

## VERMILION PARKS & RECREATION BOARD

Minutes of July 19, 2022 - 6:00pm

Roll Call: Kate Repola, Dennis Brudney, Liz Elden, William Warden, Bill Malin, Tina Swinehart. Absent: Jeff Keck

*Also, Present:* Marc Weisenberger, Parks Operation Manager; Teresa Mayle, Council Representative. Mayor Forthofer - Guest

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Kate Repola, Chairwoman called the meeting of July 19, 2022, to order.

### Approval of Minutes:

**B. Warden MOVED;** L. Elden seconded to approve the meeting minutes of June 21, 2022. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

### Correspondence:

K. Repola said the board received a letter and petition from Margaret Wakefield Worcester that consisted of 34 signatures relative to asking the board to change the Main Street Beach & Park hours from 7am – 11pm to “Dawn to Dusk” (one hour after sunset). Additionally, the board received an email from Jim Liljegren relative to suggestions regarding Main Street Beach and all city park hours. She said it is on the board’s agenda to discuss this matter under ‘Old/New Business.’

### Executive Session:

**L. Elden MOVED;** T. Swinehart seconded to adjourn into executive session to discuss personnel matters (hiring, firing, compensation). Roll Call Vote 6 YEAS. **MOTION CARRIED.**

At the conclusion of executive session, K. Repola reconvened the regular meeting back into session.

### COMMUNITY EVENT GROUP USE PERMITS:

#### Vermilion Chamber of Commerce:

*Chocolate & Wine Walk – July 24, 2022, from 11pm – 4pm (Check-in at Victory Park by the Gazebo)*

**T. Swinehart MOVED;** B. Malin seconded to approve the Chocolate & Wine Walk on July 24, 2022. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

The Vermilion Chamber requested to put up a 'Live at the Lighthouse' banner at Main Street Beach to showcase the bands performing from July 10 – August 28.

T. Swinehart thought the board should know where they plan to put this banner. L. Elden agreed that M. Weisenberger should know this, as well as having some say so it doesn't affect his mowing. Mayor Forthofer said the banner cannot be attached to the lighthouse. K. Repola said the Chamber could come back to the board or they could give this to Marc to use his discretion as to where to put the banner.

**L. Elden MOVED**; T. Swinehart seconded to have the Vermilion Chamber of Commerce get with M. Weisenberger on the placement of the banner at his discretion. Roll Call Vote 6 YEAS.  
**MOTION CARRIED.**

**City Council Representative Report:** No report.

**Service Director's Report:**

T. Valerius mentioned he met with M. Weisenberger regarding some trees that need to be removed in a few of the parks. He did obtain a quote for \$5,425 to have one large tree removed in Village Greens, two trees removed in Victory Park, and another tree removed at Showse. The company removed the trees on July 19.

**Parks Operation Manager Report:**

Marc Weisenberger said the state arbor was in Vermilion last week and did the inspection on all the new trees that related to the Urban Canopy grant, and all but two trees were good, so minor adjustments will be made on those trees. He said they will be moving on to the next 60 trees in the fall. He said next month Jerry Western from the Tree Commission would like to attend the Parks Board meeting to give specifics on what they are trying to do with this grant.

He reported the Parks Board turns in their John Deere tractor in each year, and they just received their new tractor. He noted the shoreline erosion signs that are exactly like the ones at Nakomis will be picked up tomorrow. They will install them at Sherod and Showse parks along the shoreline.

He mentioned they received a \$1,775 grant from the Mylander Foundation for equipment they need for swimming lessons and exercise classes at the pool.

**Budget/Finance Subcommittee Report:** No report.

**Erosion:**

B. Warden thanked M. Weisenberger for repairing the signs for the eroded areas as it is critical as there is about a 25' drop off. He asked if the signs would cover all three parks. M. Weisenberger said yes, as they have six signs coming.

#### Main Street Beach Revitalization Project:

K. Repola addressed the Main Street Subcommittee and mentioned they need to assign a new chairperson since Brad Scholtz no longer serves on the Parks Board. She volunteered to serve as the chair since she has been attending the meetings for a year and has a good handle on the project, the parks board vision, and finances with the project. The board agreed to her serving on the subcommittee as chair and T. Swinehart offered to assist her on this committee. K. Repola extended a heartfelt thank you to Brad Scholtz who was the driving force of this committee for many years and got them to where they are now, which is a viable and exciting plan. B. Malin asked if Brad would continue to participate in the plan. K. Repola said she is going to invite him to participate.

T. Valerius reported they have cleared the trees and have excavated the area and foundation. They found the porch foundation of the old house that was there, so this immediately stopped the job. Once you dig out old foundation stones, you are not on virgin ground anymore and you have disturbed the soil underneath, so additional engineering had to be done and additional courses will need to be added, and there is a \$18,000 change order associated which falls under the contingency. It has been reengineered and they are supposed to start again this week. K. Repola asked T. Valerius to continue reporting on the construction of the restroom. B. Malin said it is getting congested with everyone being there for the summer and asked if they could have a cleaner work environment. T. Valerius said yes.

Recreation and School Relations: No report.

#### Sherod Playground:

M. Weisenberger said they are looking to have a groundbreaking in August. He plans to meet with Tony and the city engineer on Thursday to look at some grades. K. Repola said she was at a church meeting with Grace United Methodist Church who so generously donated a large fund and they brought up how excited they are to have the playground there and how it will be utilized during 'Worship by the Water.'

#### Rotary Pool Fundraiser:

T. Swinehart reported last Saturday the Rotary sponsored the pancake breakfast with proceeds supporting the pool. She said there was somewhere between 250 and 275 people served, and unofficially she thought they took in around \$1,800, so she is hoping they have a \$900 - \$1,000

profit. She said the griddle situation was a little dicey, so they were unable to use the griddles that the fire department has, but they made do, and everything worked out fine. She said the 'Putt for the Pool' Rotary fundraiser will be held Sunday, July 31. She will be meeting with Rotary tomorrow. She said they are still looking for teams to sign up. The tee times are at 1pm, 2pm, 3pm and 4pm. The cost is \$100 a team for four people. She hopes they can get 72 teams that day. She said they are looking for donations of any size, and if you don't want to putt, they will happily collect random donations or prizes to the putters. They are offering a one single pool membership as a prize per hour for the 2023 pool season. She said this is a fun way to raise money and she hopes it will be successful as well.

K. Repola thanked Bill Malin, Tina Swinehart, and Liz Elden for volunteering at the pancake breakfast. She said it was delicious and no one had any idea there were griddle problems whatsoever. Everyone left full and happy, and it was a big success. T. Swinehart thanked the Rotary Committee as they are a great group of people. They had a lot of clean up, setup, and organization, and the parks board is fortunate to have their support. She said they wanted the board to know not to expect they will continue to lead something like this in the future as their main fundraiser.

#### Vermilion Community Pool Subcommittee:

D. Brudney provided the board with a packet of information of which he reviewed. He said a question they received is if somebody donates \$100 to the 'Putt for the Pool' they want to make sure it goes towards the pool and not to Romp's. He said T. Swinehart had assured him that 100% of this money will go to the pool as Romp's is just donating their facility. He explained the city website has the flyer on it, but it didn't say anywhere that 100% of donation benefits will go to the pool, so in talking with Jody Booker and Tina Swinehart they made sure this information was put on the second sheet which says, "100% of your donation benefits the Vermilion Community Pool."

He said everything has been going well at the pool except for bees, so M. Weisenberger has had people spraying. They found out the bees got inside the climbing wall and made a nest, so they will have a professional come to kill the bees. He said they had some poison ivy issues and they sprayed. They also had a hole in the pool house where wasps were getting in, but this has been addressed.

He reported they have received positive comments on the pool stairs, the pristine pool, and the outstanding restrooms.

He addressed the Mylander Foundation grant that takes care of the swim boards for the kids and some things for the lifeguards.

He said during the first month of concessions they took in \$1,350 in the month of June and the parks portion is 10%, so they get \$135.00. They are covering their expenses and people are happy with the concessions.

He provided an expense report with encumbrance detail from the city and currently they are doing good with personnel and electricity. They are a little bit below on swim lessons, but the August lessons haven't been done yet, but as they get closer, they will see more people sign up. He noted the report says the budget for the pool this year is \$60,200 and they have expenses of \$26,710.81, and the unencumbered balance is \$28,779.04. According to the pool revenue chart, pool passes have taken in \$15,307 for 2022, which is more than last year. The daily passes were a little under from last year and parties have doubled. According to the 2022 Season Projection Summary, projected operating revenue is \$28,365.00. He addressed the Guard Training Grant and said they want to get their guards recertified at the end of the season so next year when they start off, they don't have to get the guards certified early before opening the pool. Overall, he noted that A. Hendricks had thought they were \$37,067.29 out at this point, but they don't feel this is the case. He said the Mylander grant, the Putt for the Pool, and Pancake Breakfast were not included. He said they feel they are in good shape – even better from last year.

He reviewed additional information that he distributed to the board, which included the Vermilion Community Pool Resource and Contact List, the daily gate fees, memberships, open swim punch card, adult exercise punch card, swimming lesson registration form, and the weekly schedule for all swims. He also provided the Lifeguard Policies and Procedure Manual, the Swimming Pool Rules and Regulations, and Emergency Action Plan.

He reported that in 2021 they had 92 memberships and in 2022 they have 94 sold (85 family, 9 individual). They charged more this year for memberships, so they have more of an income. There are three non-resident memberships (1-Amherst and 2-Lorain), and they had 48 punch cards sold, and the first session of swimming lessons in June consisted of 32 children and the second session in July consisted of 43 children, and there is 13 registered for August, but they think more will sign up.

The upcoming events include:

- July 29 – Team Night (Aquaman Film and Float) \$5.00 pre-registration fee or \$8.00 at the door.
- July 30 – Family Night (Luca Film and Float)
- July 31 – Appreciation Night for the Lifeguards – He noted they are doing an outstanding job!
- August 12 – Night with Garth and his band – No Charge (Vermilion Clubhouse free of charge) – 60<sup>th</sup> Anniversary Celebration
- August 20 – Pool Christmas in August (Christmas Crafts, Cookies, Decorations, Visit from Santa)

West Pier Project: No update.

Public Art Subcommittee: No update.

**OPEN TO THE AUDIENCE:**

Margaret Wakefield Worcester said there is a lot of new signage down at the Main Street Beach & Park, which looks Hodge podgy. The orange signs that say “No Parking by Police Order” are not friendly. If they are trying to keep people off the grass then she thinks they should have signs that say, “Stay off the Grass” and be more specific. There are new trash containers down there and it has signs that say, “Open Containers of Alcohol are Prohibited on City Property,” so does this mean they can have closed ones. They should be specific by saying, “No Alcohol.” She addressed her cover letter and petition about the noise level of the venues and if they give permits for people to have things down there, then they should make sure the noise level is lower. When the seniors were down there it was awful and very loud, and the windows in her house a block away were rattling from the base. She didn’t know anything was going to be down there, so she called the police and at first the dispatcher did not know if they had a permit or not. She said they sent an officer down, but it didn’t get quiet until they were almost done playing, so she hoped the parks board would take this into consideration when they approve venues. This is a residential area, and they are losing their quiet, peaceful, enjoyment of their lives down there. She said it has been very disruptive down there and Joi Murphy lives right behind there.

Joi Murphy of 489 Washington Street said her back yard goes right into the park. They have been very patient as a community around the park with the museum coming down because they didn’t think they would have all the problems they used to have. However, it is much worse. It starts about four o’clock in the afternoon and goes till whenever. She knows there has been more police coming through, which is great, and it does help, but they just come back again. They get up in the middle of the night and there are people there, and they have their lights on, which is something the board should consider when they do the parking lot. If they are going to keep the parking lot, then her recommendation would be to have all the parking down below where it won’t bother the houses. You’re trying to put a parking lot in the middle of a bunch of homes where people live. Sometimes she cannot have her grandkids in the back yard because there is swearing and yelling, and drug deals are going on. She said nobody realizes unless you’re living it day after day. She is a big proponent to public access to the lake and has always spoken up on the ends of the streets in her neighborhood and has fought to keep those public so people have access and tourists can see the lake. She thinks it is wonderful that this park is there, but don’t overdo it, and the parking lot should all be down below because you have a hidden parking lot and there is always going to be issues because you cannot see it from the road. She asked the board to take this into consideration. She said they should only have a few handicap spaces in the upper lot as a solution. She said the way it is now is not fair to the people that live there and pay the taxes. Kids need a place to go, but these kids don’t. B. Warden asked her if she was talking about during the day the parking lot should not be there. J. Murphy did not think it should be there at all. B. Warden asked her why. J. Murphy said during the day it is not a big problem, but they will always continue to have problems as soon as the sun goes down

and even in the late afternoon. B. Warden said they talked about putting a physical barrier up along with sandstone blocks to prevent use after night. If there was no upper parking lot, then he thinks they would have cars parking all over the place, such as in front of their homes and driveways. J. Murphy said they do, and they understand this. B. Warden said there is only so much land. J. Murphy thought there was talk at one time about cutting into the hill. B. Warden said they are going to at some extent. J. Murphy said it is a big problem and those kids should not be in there with pellet guns that shoot the little water balls. There is a lot going on there that the board does not realize. Mayor Forthofer asked her if she was on his email list. J. Murphy said yes, and she appreciates his updates. She said it is getting hard and the older people that used to go over there and set up their chairs, are afraid. It is scary and they are intimidating, and something must be done. Her choice is that there would not be a parking lot there. Granted there may need to be a compromise.

### **OLD/NEW BUSINESS:**

K. Repola asked if there was any movement on the Sand Volleyball Court. M. Weisenberger said he met with Denver Schaffer shortly after last month's meeting and they looked at the area where the playground is located now at Sherod Park, and D. Schaffer thought this would be a good spot to start looking. He is looking into dimensions, and they have a couple sources. The biggest part of the project is finding the right sand and they are in the process of looking right now and as soon they get a price; they will bring it before the board. K. Repola said she would expect there are conversations on Pickle Ball as well.

B. Warden asked about the possibility of utilizing the area that once was called the 'Ice Rink' at Showse Park, which has already got a plateau. He said there is a parking lot that is adjacent. M. Weisenberger said the plans are to move the playground. He said the spot at Sherod they won't have to do much. K. Repola said they will keep this item on the agenda for future discussions.

### **Main Street Beach & Park (Signage, Park Hours, Gate)**

Mayor Forthofer said general visitation downtown has surged. The porta john at Main Street beach used to be emptied prior to his administration once a week, but now they are emptied three times a week and this is not enough with the recent activities. He said waste collection is also being taxed and if nothing else it is an indicator that they have a lot of people visiting the city, downtown streets, and Main Street Beach & Park. He said Chairwoman Repola made a good point last week by saying this first season of Main Street Beach & Park after the museum is down – this first season they are experiencing where the growing pains are and finding out where the problems are. He said they want to review closing times and noted that additional police patrols have been active, which are resulting in arrests, and if nothing else – chasing out. However, they are not going to be able to keep this up forever. There are three police officers on shift and if there is one DUI in town, then this takes all three of them. In general, they have been diligent about patrolling this park, but it will need to end at some point. In the meantime, signage is one

of the things they are looking at. He said he sees a lot of motorized vehicles off the pavement. He said the Chamber asked about a temporary 'No Parking' sign by the construction and wondered if this was worthwhile. Rather than littering the place with signs, they should look at one or two signs here and there. He said he would like to talk to the design subcommittee as they enter Phase 2 because of the deterrence to people going in that upper parking. He said they can do some sandstone boulders or other things, but in the meantime, they may have to look at some temporary barriers. He said Tony Valerius will look into this. He said they can coordinate the closing times as designed by the parks board and this would give the police department more teeth in going after people. It will not solve everything, but it should at least after dark keep the cars out of there. He said in Phase 2 they want to look at more room for performance venues; particularly by the lighthouse as what was mentioned by Sid Jordan last month, and plenty of seating for lake watchers. He knows Main Street is looking at Adirondack chairs. He said a lot of people have asked him not to take away the deck, but he said it must go and they will have animal control take care of the rats.

Additionally, he noted that Anne Naugle from the Beach Market asked if she could put a sign in Exchange Park, Main Street Beach & Park, and Sherod Park to advertise the Beach Market for two weeks. She would like to do this between July 21 – August 6. T. Swinehart asked if her sign would be a real estate sign size. Mayor Forthofer said she didn't specify this to him. K. Repola wasn't opposed to her putting some signs up for two weeks to advertise her Beach Market.

**K. Repola MOVED**; L. Elden seconded to authorize Anne Naugle to place signs at the parks described above from July 21 – August 6. Roll Call Vote 6 YEAS. **MOTION CARRIED**.

K. Repola explained that at last month's meeting the mayor had indicated that the police chief wanted the board to wait a month before they changed park hours. Mayor Forthofer said Chief Hartung is fine with whatever the board decides.

K. Repola said previously they had discussed changing the hours to dusk, which is defined as the hour or so after sunset. She asked the board how they felt about changing the hours. L. Elden said they need to be changed. T. Swinehart agreed and thought dusk was a little nebulous. K. Repola said sunset changes. T. Swinehart said so does dusk. K. Repola said dusk does not change as it is the hour after sunset. L. Elden did not think it was an hour. K. Repola said it is the time between the sun setting and total darkness. T. Swinehart said according to the definition it is the darker side of twilight, especially in the evening, which is nebulous to her. L. Elden said Google says it is at 9:31 tonight, so it is like 30 minutes after sunset. T. Swinehart said she likes 30 minutes after sunset as it sounds like a specific time no matter what season it is. K. Repola said this would mean the beach would close before 7pm in the winter. T. Swinehart said you can walk on the sidewalk, which is public, but are they going to swim at 7pm in December – she didn't think so. B. Malin said the parks are there for mental health, stress, and exercise, so he doesn't want people shut in at 6pm in December, January, and February. K. Repola said dusk doesn't solve this problem either. L. Elden said if you're not doing something wrong, then there is no

reason for the police to be there. Mayor Forthofer thought time closings like this is meant to help deter behavior you do not want. K. Repola thought it would close the upper parking lot. She said the current park hours are 7:00 a.m. to 11:00 p.m. with the exception of Nakomis Beach Park, West Breeze Park, and Hanover Square Park that will close at dusk. B. Warden said Showse also says dusk. K. Repola said current code reads that vehicular traffic will not be allowed after dusk in West Breeze, Showse and Sherod Park. She asked if this means that they cannot park at Showse Park at 7:30 p.m. in February. B. Malin said this is what it sounds like. K. Repola said her thoughts would be to change the closing times to be the same throughout all their city parks. She asked the board if they should change Main Street Beach & Park to 7:00 a.m. to dusk to correspond to the other parks in Vermilion. G. Fisher read current code that said the park hours are 7:00 a.m. to 11:00 p.m., with the exception of Nakomis Beach Park, West Breeze Park, and Hanover Square Park that will close at dusk. She suggested they change all parks to close at dusk. L. Elden agreed. T. Valerius said Victory and Exchange are still open to 11:00 p.m. He said there is a lot of walking traffic and Exchange is there. K. Repola agreed they couldn't do this in all parks. She thought they were only talking about Main Street Beach & Park. Should it be the same as Nakomis, West Breeze, and Hanover. L. Elden said it should be added to the list, but they should also clarify that Sherod and Showse are on the list because the signage says that. She said J. Liljegren pointed out an inconsistency in current code in his letter to the board. G. Fisher said that was number 10 in the code where vehicular traffic will not be allowed after dusk in West Breeze, Showse and Sherod Park. B. Warden said the whole point is to enable the police to be able to go in there to say they must leave. They will not chase somebody with an ice cream cone out of Friendship Park. It's common sense.

G. Fisher said in another section of code (268.02 BEACH AND PARK CLOSING TIMES) it says the closing times for all public beaches and parks in the City is hereby established at 11:00 p.m.; with the exception of Nakomis Beach Park, West Breeze Park, and Hanover Square Park that will close at dusk.

D. Brudney asked who was responsible for policing Sherod Park. B. Warden said the VPD because it is a city park.

K. Repola thought in Section 268.02 it is saying that Sherod and Showse are open until 11:00 p.m. B. Warden said the signs say dusk. L. Elden said they need to add the lakefront parks to the list to clarify it. B. Warden thought it should be dusk. If somebody is adjacent to a park and they walk their dog into the park, the police are not going to chase them.

K. Repola said whatever the board changes would be a recommendation to council. G. Fisher agreed that council would need to amend current code. She said there are sections in the code that need to be addressed. K. Repola said not only will Main Street Beach & Park hours be possibly changing, but also Sherod and Showse. L. Elden said they are already signed to dusk, so they need to make what is written in the rules to match. K. Repola said the beach parks should be 7:00 a.m. to dusk. B. Warden said the sign at Showse says dusk. M. Weisenberger said the

sign at Sherod will need to be changed as the park hours indicate 7:00 a.m. – 11:00 p.m. with no vehicular traffic after dusk.

T. Mayle said they play baseball games under the lights and wanted to make sure this doesn't affect this. G. Fisher said under Section 268.02 it says the Director of Parks and Recreation shall have the authority to extend such closing time in the case of a softball or baseball game in progress at Sherod Park, after such hours, until such game is terminated, or upon any other limitation the Director may establish. She said they don't play baseball games at Sherod Park anymore, so they could replace it with Showse Park. T. Swinehart said they don't have to be specific because it doesn't make a difference – what if it is sand volleyball. K. Repola said the board has jurisdiction to give permits for other events.

K. Repola said the board needs to ask Council to revisit the park closing ordinance. L. Elden asked the clerk if they needed to draft the language with her. G. Fisher said yes as she needs to prepare the legislation for council.

The board reviewed their proposed following changes to the current code as follows:

#### **268.01 RULES AND REGULATIONS.**

**(b) 8.** Park hours 7:00 a.m. to 11:00 p.m.; with the exception of Nakomis Beach Park, West Breeze Park, Hanover Square Park, Showse Park, Sherod Park, and Main Street Beach & Park that will close at dusk.

10. Rescind

#### **268.02 BEACH AND PARK CLOSING TIMES.**

The closing time for all public beaches and parks in the City is hereby established at 11:00 p.m.; with the exception of Nakomis Beach Park, West Breeze Park, Hanover Square Park, Showse Park, Sherod Park, and Main Street Beach & Park that will close at dusk. The Director of Parks and Recreation shall have the authority to extend such closing time in the case of a sporting activity in progress at such park, after such hours, until such game is terminated, or upon any other limitation the Director may establish.

**L. Elden MOVED;** T. Swinehart seconded to authorize the Clerk of Council to prepare legislation as discussed above to recommend to council to amend Sections 268.01 (b) 8 and 10, and Section 268.02 as proposed above. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

K. Repola asked if they could resurrect the temporary gate of the upper parking lot at Main Street Beach & Park until a permanent solution can be entertained. Mayor Forthofer said they will talk with Chez because they park there, but the last time they did a temporary gate they were very cooperative. K. Repola felt they were unanimous that the upper parking lot should be closed at dusk. T. Swinehart said they are changing the hours, so do they need to wait until

Council approves this. T. Valerius said they still have access to parking down below and on the street. Mayor Forthofer thought the board could close the parking lot.

K. Repola asked the residents in the area to be rest assured that their concerns will be included in any further permanent park solutions.

**ADJOURNMENT:**

K. Repola adjourned the meeting upon no further discussion.

**NEXT MEETING:**

Tuesday – August 16, 2022 @ **6:00 pm** at the Vermilion Municipal Complex, 687 Decatur Street,  
Vermilion

*Transcribed by ~ Gwen Fisher, Certified Municipal Clerk*