing the expansion of the City of Wausau since 1963 to the west and to acknowledge the number of

districts and amount of people in that area. Nutting agreed with Oberbeck's basic ideas and made a comment that he both walked and was driven to pools in Wausau when he was a child. People will continue to drive to them because not everyone has the luxury to walk or bike. Brezinski said it would be nice if every area would have access but he believes a commitment and timetable has been made to three pools. Oberbeck said he respects prior Council decisions but times have changed and it's the right and responsibility of this Council to look forward and address the needs about how to best serve all the residents. Mielke wanted to clarify that Oberbeck's suggestion is that this is exploratory as far as fourth pool in the future. Oberbeck said whenever this Committee or Council decides to move forward. Gisselman would need to see more of a plan on how this would proceed. Oberbeck reiterated that it was important to address the future needs of the City and he believes it should be explored in the same time frame as 2nd and 3rd pool development because it could all be phased together and now is the best time to borrow money in this investment for the future. Oberbeck, Mielke, Nutting voted yes. Brezinski and Gisselman voted no. Motion **carried** by voice vote. Vote reflected as 3-2.

Mielke gave the Chairmanship back to Oberbeck.

Project Update

Athletic Park Renovation – Knotek reported that the demolition of the existing grandstand is approximately 90% complete. Some repair will be required for the wall cap mostly due to deterioration and previous additions to the structure.

Clift left the meeting at 7:30pm

Stinchfield Creek – City Engineering is submitting the Chapter 30 permit to the DNR. Plans are being developed for the bridge over the creek.

Aquatic Facility Design Project – In the next week staff will be presented three preliminary options. Knotek will have more information available at the next meeting.

Future Agenda Items – 400 Block costs and revenues, Rivers Edge Trail

Next Regular Meeting – Monday, October 7th, 2013 at 5:00pm

Adjourn - **Motion** by Mielke, second by Nutting to adjourn the meeting at 7:40pm. Motion **carried** by voice vote. Vote reflected as 5-0.