

## NORTH LITTLE ROCK PARKS AND RECREATION COMMISSION MEETING

OCTOBER 18, 2010

The North Little Rock Parks and Recreation Commission meeting was called to order by Mrs. Jeanne Hyde at 5:00 p.m., on October 18, 2010, at the North Little Rock Community Center.

**Commission Members Present:** Tom Davis, Jeanne Hyde, Charles Jones, Chandra Martin, Otistene Smith and Bruce Waller. Vicki Stephens was out of town. She was excused.

**Staff Members Present:** Bob Rhoads, Jan Eberle-Wilkins, Willie Elizandro, John Crow, Jeff Caplinger, Renee Henson and Assistant City Attorney Paula Jones.

**Others Present:** Jennifer Franks, Bret Franks and Jake Sandlin.

**Minutes:** Mrs. Hyde presented the October 18, 2010, Parks and Recreation Commission minutes.

Mr. Davis made a motion, seconded by Mr. Waller, to accept the October 18, 2010, Parks and Recreation Commission minutes. All voted aye and motion passed unanimously.

**Presentation of Late-Night Intervention Logo Winner:** Jeff Caplinger reported that the recreation division held a Late-Night Intervention Logo Winner contest at the Sherman Park Recreation Center. The plan was to get ideas for a logo design from the youth enrolled in this program. Of those entries submitted, there was not a particular one that stood out. He and the committee will look at combining several of the ideas submitted to design one logo.

This presentation will be brought back to the commission at the regularly scheduled November meeting.

**Upcoming Resignation of Parks Superintendent:** Willie Elizandro reported that he would be retiring from the position of Parks Superintendent on January 31, 2011.

Mrs. Hyde and the commission members wished him well.

**Agreement with Feline Rescue and Rehome Inc. (FuRR):** Bob Rhoads stated that at the September 2010 commission meeting, it was discussed that several feline cats were staying at three (3) different locations in Burns Park. Particularly of concern were those in and around the tennis center. An agreement with Feline Rescue and Rehome, Inc. (FuRR) is proposed so they can see that all of the cats are taken care of by designated caregivers under FuRR's direction and supervision. The feline population in Burns Park was at least 12 several months ago. That has now been reduced with the help of FuRR and current caregivers, to around five (5). Those left are sterilized and have received their required shots.

An agreement is being proposed between FuRR and the North Little Rock Parks and Recreation Department. The agreement states that FuRR will see that all the cats that are known will have caregivers, and are neutered or spayed and current on all shots. To meet code, the cats must have annual licenses, and this will be covered when FuRR gets them all microchipped.

Jennifer Franks said she is happy that an agreement has been worked out which will protect the cats.

Mrs. Martin asked where the cats will be relocated and how are they going to be kept in one area.

**Agreement with Feline Rescue and Rehome Inc. (FuRR) (continued):** Mr. Rhoads said the caregivers will monitor and watch the location, and let FuRR know if new cats appear. If they do appear, FuRR will catch them and either relocate or take care of them. The relocation spot is not being publicized in order to keep people from bringing in and dumping additional cats, which is against the ordinance.

Mr. Waller made a motion, seconded by Mr. Jones, to approve the agreement as presented. The vote was: Mr. Davis – yes, Mrs. Hyde – yes, Mr. Jones – yes, Mrs. Martin – no, Mrs. Smith – no, and Mr. Waller – yes. The motion passed.

Mrs. Smith asked if children would bother or have access to the cats, and who would be responsible if there was an accident.

Mrs. Franks said cats generally do not go up to people, and cats can find many places to hide. Cats will usually stay in the area they are being fed.

**After School Program:** Mr. Rhoads said that some of the commission members had contacted North Little Rock Public School staff, regarding the After School Program with Parks and Recreation.

Mrs. Smith said she had talked with Letisha King, with the North Little Rock Public Schools, concerning any existing agreements they may have with other entities for possible funding. An email had been sent to the commission members for their information. Mrs. King agreed that something should be done regarding funding for the department's After School Program, but is not sure what. Mrs. King was to speak with Mrs. Rosie Coleman, but Mrs. Smith and Mrs. Coleman had not spoken

Mrs. Smith said she talked with Mrs. Tammie Cloyes, who oversees the 21CCLC program. Mrs. Cloyes reported that the first round of funding for After School programs is gone. She also talked to Ms. Dana Davis with Supplemental Education Services, and Mrs. King to see if there was any other money available.

Mr. Jones said he talked with Fran Jackson with the North Little Rock School District. Mrs. Jackson said students were assigned to attend school according to which After School Program location the child was enrolled. The school assignment recommendation was based on a letter they received from the recreation department, and not the number of students. There were only about 50 youth that had been assigned a school location from the Boys and Girls Club, YMCA, North Heights, Glenview and Sherman Park Recreation Centers combined. Most of the youth assigned came from the Boys and Girls Club. Mrs. Jackson is not sure where these other After School Program children were coming from, because these youth were not being assigned a school through their office.

Mr. Rhoads said there were not as many youth assigned to schools as previously thought.

Mr. Jones said many of the After School youth were not a result of school transfers.

Mr. Jones said he told Mrs. Jackson's secretary that the many children attending the After School Program is causing a burden to the Parks and Recreation Department. Funding and volunteers are not available for all of the youth.

Mr. Rhoads said he did not have any information of where the youth were coming from, that were attending the After School program.

Mrs. Hyde said children are attending the After School program as a result of the school's transfer of the child.

**After School Program (continued):** Mr. Waller said a previous report was that children were being assigned to a certain school based on where they were attending the After School Program.

Mrs. Hyde said she talked to a member of the North Little Rock School District who said they are facilitating as many children as they need to. The program After School program is filling up now.

Mr. Jones said today that the recreation center staff was writing letters to the school verifying that a particular child is enrolled in the After School Program. He said that the recreation staff should have known what the numbers were before they continued writing the 150 letters. Numbers should have been verified first.

Mrs. Hyde reported that Tina Worrell had said that the programs were getting full, and workers were no longer available due to funding being cut.

Mr. Caplinger said that the staff went through the hiring process, but only a few qualified people applied. They are still looking for volunteers.

Mr. Rhoads said staff is still discussing the After School Program fee. At this time, the staff is looking at keeping the membership fee at \$15 and charging an additional fee for the After School Program. These fee changes could start in fall 2011.

Mrs. Smith said staff should continue to look for funding opportunities or partnerships. One partnership should be with the North Little Rock Public Schools.

Mr. Rhoads said there would not be action today on this matter, and it would be held. A fee recommendation will be brought to the commission at the regularly scheduled November commission meeting.

**Neighborhood Park Hours:** Mr. Rhoads said he has talked with City Attorneys Jason Carter and Paula Jones about setting specific hours for Military Heights, 17<sup>th</sup> Street, Lorene Joshua and Conley parks, due to loud music, drugs, alcohol and loitering. Specific hours posted will make it easier for police to monitor and give cause for them to stop at the parks.

The current ordinance states that parks will open at sunrise and close at midnight.

Mr. Rhoads stated that Alderwoman Debi Ross had talked to members of the Dark Hollow Association, those living near the Lorene Joshua Park, and a resident that lives by Military Heights Park want the specific hours posted.

Willie Elizandro said that he has received phone calls regarding these problems, and are mostly suspected alcohol related. Some residents have approached him at 17<sup>th</sup> Street and Conley parks with complaints, and the neighbors are afraid to call the police due to possible retaliation. Military Heights Park has a problem during the day with people drinking beer. If the specific hours are posted, the police can write tickets.

Mr. Rhoads said he talked with Police Chief Danny Bradley, and Chief Bradley said he would have the officers patrol these parks more frequently.

Mrs. Martin asked if those people causing problems would move to another park when one of these closed early.

**Neighborhood Park Hours (continued):** Mr. Rhoads said that other park hours can be changed if needed.

Mr. Jones asked how an ordinance would take care of this problem if the residents are afraid to call the police, and police are not patrolling the areas.

Mr. Elizandro said an ordinance would strengthen the laws for these parks.

Mr. Jones said he is concerned that the police are not going through these areas. If the police know there is a problem, residents should not have to call. Regardless of the hours, drinking beer in the park is illegal.

According to Jason Carter, Mr. Rhoads said a posted sign would give the police another excuse to stop and may find other violations. He stated that Chief Bradley said he had not had any calls in reference to these parks, but would have his officers patrol these areas. He also told Chief Bradley that there are encounters with horses being on the Burns Park trails, even though signs are posted that prohibit this.

Mr. Jones said it does not take an ordinance to check out criminal activity in parks.

Mr. Rhoads said he would follow up with Chief Bradley and ask him to attend the next regularly scheduled commission meeting for discussion. It will still have to be the police officer that drives by and stops.

Mr. Davis made a motion, seconded by Mr. Waller, to post signs at the Military Heights, 17<sup>th</sup> Street, Lorene Joshua and Conley parks, with the following hours:

April 1 – September 30: 6:00 a.m. until 9:00 p.m.  
October 1 – March 31: 6:00 a.m. until 7:00 p.m.

All voted aye and the motion passed unanimously.

Renee Henson said she sees people hanging out and drinking at Sherman Park, and has no problem calling the police. Summer days are the worst. At the Dark Hollow meeting, Chief Bradley stated that there are not enough police officers to just pull off and check the parks, but they will respond when called.

Mrs. Hyde said the new hours and signage will be tried at these four (4) parks and later see if more parks need to be included.

**Revised Operation Budget for 2011:** Mr. Rhoads reported that employee health insurance rates will be increased in 2011. Finance has asked for a revised 2011 operation budget to cover these increases. While reviewing this, he realized that a Park Maintenance Crew Leader position was listed but no money was allowed for it. Currently all three (3) Hamburger Tax revenue pennies continue running at 2% or better over the 2010 budget. Of the three (3) one-cent Hamburger Tax, one (1) penny is running at 2% above the projected actual for 2010, and the other two (2) pennies are running at 2.1% above budget. He had originally budgeted those at approximately 1.5% and recommends they be budgeted at 2% on all pennies, which will cover this health insurance increase and position funding.

Mr. Waller said these changes are not significant to the overall budget, and the department should not have any trouble staying within the budget.

**Revised Operation Budget for 2011 (continued):** Mr. Davis asked if the Burns Park batting cage had been abandoned, and do the ball associations have their own batting cages.

Mr. Rhoads said the owner of the batting cage has it listed for sale at \$45,000, but it needs to have approximately \$30,000 done in repairs. The Burns Park batting cage was open possibly once or twice last year. The softball association and Wildcats do not have batting cages. The DeJanis Association has a live arm-pitching cage. There is no money available for installation of live-arm cages at the new baseball complex.

Mr. Waller made a motion, seconded by Mrs. Smith, to approve and accept the revised budget as presented. All voted aye and motion passed unanimously.

**Special Called Asynchronous Commission Meetings:** Mr. Rhoads reported that occasionally before an upcoming regularly scheduled commission meeting, there is a required need for a special called emergency meeting for an agenda item. Jason Carter is recommending the commission set up a policy and procedure to do this through what is called an *asynchronous meeting*, or one where data is communicated intermittently rather than in a steady stream. Not everyone has to be present at a specific time to participate, but can meet during a two (2) hour period of time, make comments and vote on issues. The City Attorney's office feels this is legal and meets the guidelines for the *Freedom of Information Act*. This policy and procedure is temporary, only from the prospective that the City's Data Processing Department will set up a chatroom type setting that is password secure, where a meeting can be held with discussion back and forth and can be reviewed by the public and media.

Mr. Rhoads said he would verify with the commission chair that an item is an emergency and a meeting needed to be called. The commission members would be notified by phone that an asynchronous commission meeting needs to be held, and verify that they would be available some time during the two (2) hour timeframe. During this two (2) hour time period, members would get a detailed email with the question, and they would vote either yes or no. Members can change their vote anytime during this two (2) hour period. The votes will not be counted until the end of the two (2) hours so the media and public would have time to view it. Each time a member writes and sends, the email would be addressed "*reply to all*".

Mrs. Martin said this idea is long overdue and approved of it as long as it is an emergency, and does not get political.

Mrs. Smith said the government already has some of their meetings set up like this,

Mrs. Hyde said she thinks this is a good idea.

Mr. Waller asked if the City Attorney was planning to make a city ordinance that would allow this for all boards and commissions.

Mr. Rhoads reported that the Parks and Recreation Commission would be the first commission that would do this. If any of the commission members did not have access to a computer, one would be provided for them.

Mr. Waller said he would not have access to a computer 8:00 a.m. until 5:00 p.m. while working on his job, but he could probably leave his job to go home and access the chatroom for the asynchronous meeting.

Mrs. Martin made a motion, seconded by Mr. Davis, to accept and approve the asynchronous meeting policy/procedures. All voted aye and motion passed unanimously.

**Burns Park Family Entertainment Center:** Mr. Rhoads stated that the department's master plan calls for a lodge in Burns Park. Todd Larson with Economic Development, said investors have been talking about construction of a lodge with a family entertainment center at Burns Park. The investor that owns *The Landing* at Branson, Missouri would like to propose a family entertainment center at this time and consider a lodge later. To do any arrangement for such a use or land lease, a *Request for Proposals* must be done.

The proposed site is at the center stage area where a 28,000 square foot building with retractable roofs and an additional parking area for 150 vehicles would be added. Sliding roofs are required in order to qualify and meet grant specifications. The entertainment center would include an indoor 9-hole miniature golf course, splash park, waterslide, climbing walls, ropes course, restaurants, showers and locker rooms. Mr. Rhoads said he has suggested a mine theme to tie in with the historical Argenta silver mines. Restaurant venues would be available for leasing. This investor has said that at some time later, they may be interested in taking over and upgrading Funland.

Money has not been discussed and terms would have to be decided. Staff is seeking permission to send out *Request for Proposals* for this family entertainment center, including operation, at such location in Burns Park.

Mrs. Smith asked about parking and traffic control.

Mr. Rhoads said that as part of the parking, 150 additional parking spaces would be added as well as using current parking spaces available. The current interested investors said they would work with the department in taking care of the rocket slide, and move it if needed.

Mrs. Smith asked if this project is located at the same site discussed in the master plan.

Mr. Waller said a family activities area, including an aquatic center, had been discussed with the lodge. It is not exactly what the commission had discussed, but it fit.

Mr. Rhoads said this investor wants to expand their value or opportunity to raise money. With the sliding roofs, the complex can be run year round and indoor/outdoor grant money can be used. Construction of a recreation center would require land conversion.

Mr. Waller said that if the commission directs Mr. Rhoads to seek *Request for Proposals*, the commission is under no obligation to accept it. It would make the investor put everything in writing, including the money.

Mr. Jones asked what this investor is proposing to spend.

Mr. Rhoads reported that this investor said he would probably spend \$3.3 or \$3.5 million dollars.

Mr. Waller asked who would evaluate the *Request for Proposals*.

Mr. Rhoads said probably a subcommittee would look at them and then bring to the commission for a vote.

Mr. Waller made a motion, seconded by Mr. Jones, to authorize the staff to release *Request for Proposals* for this Burns Park family entertainment center. The vote was: Mr. Davis – yes, Mrs. Hyde – no, Mr. Jones – yes, Mrs. Martin – yes, Mrs. Smith – yes and Mr. Waller – yes. The motion passed.

**Burns Park Family Entertainment Center (continued):** Mrs. Hyde said she was not on the commission for the master planning. When she goes through Burns Park, she sees the beauty of it. She also sees the abandoned waterslide and abandoned batting cages. There is a lot of opportunity for the department to pick up other people's pieces, but the department does not have the money to tear down the waterslide that was vacated years ago and it is an eyesore. She does not like to see over shadowing of the outdoors. The way this area is set up right now, it is not a commercial property, but building this entertainment center would make it commercial property.

Mr. Rhoads said the department has received quotes on tearing down the waterslide that was abandoned in 1999. It will cost \$8,000 to \$9,000.

**Revision of Parks and Recreation Ordinances:** Mr. Rhoads stated that over the last few months, issues such as feeding of animals in the park, and park hours open for use have been discussed. Discussion with legal staff and police administration has raised questions as to what should be a Parks and Recreation policy and what should be made a city ordinance. Generally, there is no penalty for breaking departmental policy. However, an ordinance allows for fines.

For example, a policy against smoking in athletic complexes is in place. If an individual is smoking in a complex, they can be asked to stop. If they refuse, they can be asked to leave. If they refuse to leave, the police can be called and they can be prosecuted for criminal trespassing. If this smoking policy was an ordinance, they could be ticketed with no questions asked for violating the ordinance.

Other examples are those riding on the closed BMX track which results in damage, and using soccer fields and pavilions without permission or payment. Sometimes it is the same people having to be told over and over.

This has caused a detailed review of the current Parks and Recreation ordinances and determination that city ordinances related to parks and recreation need to be revised and updated to meet the current recreational needs of North Little Rock. Mr. Rhoads is asking the commission members for a list of specific ordinances needed. If there are questions, either he or Paula Jones can be contacted. Once received, staff will work with the city's legal staff to revise the North Little Rock ordinances for Parks and Recreation. Once developed, a final draft will be brought back for commission approval before going to the City Council for consideration and adoption.

Mr. Waller asked if the Municipal Code regarding the Parks and Recreation Commission could be sent in electronic form to the commission members.

Mr. Rhoads said it would be sent to them.

Mr. Davis asked if there was an ordinance regarding unauthorized use of the soccer fields.

Mr. Rhoads stated there is nothing in writing, but signs are posted telling the public to call for reservations. They frequently play on the closed fields which damages them due to the wet conditions.

Mrs. Hyde said ballfield lights are sometimes on when they should not be.

Mr. Rhoads said he drove by the softball complex the other day, and lights were on at 5:30 p.m.

Mr. Davis said he drove by the softball complex the previous Saturday, and the lights were on with no one on the fields. He drove back by again at 10:15 p.m. the same night and they were still on with no one present.

**Revision of Parks and Recreation Ordinances (continued):** Mr. Rhoads stated that anytime this is observed, please call him. John Crow has sent the associations many letters regarding this problem.

Mr. Rhoads said he will be requesting a Park Ranger to help enforce park ordinances. The Park Ranger could write tickets and the department would receive the money, after court costs and other fees are taken out.

Mr. Willie Elizandro suggested an ordinance be drawn up to prohibit parking in the pavilions.

Mr. Rhoads reported that the police have said they will not go out and look for horses on the trails or people in pavilions. He will get with Mrs. Jones to draft items the commission wants for ordinances, and is asking the commission to let him know what items they want. This probably will not go to the commission for a vote until the January 2011 regularly scheduled commission meeting. After items are determined, it will then have to go to the City Council for adoption.

**Proposed Park Ranger Position 2011:** Mr. Rhoads said that during the discussion with legal staff concerning adding and changing the ordinances, the question keeps surfacing of who will enforce the ordinances. In subsequent meetings with the Police Chief and others, it was determined that the best direction to go would be to have Parks and Recreation employees enforce park ordinances. This can be done via an ordinance that gives the Parks and Recreation Department authority to have enforcement officers. Staff with other duties could also be given authority to write citations.

Staff also agrees that help is needed to enforce ordinances in the parks. Mr. Rhoads is proposing that a uniformed Park Ranger be hired that is not commissioned to carry a weapon. They would enforce parks and recreation ordinances only. Any criminal violations observed would be directed immediately to the police for enforcement. A park radio with multiple channels would include a police channel for immediate backup.

Mr. Waller said this person will be similar to a Code Enforcement officer. He asked if the department had to have an ordinance that would allow this Park Ranger to have these authorities.

Mr. Rhoads said that an ordinance would have to be done giving authorities to this Park Ranger.

Mr. Rhoads said he is hoping to have the hiring approved in January or February of 2011, and have this position filled shortly after February. The Park Rangers schedule will be varied as needed, and this one (1) position will cover all of the department's parks. The Park Ranger will have a radio equipped with a direct channel to the police department.

Mr. Waller said that in the past, it had been discussed that their duties would also cover trail guides and tutors.

Mr. Rhoads said this person may be doing nature study in the off-season, but the primary job would be a Park Ranger.

Mr. Davis made a motion, seconded by Mrs. Smith, to approve this Park Ranger position and amend the recently approved budget to include it. All voted aye and motion passed unanimously.

**Director Reports:** Mr. Davis said he would like to propose a new way to handle utility usage at the ballfields. He suggested putting the utility meters in the association's name. The department will pay up to a certain determined amount, then the association will pay any amount over this.

Mr. Waller said the association representatives will be at the early 2011 commission meetings if this needs to be discussed. The department staff and commission members have talked to association representatives about the excessive use of utilities, such as leaving the lights on when no one is using the fields. There are cash and token operated meters that can be installed to limit light use.

Mr. Rhoads said Germantown, Tennessee hired a staff person to turn the lights on and off at their athletic fields, and money saved paid for this person's salary.

Mr. Waller said he is not opposed to Mr. Davis's suggestion. The commission members and staff have dealt with this issue a long time. The association representatives apologize for the misuse of lights, but it keeps happening.

Mrs. Hyde said she thinks a coin-operated meter is a good idea. The Lakewood Property Owners Association uses this idea on their tennis courts. Tokens for time are purchased at the office. The neighbors are also pleased that lights are not staying on a long time.

Mr. Rhoads said he would look at token operated utility meters and Mr. Davis's idea.

John Crow said he has also talked to association representatives about keeping the lights only on one (1) field when they are working at night. He said he has seen all lights on when working on one (1) softball field. He has talked to them about this many times.

Mr. Waller said the commission has given Mr. Rhoads the authority to put the Park Ranger position in the budget, but to get that position with these duties and authority, it will have to go to the City Council. He feels that the City Council will approve this position with the duties.

Mr. Rhoads reported that the new baseball field light operations can be turned on and off by a computer or cell phone.

**Calendar of Events:** Mrs. Hyde stated that the next commission agenda deadline is Tuesday, November 2, 2010, at 2:00 p.m. Any items need to be called in by that date and time to the Parks and Recreation Administration Office.

The next regularly scheduled commission meeting is Monday, November 15, 2010, at 5:00 p.m., in the North Little Rock Community Center.

**Adjournment:** Mr. Jones made a motion, seconded by Mrs. Smith, to adjourn at 6:23 p.m. All voted aye, and the motion passed unanimously.

**Public Comments:** Mrs. Hyde opened the meeting for public comments.

Jeff Caplinger stated that Funland will have a fall festival on October 29 and 30, 2010, 5:30 p.m. until 8:00 p.m.

Submitted by,

Otistene Smith, Secretary