

AGENDA
CITY OF BROOKINGS
PARKS AND RECREATION COMMISSION MEETING
Council Chamber - 898 Elk Drive
April 22, 2010 - 7:00 pm

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. PUBLIC APPEARANCES**
- V. REGULAR AGENDA**
 - A. Park Regulations
 - B. Little League Storage Building Relocation
 - C. Park & Recreation District Formation
- VI. INFORMATION UPDATES/DISCUSSION ITEMS**
 - D. Lower Stout Park – Commissioner Parrish
 - E. Bankus Park Rehabilitation – Chair Brown
- VII. COMMISSIONER REPORTS/COMMENTS**
- VIII. STAFF REPORTS**
- IX. ADJOURNMENT**
 - A. Next meeting May 27th, 2010

MINUTES
BROOKINGS PARKS AND RECREATION COMMISSION
March 25, 2010

CALL TO ORDER

Chair Brown called the meeting to order at 7:00 pm followed by the Pledge of Allegiance.

ROLL CALL

Present: Commissioners Tony Baron, Tony Parrish, Don Vilelle, Chair Patt Brown

Also present: City Manager Gary Milliman

APPROVAL OF MINUTES

- A. **Motion made by Commissioner Vilelle to approve the minutes of March 4, 2010 as written; motion seconded and Commission voted; the motion carried unanimously.**
- B. **Motion made by Commissioner Parrish to approve the minutes of March 17, 2010 as written; motion seconded and Commission voted; the motion carried unanimously.**

PUBLIC APPEARANCES

None

REGULAR AGENDA

A. *Parks & Recreation District Formation* – City Manager Gary Milliman advised that the City Council expressed interest in finding a way to defer a portion of the operating and maintenance costs of the city parks to include residents of unincorporated areas. One of the priorities for City Council this year is to look into the formation of a Park & Recreation District. Preliminary work into forming a district has been researched. Several alternatives include:

1. Form a stand alone Park and Recreation District with an elected board of directors, its own budget, its own staff, would either own or lease facilities for conducting the program and it would have its own tax rate.
2. Form a county service area with boundaries determined by the county commissioners, then levy a tax rate within that area to support the operation of parks by simply contracting with the City to operate the Park & Recreation system providing revenue for the tax district in the unincorporated areas to supplement what the City is spending in Parks and Recreation.
3. Utilize an existing special district and approach that district about the possibility of incorporating Parks and Recreation as part of their district function and establish an additional tax rate for that district to fund the Parks and Recreation operations.

Before choosing any alternative many steps of how district is formed and elements to be included need to be determined. Need to have a Plan of Services that includes:

- a. Budget -- what is the proposed revenue of district/expenditure of district. Including personnel costs, supplies, services....,
- b. Facilities – which City Parks, does it include leasing and maintaining athletic fields, city pool, new parks in unincorporated areas, new facilities that come out of the Parks Master Plan, what are the facilities that would be maintained and who would own them, lease them, what kinds of relationships would occur. Need to look at what the facilities are and come up with a plan for maintaining them, identifying personnel, equipment and supplies necessary to maintain parks entity. Who's going to manage the facilities, manages the schedule for park use, would it include recreation program like KASPER or Is the district going to be the programming agency of all the parks use. Incorporation of the school fields
- c. Boundaries – what are the boundaries, where are the boundaries,
- d. Tax Rate - then need to come up with a proposed tax rate. All becomes the Plan of Services that is submitted to County Commissioners. The Commission can approve the formation of a district, but do not have the authority.... Goes to ballot to set the tax rate.

Stakeholders – include Azalea Park Foundation,

Process needs to start with Parks and Recreation proposing

Develop a stakeholders list

COMMISSIONER REPORTS/COMMENTS

Commissioner Baron
Commissioner Parrish
Commissioner Vilelle
Chair Brown

STAFF REPORTS

A. City Manager Gary Milliman

ADJOURNMENT

With no further business before the Commission, the meeting adjourned at 7:56 pm. Next meeting scheduled for April 22, 2010.

Respectfully submitted,

Patt Brown, Chair
(approved at April 22, 2010 meeting)

CITY OF BROOKINGS
PARKS & RECREATION COMMISSION
AGENDA REPORT

Meeting Date: April 22, 2010

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Park Regulations

Background/Discussion:

The City Council has requested that the Commission develop draft regulations for all parks for adoption as an Ordinance.

The City has existing ordinances regulating activities at the skatepark, establishing park hours, prohibiting alcoholic beverages and, most recently, regulating dogs at Easy Manor Park and Kidtown.

The City's Park Use Application contains a list of "Rules and Regulations," many of which are unenforceable as a matter of law. Current enforcement would be by denial of future permits.

Regulations that the Commission may wish to consider having codified into law by ordinance, making violations a misdemeanor, might include the following item numbers from the attached list: 1, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15 + item 17: the amplified music provision at Bankus Park. The ordinance should also require an approved Park Use Permit for conducting organized activities in the parks.

Staff notes that some cities have recently adopted regulations prohibiting smoking in public parks. This is currently not regulated in Brookings.

**Chapter 12.25
PUBLIC PARKS AND RECREATIONAL AREAS**

Sections:

- 12.25.010 City-owned public parks and city-owned public recreational areas hours.
- 12.25.015 Dogs prohibited in Easy Manor Park.
- 12.25.016 Dogs prohibited in Kidtown playground at Azalea Park.
- 12.25.020 Exceptions.
- 12.25.030 Penalties.

12.25.010 City-owned public parks and city-owned public recreational areas hours.

Except as provided in BMC 12.25.020, all city-owned public parks and city-owned public recreational areas located within the city of Brookings shall be open for use by the public from one-half hour prior to sunrise to one-half hour past sunset. [Ord. 94-O-505 § 1.]

12.25.015 Dogs prohibited in Easy Manor Park.

Dogs are prohibited in Easy Manor Park, except for dog guides as defined in ORS 346.610. [Ord. 10-O-662 § 2.]

12.25.016 Dogs prohibited in Kidtown playground at Azalea Park.

Dogs are prohibited in Kidtown playground at Azalea Park, except for dog guides as defined in ORS 346.610. [Ord. 10-O-664 § 2.]

12.25.020 Exceptions.

The city manager may, upon prior application, permit use of a city-owned public park or city-owned public recreational area at times other than the times that the premises are open for use by the public. [Ord. 94-O-505 § 2.]

12.25.030 Penalties.

Unless otherwise provided in this chapter, any violation of the provisions of this chapter shall, upon conviction thereof, be punished pursuant to Chapter 1.05 BMC, General Penalty. [Ord. 10-O-662 § 2; Ord. 94-O-505 § 3.]

Chapter 12.40
ALCOHOL PROHIBITED ON PUBLIC PREMISES

Sections:

- 12.40.010 Alcohol prohibited on public premises.
- 12.40.020 Alcohol defined.
- 12.40.030 Public premises defined.
- 12.40.040 Penalties and fines.

12.40.010 Alcohol prohibited on public premises.

It shall be unlawful for any person to drink, consume, transport, carry, or possess any alcoholic beverage, except in the original package with the seal unbroken, on any public premises. [Ord. 08-O-618 § 2.]

12.40.020 Alcohol defined.

The term "alcoholic beverage," as used in this chapter, shall be construed to mean and include any liquid intended for human consumption containing more than one-half of one percent by volume of alcohol. [Ord. 08-O-618 § 3.]

12.40.030 Public premises defined.

For the purpose of this chapter, "public premises" shall include city parks, city buildings, city parking lots, and other premises under the control of the city, but shall not include public highways. [Ord. 08-O-618 § 4.]

12.40.040 Penalties and fines.

Any person violating any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$500.00. [Ord. 08-O-618 § 5.]

This page of the Brookings Municipal Code is current through Ordinance 10-O-665, passed April 12, 2010.

Disclaimer: The City Recorder's Office has the official version of the Brookings Municipal Code. Users should contact the City Recorder's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.brookings.or.us/> (<http://www.brookings.or.us/>)

Code Publishing Company
(<http://www.codepublishing.com/>)

RULES AND REGULATIONS BROOKINGS CITY PARKS

898 Elk Drive, Brookings, OR (541) 469-1103 Fax (541) 469-3650



1. An approved PARK USE APPLICATION PERMIT is required by all groups using city parks for performances or public gatherings. Applications will be considered for approval on a *first-come, first-served* basis. ANNUAL USES, such as those sponsored by the Azalea Festival and American Music Festival shall not be displaced.
2. PARK HOURS are 30 minutes before sunrise to 30 minutes after sunset, unless otherwise permitted. All performances or activities shall cease at the stage area **by sunset**.
3. PERMITS/LICENSES: Obtaining necessary permits and/or licenses is the *applicant's responsibility*. SELLING & SOLICITING must comply with City business regulations.
4. ALCOHOLIC BEVERAGES: It is **unlawful** for any person to drink, consume, transport, carry, or possess any alcoholic beverage, except in the original package with the seal unbroken, *on any public premises*.
5. CAMPING/PARKING: Camping is **not** allowed in any park area and **parking is allowed only in designated areas**.
6. AMPLIFIERS/MUSIC: Amplified sound and/or music **shall be at a level such that it is contained** within the immediate area, subject to the City Noise Ordinance.
7. CLEAN-UP/TRASH REMOVAL: **Clean-up and removal of trash is required** after *any event*.
8. SIGNS may **NOT** be attached to *any* city street sign posts or trees. TEMPORARY SIGNS may be posted or displayed in the parks with prior **City Manager approval** only. All signs *must be removed* within two hours of an event's conclusion.
9. PETS must be **leashed** at all times and their droppings *removed*.
10. MOTOR VEHICLES, MOTORCYCLES AND STOCK ANIMALS are **not allowed** within any park, except for the purpose of set-up, tear-down, event security or by permit, *as applicable*.
11. FIRES may be built only in **designated picnic areas**. Fires in park areas *shall be confined* to camp stoves or fireplaces provided for such purposes, such as portable stoves and barbeques. No fire shall be left unattended or be permitted to cause damage to park facilities or areas. Every fire shall be extinguished with **no hot coals remaining** before its users leave the park area.
12. FIREARMS, FIREWORKS or EXPOSIVES are **not permitted** in the park.
13. BICYCLES, SKATEBOARDS, SKATES or ROLLER BLADES are **not permitted** except in *designated* park areas.
14. RICE/SEEDS: Throwing of rice or seeds *of any kind*, including bird seed, is **prohibited**.
15. PARK DAMAGE: Damage to, or removal of, any park vegetation is **prohibited**. No park facility structure, equipment or furniture shall be modified or painted *in any manner*.
16. CONFLICTS IN USE: Uses that are in conflict with uses already approved shall **not** be allowed. For example, a food concession at the Azalea Park bandshell/stage area shall not be permitted if approval has already been granted for use of the Concession Stand for the *same date and time*.
17. SPECIAL REGULATIONS FOR SPECIFIC PARKS OR PARK AREAS:
 - ✗ BANKUS PARK. Approval *must be obtained* from Ray's Market for any activity that will extend into the private parking lot. **No amplified sound** shall be permitted. Use of said park shall be **limited** to single-day events, *unless otherwise approved* by the Parks and Recreation Commission.
 - KIDTOWN: The Kidtown playground area of Azalea Park may **not** be reserved for private or public events.
 - SOFTBALL/SOCCER FIELDS: Only **City-approved** sports groups and associations may reserve the softball/soccer fields.
- Specific parks or park areas may have *additional restrictions and limitations* as to the types of event and/or number of allowable participants. The City Manager will notify applicants of any such restrictions or limitations.
18. All applicable federal, state and local laws, regulations and ordinances will be enforced. Violators of these will be required to leave the park and may be subject to other penalties. Failure to comply with the rules and regulations shall result in the immediate revocation of the park use permit. Organizations violating any rule, regulation or condition of the park use permit shall be suspended from the use of all city parks for a period of 12 months.

THE CITY OF BROOKINGS IS NOT RESPONSIBLE FOR DAMAGE TO, OR THEFT OF, PERSONAL PROPERTY WITHIN PARK AREAS. ALL PARK VISITORS USE PARK FACILITIES AND PARK AREAS AT THEIR OWN RISK.

KIDTOWN

PLAYGROUND

WELCOME

EVERYONE WHO FOLLOWS THE
RULES IS ALLOWED TO PLAY. ADULT SUPERVISION
IS ENCOURAGED WHILE CHILDREN ARE AT PLAY.

1.) SLIDES ARE MADE FOR SLIDING, NOT JUMPING.

2.) TREAT EVERYONE THE WAY YOU
WANT TO BE TREATED.

3.) RESPECT ONE ANOTHER AND
ONE ANOTHERS PLAY SPACE.

4.) LETS TAKE TURNS.

5.) LETS KEEP IT CLEAN,

AND PUT TRASH WHERE IT BELONGS.

6.) PLEASE REFRAIN FROM IMPROPER LANGUAGE.

7.) NO SMOKING

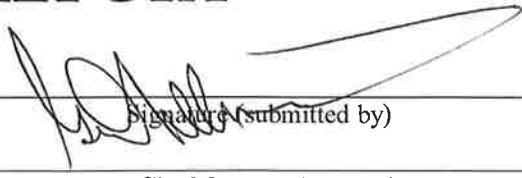
8.) MOST IMPORTANTLY PLEASE RESPECT
PLAYGROUND AND ITS EQUIPMENT!

9.) HAVE FUN. 10.) DAY USE ONLY.

CITY OF BROOKINGS
PARKS & RECREATION COMMISSION
AGENDA REPORT

Meeting Date: April 22, 2010

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Little League Storage Building Relocation

Background/Discussion:

Daryn Farmer will be present to discuss a proposed relocation/reconstruction of the Little League storage building at Bud Cross Park.

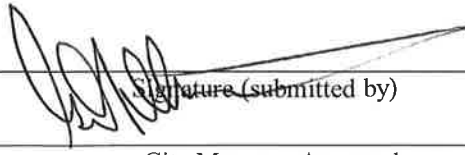
CITY OF BROOKINGS

PARKS & RECREATION COMMISSION

AGENDA REPORT

Meeting Date: April 22, 2010

Originating Dept: City Manager



Signature (submitted by)

City Manager Approval

Subject: Park and Recreation District Formation

Background/Discussion:

The attached was sent on April 8 to the agencies listed in the first paragraph inviting them to participate in a meeting with the Commission to initiate discussion on the possible formation of a Parks and Recreation District.

As of this writing, we have not been contacted by any of the parties. City staff will make a follow-up telephone contact on April 19 with each of the agencies.

Staff was contacted on April 14 by Tim Stadleman concerning the development of a children's park in the Harbor area. Stadleman was referred to the City by the Port District who had advised him that the City was forming a parks district. Stadleman represents a private donor who is willing to contribute \$50,000 or more to the development of a children's park in the Harbor area. Staff advised Stadleman that we would keep him advised on the progress in this matter.

Staff is requesting that Commissioners identify several alternative dates and times for the above referenced meeting.



City of Brookings

898 Elk Drive, Brookings, OR 97415

(541) 469-1100 Fax (541) 469-3650 TTL (800) 735-1232

gmilliman@brookings.or.us

GARY MILLIMAN

City Manager

Credentialed City Manager

International City Management Association

April 8, 2010

Brian Hodge
Brookings Harbor School District
629 Easy Street
Brookings, OR 97415

The purpose of this letter is to invite the Brookings Harbor School District, Brookings Harbor Port District, Chetco Library District, Oregon Department of Parks & Recreation and Curry County to participate in a workshop with the City of Brookings Parks and Recreation Commission to discuss the concept of formation of a parks and recreation district.

At the direction of the City Council, the Commission is in the early stages of discussing the parks and recreation district concept. At this time, we are broadening the discussion to include representatives of local public agencies that may have an interest in this matter. Additional stakeholders will be invited as the matter is considered further.

We are interested in hearing from you concerning the following:

1. Does your agency currently own, operate and/or maintain properties or facilities that are used for public recreation purposes? If so, provide a location for these properties; for what purposes are they used; what is the cost of operating/maintaining these properties?
2. Does your agency currently own property or facilities that could be developed for public recreation purposes, including sports fields, playgrounds, event fields or other purposes? Is your agency interested in participating with other agencies in developing these properties for public recreation purposes?
3. What do you see as the parks and recreation deficiencies in our area?
4. Would your agency be willing to consider relinquishing management control over any properties owned by your agency to a public parks and recreation district?

Please contact me concerning this matter at your earliest convenience so that we may schedule a meeting of the public agency stakeholders.

Sincerely,

Gary Milliman
City Manager

April 2, 2010

Stout Park Beautification
City of Brookings
898 Elk Drive
Brookings, OR 97415

Dear Committee Members & Staff:

This is a request for a refund for our \$100 donation to the Stout Park Beautification project fund.

In fact, we're wondering why, when the Plan "A" design was abandoned, all donors weren't automatically given refunds. After all, the monies donated were given for a particular design, one that was clearly described with models, illustrations, brochures, posters, and in many one-on-one and group presentations. Any major deviation from this design could be considered a breach of faith, if not a breach of contract.

What's more, there's no illustration of Plan "B" provided for comparison, only vague descriptions of "a more natural water feature and landscape" and "trees & shrubs that are suited to our climate, along with grasses and bulbs to add seasonal color."

What will donors really get for their money? And what's the cost of Plan "B"? Despite the letter's reference to "unknown costs" for Plan "A", at least that plan included a conceptual estimate.

Then there's the general statement about "contractors and volunteers donating their time." What contractors are donating? Exactly what are they donating? Only in the third paragraph, after lots of broad generalities, does the letter get specific and forthright, finally acknowledging that "the vision has changed" and that donors are getting "an opportunity to request a refund." Why was this refund offer buried in the body of the letter?

If Plan "B" really is so popular, then let it stand on its own, not on the fundraising done for something completely different. Give every donor a refund and let the hypothetical supporters of the amorphous Plan "B" prove it with donations for that plan.

Sincerely,



Pete Chasar

cc:

Gary Milliman

Parks & Recreation Comm.


Diana Chasar

FYI