

**JOINT STUDY SESSION
OF THE UNIVERSITY CITY COUNCIL
AND THE PARKS COMMISSION**
5th Floor of City Hall
6801 Delmar
August 12, 2019

AGENDA

Requested by the City Manager

1. MEETING CALLED TO ORDER

The Joint City Council Study Session was held in Council Chambers on the fifth floor of City Hall, on Monday, August 12, 2019. Mayor Terry Crow called the Study Session to order at 5:30 p.m.

In addition to the Mayor, the following members of Council and the Parks Commission were present:

Councilmember Steven McMahon
Councilmember Paulette Carr
Councilmember Jeffrey Hales
Councilmember Tim Cusick
Councilmember Stacy Clay
Councilmember Bwayne Smotherson

Commissioner Carl Hoagland
Commissioner Lisa Hummel
Commissioner Kevin Taylor
Commissioner Susan Schmalz

Also, in attendance was City Manager, Gregory Rose; City Attorney, John F. Mulligan Jr., and Director of Parks, Recreation, and Forestry, Darren Dunkle.

2. Park Commission Review

Mr. Rose stated as the Mayor and Council are aware, a review of all of the City's Boards, Commissions, and Committees, is a part of the 2019/2020 Work Plan. This Joint Study Session with the Parks Commission provides both parties with an opportunity to review the codes as it relates to this operation. And if anyone has questions during this presentation please do not hesitate to ask them.

Background:

- The Board consists of seven (7) members
- Three Year Terms
- President of Board Elected by Members
- The Board shall make and adopt rules for its own guidance as may be expedient, as long as they are not inconsistent with the City's Charter or Ordinances.

Powers:

- Survey and make plans for the maintenance of an adequate system of parks and recreational facilities and activities, and for the enlargement, improvement or acquisition of parks or recreational areas and activities and make recommendations, therefore; *(The Board has oversight of the Park Master Plan)*
- Approve rules and regulations for the administration of parks and recreation activities of the Department of Public Works and Parks and Community Development which will become effective upon council approval.

Mr. Rose stated the rules and regulations for the administration of activities has changed in that the City now has a Director of Parks & Recreation, and Community Development has been renamed Planning and Development. Both Council and the Commission will be notified once the Code has been updated to reflect these changes.

- Advise Council and the Director of Public Works and Parks on administration problems with parks;
- Make any investigation which it may consider desirable with reference to the administration of the parks and report to the Council at least once a year on its findings, conclusions, and recommendations.

Mr. Rose stated going forward; he anticipates that each Board, Commission, and Committee will be required to submit an annual report to the Mayor and Council that identifies current or projected activities to ensure that they are consistent with the Code and desires of Council.

- Review that portion of the annual budget of the City pertaining to parks and recreation in the Public Works, Parks and Community Development and make any recommendation directly to the City Manager and Council. *(Recommendations may also be made to the new Director of Parks & Recreation)*

Comment from Commissioner: Previous Council liaisons to the Park Commission advised members to go directly to the City Manager and bypass the Director. So are they now to understand that that has changed and the Commission should go through the Director of Parks & Recreation? Mr. Rose stated while the Code actually states that the Commission should go directly to the City Manager or Council, as a courtesy, he would ask that the Commission include the Director in this process because that is the individual he is most likely to consult whenever issues or concerns are raised.

Consideration of Ordinances:

- Ordinances pertaining to parks or the recreational facilities must be considered by the Commission before advancing to Council. The Commission has 30 days to consider and make a recommendation to council. *(Once this 30 day period has expired staff has the authority to move an item forward to the Mayor and Council for consideration.)*

Comment from Commissioner: Can you give us an example of where this would be applicable? Mr. Rose stated if the Mayor and Council decided that they would like to institute an Ordinance regarding specific rules for Parks & Recreation the Parks Commission would have 30 days to consider and make recommendations to that proposal before it is advanced to Council for their final consideration.

Comment from Commissioner: Is that pursuant to the Charter? Mr. Rose stated his belief is that all of these powers are contained in the Code. But keep in mind, that even though Council has approved the City's new organizational structure, staff has not completed their review and realignment of the Codes to make sure they are consistent with current operations.

Comment from Commissioner: Since Boards and Commissions are advisory in nature, I am having trouble understanding how the 30-day recommendation would apply to an Ordinance that Council has already approved? Mr. Rose stated the Commission has the ability to consider portions of the budget related to Parks and make their own separate recommendation. They may agree or disagree with the recommendation in total or only portions of it, but it is up to Council to make the final determination. Another example could be if Council decided they wanted to raise the fees for the Golf Course.

Mayor Crow stated in that example, staff would make the recommendation, submit it to the Parks Commission and then bring the Commission's recommendation to Council for consideration. Although, based on his experience, he would be the first to admit that this process has not always been followed.

Comment from Commissioner: I've been involved with Parks for 30 years, so that's exactly why I'm confused about this process. This particular consideration seems to imply that the recommendation would go from the City Manager to Council and fails to mention anything about the staff's role in this procedure.

Mr. Rose stated the assumption is that staff bought the Commission's recommendation to Council. But using that same example; fees for the Golf Course, staff has tentatively indicated to the Mayor and Council that there is a need to increase fees because they have not been modified for a significant period of time. So the Director of Parks & Recreation is currently evaluating how the City's fees compare to fees throughout the rest of the region. Once his evaluation is complete, the information will be submitted to the Parks Commission who will have 30 days to review it and make their recommendation to Council. Mr. Rose stated the objective is to ensure that each board or commission is involved in the decision-making process applicable to their area of expertise, and prevent the system from getting bogged down by allowing unlimited periods of time to make recommendations, which could ultimately hinder Council's ability to act in a timely fashion.

Comment from Commissioner: Perhaps my misunderstanding is premised on the wording, which states, "*Ordinances pertaining to parks or the recreational facilities must be considered by Commission before advancing to Council*" In my mind, the word "*Ordinance*" means that something has already been approved and adopted by Council.

Councilmember McMahan stated in this instance, the language is referring to a proposed or amended Ordinance, not one that has already been voted on. So, while it's inherent, it may not be clear that the process is meant to tie Council's hands until it is reviewed by the commission and there is always a free-flow of conversation and discussion.

Comment from Commissioner: In adhering to this 30-day schedule, will any consideration been given to the two months out of the year with the Parks Commission does not meet?

Mr. Rose stated staff tries to be sensitive to those time periods when boards and commissions go dark because their goal is to provide the optimum amount of time needed to consider any policy before it goes to Council.

Councilmember Hales stated there is never a scheduled meeting in August for the Traffic Commission. However, they have scheduled a special meeting to deal with some issues that came up this month that needed their immediate attention. So scheduling a special meeting is always an option.

Comment from Commissioner: Councilmember Hales' comment gets into standardization, but perhaps, that's one of the goals of these reviews; to achieve standardization across boards and commissions wherever possible so that policies and best practices like this one are universal.

Mr. Rose stated while both Council and staff understand that those nuances exist among its boards and commissions, the purpose for this initial review is simply to make sure everyone understands the meaning of the Codes and the expectations related to how each board, commission, and committee should operate. And if there are any questions or concerns related to those key take-a-ways all of the parties are at the table to address them.

Councilmember Clay stated to Councilmember McMahon's point related to Mr. Taylor's concern about the use of the word "*Ordinance*," is there an opportunity to perhaps, modify the language to clear it up a little bit?

Mr. Mulligan stated you have to read the word in context with the entire sentence, which talks about the intent; that the Commission should consider an item before it advances to Council; an Ordinance. Now, if you took that literally, that the Ordinance had already gone to Council, then there would be nothing to advance. So what the Code is describing is the legislative action that Council would take, which is an Ordinance. But before voting on that Ordinance it should go to the respective commission who is granted 30 days to conduct a review.

Mr. Mulligan stated while it could be reworded and referred to as a Bill, in all of his years of practice he does not think anyone has ever misinterpreted this policy. And a recent example of the interpretation and process to be followed occurred with the Dog Park. This was an Ordinance that impacted the activities of the City that was presented to the Parks Commission in May for a recommendation, and that recommendation was reviewed by Council prior to taking a vote.

Mr. Rose stated hopefully, everyone is aware that staff is currently working on drafting rules for the Dog Park with the goal of moving that item forward, but if there are any questions, he could ask Mr. Dunkle; who can provide a more in-depth update, to address them.

Councilmember Smotherson stated for as long as he can remember, at the beginning of each spring, dirt is dumped on to each baseball field and eventually leveled out. So he is interested in hearing about why grass has been on all of the City's baseball fields for the entire summer.

Mr. Dunkle stated one of the problems is that the City has experienced one of the wettest springs than it has in a number of years.

So, while the practice has not changed, staff spent the dry days trying to mow, but the infields were too wet to complete without tearing them up. He stated although they are certainly not in the condition he would like them to be in, staff has started spraying the infields to kill the grass, done some dragging, and is moving forward to take care of as many issues as possible. More work will be performed later this summer and fall because the best time to pour all of the dirt is in the fall.

Mr. Rose stated one discussion he and Mr. Dunkle plan to have with Council and the Parks Commission, is the level of service both entities would like to see performed on the City's parks; i.e., pro standards or something less? Because gaining an understanding of your expectations impacts the type of maintenance staff will be required to perform and the type of equipment that may be needed to perform those tasks. Mr. Rose stated one concept he would like to explore is installing the type of equipment in the parks most visited by families that allow children to learn while they play. His belief is that the City should increase its level of service at various parks. And while he is working with Mr. Dunkle to identify the best approach for doing that, he also thinks this is an important discussion to have with everyone.

Comment from Commissioner: This is just one Commissioner's perspective. Fair U City has always been supported at a higher level, i.e., Council and the City Manager. And even though the Commission has a special event's policy, that policy has never been utilized by the Fair and has never had any say in the matter. So when a group, led by Linda Shaw, came to the Commission seeking guidance, there was nothing they could do. Yet, the Commission was bad-mouthed about its lack of cooperation, which Fair U City attributed to all of the delays. I think the way this event was handled was horrible because the Parks Commission got dumped on, and that resulted in a negative experience for its members.

Secondly, as representatives of the City, sometimes the Commission may need a longer period of time to digest an issue before making a recommendation. The Commission and this administration knew about People for Dog's desire to transition the park for months before it was finally submitted to the Commission for review. And the fact that the Commission was asked to make a snap decision in two weeks, without the opportunity to review policies or debrief the current users, created some internal disagreements about how the issue was handled. As someone who believes in transparency and openness, some agreements were made that in his opinion, did not receive a full discussion by the Commission; especially with regards to building a pavilion with naming rights.

The City's parks have a special meaning for me because after moving here in '68 these were the parks I played in that provided me with a scholarship to go to college. We address ourselves as leaders, yet, we have athletic facilities that are simply not up to par. So when we talk about the City's parks, that's the type of investments we need to make in this community. Considerations given to anything other than premier; in his opinion, is not what U City does. Therefore, he thinks these are some of the things that should be taken to heart.

Mr. Rose stated while some of the issues identified are certainly worth taking a closer look at, his belief is that they require a broader discussion among the Commission as a whole, to determine their perspective.

Comment from Commissioner: Well, the Commission certainly has its own internal disagreements. But I'm an outspoken person and prior to Darren's arrival; I submitted several items to be placed on the agenda, one of which was a 30/60/90 day plan for park maintenance. Just like we know Christmas comes every year on the 25th, we knew that baseball season comes every year. So what are our plans? The City added dirt to the field at Metcalfe Park, which is never used, and now it has become a grass field.

Mr. Rose stated tonight's discussion was designed to talk about how the Commission operates as it relates to the Code and the Mayor and Council's expectations. So while he certainly believes that all of the issues being raised are important, staff is not prepared to discuss them at this point in time.

Comment from Commissioner: Can you discuss the financials and the budget? Mr. Rose stated there will be an opportunity to talk about the budgeting process, but his hope is that the Commission will present any items they would like to discuss to Mr. Dunkle so that the two of them will have ample time to prepare and provide a meaningful discussion.

Comment from Commissioner: I think everyone should know that the Commission was scheduled to have three meetings with Fair U City. The first meeting they did not show up and at the second meeting, the Commission affirmed its belief that Fair U City was a good thing for the community, but as his colleague pointed out, the proper forms needed to make a decision were never submitted. Which, based on his understanding, was something Fair U City had never been required to do.

The Commission is currently working with Mr. Dunkle to examine the fee structure at the Golf Course and anticipates making a recommendation sometime in the near future.

Lastly, I would like to say that I was very pleased with the staff and Council's response to the recommendations put forward by the Commission last year. More things were passed than I ever believed would be, and I am pleased to see them moving forward. The Commission will be back with more recommendations with the modus operandi of taking guidance from Mr. Dunkle. The Commission has been without a director for a long time, so it feels good to have someone that can make sure we're going in the right direction.

Comment from Commissioner: Something that is constantly discussed in our meetings is the need for clarification about how the Enterprise Fund for the Golf Course has been set-up; how much money is in the account; how it can be accessed, and what the Commission can do with the money. So can we even ask about the Enterprise or Parks & Stormwater Funds tonight, because we have never been provided any information?

Mayor Crow informed the Commission that in spite of the fact that Council does not have access to those funds, and priorities for the use of this money come through the Commission, control of the final purse strings rests with Council.

Comment from Commissioner: While I understand that point, what I'm asking is whether Council is even aware of the Commission's dilemma?

Mayor Crow stated if the majority of the Commission has a request for the Director of Finance to attend one of their meetings he is positive that the City Manager would make him available.

Since U City is a city known for its parks, he believes that the folks on this Commission are probably on the penultimate commission. The work that all of you do month after month, touches almost every family that lives here, in one way or another. Mayor Crow stated that tonight, Council's agenda has about eighteen budget items, of which seven were derived from this Commission. So that should speak pretty highly for the work that all of you do. Of course, we can always do better, but on behalf of his colleagues, he would like to thank each and every member of this Commission for giving their time back to this community.

Comment from Commissioner: Is there anything that we are not already doing that Council or staff would like to see us focus on?

Councilmember McMahon stated based on the time he's spent as the liaison for the Parks Commission he believes the Commission is doing a great job. The process the Commission went through to put together its packet of proposals and guidance to Council and staff was extremely valuable to see. So while he understands that sometimes there will be issues associated with receiving the right amount of communication so that the Commission is comfortable making these decisions, please remember that that's what he is there for. This Council wants you to be successful, so don't be shy about asking him to help with whatever is needed.

Councilmember Smotherson stated one request he would make is for the Commission to give consideration to relocating some of the handicap parking spaces at Heman Park. To date, there are no handicapped parking spaces located close to where many of the events are being held, so if they could be moved closer he's sure that would be truly appreciated by those in need.

Comment from Commissioner: My church, Holy Communion, puts up temporary handicap parking signs, so perhaps, that's something that could be done during these events.

Mr. Rose stated there has been an eight to ten-year gap since the area of parks & recreation has had a director. And in his opinion, the City is very fortunate to have Mr. Dunkle, who has a significant amount of experience in this profession. So while there may be a tendency for the Commission to continue directing their communications to his staff, he would strongly encourage members to keep Mr. Dunkle involved in the process.

3. Adjournment

Mayor Crow thanked everyone for coming out this evening and adjourned the Joint Study Session at 6:10 p.m.

LaRette Reese
City Clerk

