

A workshop meeting of the City Commission was held on October 2, 2012 at 5:00 p.m. in the Commission Chamber at the Municipal Administration Building. The meeting was called to order by Mayor Michael S. Carter.

COMMISSIONERS PRESENT: Christopher Lutton; Betty Wojcik; Jonathan Thornhill;; Mayor Michael S. Carter;

COMMISSIONERS ABSENT: Terry Y. Howell arrived at 5:01 p.m.

CITY REPRESENTATIVES PRESENT: Terry Leary, City Manager; Clara VanBlargan, City Clerk, Jacquie Hawkins, Deputy City Clerk

[Meetings are recorded but not transcribed verbatim]

Agenda Item 2. Discussion – Parks & Recreation Facilities

The full staff memo is incorporated into the minutes.

[Begin city manager agenda memo]

TO: Mayor and Commission

FROM: Terry Leary, City Manager

DATE: September 19, 2012

A few weeks ago I provided you with a memo concerning the ball fields within the City. Now that we are past the Budget approvals, this workshop is being held for the purpose of receiving clear direction to staff on how to enforce and interpret Chapter 18 of the Lake Wales City Code.

The cost to the City for maintenance, utilities, insurance, etc. of parks and recreational facilities is close to \$1 million dollars per year. I am attaching a breakdown, by facility, of our annual cost. We also have 2 dedicated employees at the Austin Center and the Multi-Recreational.

Complex

Recreation facilities are a quality of life issue in all communities. Lake Wales is no different and it makes a community a better place to live. It is a necessary cost to the taxpayers. In researching the files, I have found countless memos from staff proposing ways to make our facilities better and attempts to offset some of the costs by charging reasonable fees for their use.

Chapter #18 of the Code deals with Parks, recreation and community facilities and calls for fees where appropriate. The concern among staff is that not everyone abides by the rules or in some cases, assumes they are exempt. If the Code needs to be changed, then so be it. We are looking for that direction from you tonight in order to eliminate any further confusion.

Answers to the specific questions below would be most helpful.

PURPOSE OF WORKSHOP

Review of Chapter #18 Article V, Sections 18-71 through 18-182 of the Lake Wales Code which pertains to Parks, Recreation, and other Community Facilities. (attached)

Specific Sections

- Section 18-137, League use.
- Section 18-161, Negotiated agreements for recurring use. Is the Commission willing to invoke this?
- Does Little League need to pay the \$4 per participant fee? This has never been paid even though it is part of their agreement since 2006.

Review of Multi-Purpose Soccer Complex Interlocal Agreement between Polk County and the City of Lake Wales (attached). Provides that complex is open to all County residents.

- How does Chapter 18 affect the Lake Wales Soccer Club?
- Do they need to pay the \$4 per participant per season?
- Do they need to have insurance with a minimum limit of \$1million dollars?
(no insurance certificate has ever been provided)
- Do they need to have an agreement (such as the Little League Agreement with the City)

There is a draft agreement dated 2009 in the files that was never approved or implemented.

Albert Kirkland Gymnasium

- Review of existing contract for Management Services of the Gym between City of Lake Wales and the Citrus Center Boys and Girls Clubs, Inc. (attached)
- Should the gym be made available to outside groups such as Warner College, Bok Charter School, etc?

Appropriate staff will be present at the workshop in order to provide you with historical as well as current experience with the recreational functions. I have also contacted representatives from Little League, Soccer Club and Boys and Girls Club to inform them of this workshop and invite them to attend.

Survey of Rental Fees 2012

Park Rentals

Lake Wales City Deposit Rental Fee \$28 (w) \$108.75 (nw) \$6.00 /hr (w) \$21.00/hr (nw)
Bartow none \$30.00 per day
Winter Haven \$100 \$64/dy® \$76(NR)
Auburndale none first come first serve
Haines City \$200 \$100(R)\$150(NR)
Eagle Lake no facilities no facilities
Fort Meade \$20 \$18/half dy or \$30/dy
Frostproof \$50 none
Polk County none \$75 for 4hrs(\$15/hr after)
w- city water R - Resident
nw - no water NR-non resident

Gazebo/Pier Rental

City Deposit Rental Fee Lake Wales \$28 (w) \$108.75 (nw) \$6.00 /hr (w) \$21.00/hr(nw)
Bartow no facility no facility
Winter Haven none \$62/dy(R)\$74/dy(NR)
Auburndale none \$125/dy(R) \$150/dy(NR)
Haines City none \$25/hr(R) \$60/hr(NR)
Eagle Lake no facility no facility
Fort Meade no facility no facility
Frostproof no facility no facility
Davenport no facility no facility

Community Center

Lake Wales City Deposit Rental Fee Kitchen Rental fee Police Officers (alcohol) Staff Charge \$157(w) \$544.00 (nw) \$125.50(w)\$544(nw) \$62.50(w)\$163(nw) \$35/hr/officer \$16.00 per hr.
Bartow \$500.00 \$270(R)\$468(NR) none \$25.00 per hr for 2 offic none
Winter Haven \$200.00 \$53/hr(R)\$63/hr(NR) \$30.75 per day \$20.00/hr 1 officer for 100 people none
Auburndale \$200 \$240.75(R)\$300.67(NR) none \$30/hr for each officer \$25.00/hr
Haines City \$200(n.a.) \$700 (wa) \$300(R)500(NR) none \$25/ hr per each officer none
Eagle Lake \$125(in) \$175(out) \$134(R)\$188(NR) no facilities no alcohol none
Fort Meade \$100 \$25/hr no facilities no alcohol none
Frostproof no facilities no facilities no facilities no facilities no facilities
Davenport \$100 \$175.00 no facilities no alcohol none n.a. - no alcohol wa - with alcohol

Tourist Club or Clubhouse

Lake Wales City Deposit Rental Fee \$94.25(w)\$326.50(nw) \$62(w)\$544(nw)
Bartow \$250.00 \$120(R)\$240(NR)
Winter Haven \$100 \$21/hr(R)\$26/hr(NR)
Auburndale \$133.75(in)\$166.92(out) \$125(R)\$156(NR)
Haines City no facility
Eagle Lake \$50(R)\$75(NR) \$103.50(R)\$155(NR)
Fort Meade no facility
Frostproof no facility
Davenport no facility

Ball Fields

Lake Wales City Damage Deposit Rate per day Leagues Charge for lights Staff/Maint Charge \$62(in) \$108.75(out) \$62/field/dy(in) \$163.00(out) \$4./team member/season \$15.50 flat fee \$16.00 flat fee
Bartow none *\$60/field/dy(inside) \$85 (out) \$4/member(under contract) \$15.00 per hour
Winter Haven none \$50 per field per dy(In and out) \$350/League \$25.00 per hr \$25 per hr
Auburndale none \$70 per field per day \$335/League \$20.00 per hr \$400 flat fee
Haines City no deposit \$100 per day Contracted Leagues Only \$20.00 per hour \$25.00 per hr.
Eagle Lake no facilities no facilities no facilities n/a n/a
Frostproof none first come first serve \$100 per team per season only for special events none
Davenport none none \$250 per team/season n/a n/a
Avon Park no facilities no facilities no facilities n/a
Fort Meade no facilities no facilities no facilities
Polk County \$70.00 \$12.50/hr. \$6.00 per member \$12.50/hr \$25/hour

Note: All Leagues must have insurance

[End city manager agenda memo]

[Meetings are recorded but not transcribed verbatim.]

City Manager Terry Leary reviewed Agenda Item 1.

The following points were made during the discussion that followed.

A. **DEFINITIONS:**

Recreation Facility: building, structure, field, court or park which has organized recreational activity for teams and individuals, or which provides active facility sites for unorganized leisure play. Recreation facilities includes but is not limited to ball fields, tennis courts, shuffleboard courts, playgrounds and the Albert Kirkland Gymnasium.

Reoccurring use: repeated use of a specific facility on a regularly scheduled basis, examples: leagues, organized play, and monthly meetings, etc.

B. **CITY FIELDS**

Organized Groups Identified in the Meeting as those using City Fields

Little League Fields

- Lake Wales Little League
- Challenger Baseball Leagues
- AAU (Amateur Athletic Union)
- Whiffle Ball Association
- NSA League (National Softball Association)
- ISA (Independent Softball Association)

Multipurpose Complex

- Lake Wales Soccer Leagues

Kiwanis Park

- Gator Football League
- Lake Wales Cheerleaders
- Steelers Football League
- Saturday and Sunday "Pick-up Soccer"

Multi-purpose Complex

- Lake Wales Soccer Leagues
- County tournaments

Problems with Collecting Fees:

- Getting an accurate list of all the groups that use the fields.
- Getting names and contact information of those using the fields

C. **GYMNASIUM**

Leagues that want to use the Gym or are using it Now

- The Boys and Girls Club
- Bok Academy
- Private Schools
- Public Schools

D. **OTHER CITY FACILITIES**

Tennis Courts – A Senior Citizens group plays every Tuesday morning with no proof of insurance and no user fees

Lake Wailes – The PRAM Fleet have two seasons a year at Lake Wailes with no proof of insurance and no user fees.

E. **FEES:**

LEAGUE FEES:

Presently Paying the \$4 per Player Fee:

- Northwest Complex Field Leagues

Do Not Pay the \$4 per Player Fee:

- Lake Wales Little League
- Soccer Leagues
- Gator Football
- Lake Wales Cheerleaders
- Steelers
- Saturday and Sunday "Pick-up Soccer"
- AAU
- NSA

Seasonal League Fees: Most league members require seasonal registration fees and if players are required to pay the City fee, the Leagues will pass that cost on to the players.

Options:

- Waive the requirement for all users because it is a quality of life issue and citizens pay taxes for recreation. Change the ordinance accordingly.
- Enforce the ordinance equally for **all league** users because the \$4 charge is not unreasonable, though it only makes a dent in the total cost of facility maintenance. It would have to be on an honor system because there is no one to monitor if all players are listed by the leagues. Change the ordinance to exclude unorganized groups.
- Enforce the ordinance and have all groups that regularly use the facilities, both organized and unorganized, pay the fee, though it will be hard to identify all of them and get contact information.
- Charge a flat seasonal charge per team instead of \$4 an individual player.

LIGHT USAGE FEES:

Soccer Leagues: Until recently the Soccer Club has had control over the lights. That was changed to being controlled by computer program so the City could have better control over the lights.

Northwest Complex Leagues: The lights at the Northwest Complex are on timers and users pay a light fee.

Tennis Courts: The lights are on a one hour timer accessible to users with no charge, though they need to be checked because complaints have been made that they are running in the middle of the night when no one is there.

Little Leagues: The limit for usage for Little League lights is so high that there is no incentive for them to conserve and there have been times that the lights have been left on when they leave. Little League Manager Jim Maggard has been put in charge of making sure the lights are out and there have been no further issues. There is no evidence that they are using the lights excessively.

F. INSURANCE

Soccer Leagues: An agreement was originally drafted with the Lake Wales Soccer Club but nothing was formalized or implemented. They have not submitted a certificate of insurance.

Minimum: At a bare minimum, all regularly scheduled users of fields, parks, gym, tennis courts and lakes need to follow the same policy of providing proof of insurance so the City is not left liable if someone is hurt.

City Liability Insurance: People who use city parks, fields, and gym from time to time and not on a regularly scheduled basis are covered by city liability insurance.

G. PUBLIC COMMENT:

Jim Maggard, 811 Carlton Avenue, Little League President, made the following comments:

- The Little League organization is 700 children strong, which nearly doubled in a few years and is expected to be 1,000 in the next few years. It is a volunteer run organization with members donating hundreds of hours.
- The organization has no objection to paying the \$4 city league fee as long as everyone else pays, and if so, the cost will be passed on to the parents.
- Their organizational fee is \$50 per child which covers the uniform and 60-20 games a season.
- Fields and bathrooms are not locked when leagues are not there and a lot of vandalism and damages have been done to the fields, fences, bathrooms and concession stands by those using the fields to play on to throw Frisbees, etc., vehicles have been driven on the fields, and bottles, cans and other litter have been left scattered around that he and volunteers have to pick up. Mr. Maggard said he has to pay for the damages out of the contract money given by the City to maintain the fields. More damage is done during the six months the league doesn't use the fields than when it is in season.
- **Possible Solutions:**
 - Mr. Maggard said if the Little League has to pay the \$4 fee, he feels that the other people using the field should also have to pay the fee.
 - Little League should be able to lock the field entrance, or lock at least access to the bathrooms.
 - Mr. Maggard said he would like a sign put up with rules and a list of consequences if they damage anything. That way if some group damages the fields or leaves it a mess he can report it to the police department.

H. COMMENTS BY COMMISSIONERS

Problems as seen:

- A system needs to be devised that is equally fair to all users of public parks and fields so that the organized leagues, run by volunteers and needed in the community to keep kids active, healthy, and out of trouble, are not penalized.
 - Presently many organized leagues as well as unorganized groups that use the fields regularly are not paying.
 - People living outside the City and do not even pay city taxes, presently can use the fields without paying.
 - Many of the organized teams have players that live both inside and outside the city. The ones living inside pay city recreation taxes and those outside do not.
 - There was a discussion about whether it was fair to charge non-leagues the \$4 fee for pick-up games.
- Because we have no director the City has left the recreation program to volunteers, which helps the City, but then there is no accountability.
- City facilities are supposed to be shut down at 10:00 and yet some are being used way past that.
- The City hires "subcontractors", one to maintain the Little League fields, and one to manage the hours of operation and supervise in the gym, because they can do it less than what the city can do it. We can ask them for a list of others using the facility but it is not in their contract for them to ask other users for insurance or to collect the \$4 fee.

Possible Solutions:

- Regulations need to be posted at each facility
- Lights should be on timers and all users need to pay for their use.
- Set up a meeting with the Mayor, City Manager, Chief of Police and Little League Manager to discuss the league's concerns and have Mr. Maggard provide a list of all participants for the Little League fields.
- Sign a formal agreement and start enforcing the \$4 user fee now with organizations that the City currently knows use the fields. When we learn of others, add them.

- The problems the City has with the recreation system would be solved with a recreation director but because the City will not have the funds to hire one in the near future, it has to be managed the best way it can be.

I. CONSENSUS

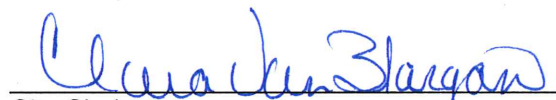
- Start forming agreements with the organizations we now know use the facilities and then add others as we become aware of them.
- Get proof of Insurance right away from all groups using the fields on a regular basis
- Signs need to be posted at each facility with the rules.
- Three Commissioners, a majority, were in favor of collecting the \$4 fee from organized groups as long as all were made to comply.
- Have further discussion on the \$4 fee for unorganized activities, and things like use of concession stands, closing times, lights and rules. Whatever is decided needs to be consistent to all users.

There being no further business, the meeting was adjourned at 6:10 p.m.



Mayor/Commissioner

ATTEST:



City Clerk