



Department of Public Works

Street & Park Department
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**CITY OF BURLINGTON PARK BOARD MINUTES
THURSDAY, JUNE 21, 2018 6:30PM**

President Jennifer Amborn called the meeting to order at 6:30 PM.

Roll Call: Present: President Jennifer Amborn, Commissioners Jeff Schopp, Patricia Hoffman, Clay Brandt, and Lisa Wasik. Also present: Peter Riggs, Director of Public Works. Excused: Alderman Todd Bauman & Park Foreman Aaron DeGrave. Absent: Commissioner Jason Ledbetter & Student Representative Koleton Mangold.

Approval of May 17, 2018 Park Board Minutes: President Amborn entertained a motion to approve the May 17, 2018 Park Board Minutes. Motion to approve made by Lisa Wasik. Seconded by Commissioner Brandt. All voted aye, motion carried.

Citizen Comments: None.

Aldermanic Report: None.

Director of Public Works Report:

Dog Park pavilion - Director Riggs updated the board on the progress of the Dog Park pavilion Boy Scout project. Riggs stated he met with Tristan Yonash and his father Teagan regarding the status of the project. The Yonash's advised they were still waiting for funding in order to dig the test holes. They have yet to outline all of their expenses including materials/labor etc. and have no working budget in place for the project. As of their meeting the Yonash's still needed to meet with the Dog Park Board to discuss the project. Riggs was advised per the Dog Park Secretary, Christina Hohensee, a meeting was held in which the Yonash's attended and Christina put them in touch with several parties who could provide quotes to dig the test holes as well as some other fundraising potential for the project.

Riggs noted that at this point the project seems to be going in a good direction but prior to the Park Board allowing any work to begin or putting any funding towards it, a much more organized plan needs to be in place. This will not only protect Tristan and the project but the City and the Dog Park from having an incomplete or substandard pavilion erected in the park.

Calumet CN – Director Riggs updated the board on the status of the project advising them the intention of CN is to extend the double track siding north through Robert Street to a point right behind Richter's. He noted there will be double track across Adams Street as well but the stop line for the trains will be south of Adams so it will never impact traffic on Adams Street. CN's plan was to connect Calumet Street with Bridge St and they have been working with the City to determine a design that had the least impact on wetlands, parkland our buried utility infrastructure and also create a design that would be feasible for us to maintain. The City also took great care about ensuring the aesthetics so it would match the existing cast concrete walls on Bridge Street. Plans agreed upon with CN were presented and approved by the City Council and would not affect the Bike Path, any parkland or any wetlands. It strengthens our utility

infrastructure that's buried in that area (60% of our flow for the City goes through that area) and it would maintain access to the Dog Park and the City lift station.

Riggs stated the only drawback of the project is that essentially there will be a large ramp with a grade increase from where the existing Robert Street is all the way to the top of the bridge right by the box culvert just to the east side of the existing box culvert.

Riggs noted there were some aesthetic requests that CN did accommodate. The entire project is at no cost to the City. CN is providing the City with \$50,000 to redo some signaling improvements at Milwaukee/Pine. CN will also be matching a \$7,500 grant from WisDOT for the closure of Robert Street for a total of \$15,000. Riggs advised that CN will be putting in the same decorative lighting and aesthetics that are currently on Bridge Street and giving the City an additional light pole, valued at \$8,000, in the case one gets damaged.

Riggs advised the board that CN had been very easy and accommodating to work with and will be managing the project, bidding the project and they will be paying Kapur & Associates (City Engineer) to be the overseers of the project ensuring all the project specs are to the City's approval and standards.

Commissioner Schopp questioned if while construction was going on the railroad would be using some of the parkland for equipment storage. Riggs stated no they should not be. He advised there was plenty of right of way for them to store equipment, if any, affecting no parkland. Riggs also noted that during construction they will have to disrupt the Bike Path and remove the existing asphalt path in order to gain access to utilities; however Riggs advised they but will be putting gravel down on the path during that time to still allow for usage.

Riggs noted there were two concessions for public safety. Due to the ramp installation on Bridge a small hollow would be created on the back side of the bridge creating a low visibility area. Graffiti and other vandalism has occurred now in this area so, in the hopes of preventing that, CN will install a wall mount pack light to illuminate the area, hopefully deterring any illegal activities. The Fire Department had some concerns regarding a fire hydrant currently located there. The City was able to convince CN to extend that hydrant about 200 – 300 feet closer to Robert Street which is a more ideal location with a watermain extension further down should there be any issues that would occur further down the tracks where they would need fire service. Commissioner Schopp inquired as to whether or not CN would extend the hydrant all the way to the Dog Park. Riggs stated this was brought up but CN was not willing to extend the service that far.

New Business:

A. Discussion regarding Baseball 2000 signage and field use.

Director Riggs advised the board that on Tuesday June 12, 2018 the City was notified of signage installed at Beaumont Field by Burlington Baseball 2000 (BB2K). The signage was removed the following day in order to give City officials some time to meet, discuss the issue and determine what type of direction the board would want to move forward with.

Riggs provided the board with the legal background with the BB2K lease. Riggs explained BB2K is the possessor of the premises during the baseball season thus providing them the right to establish ground rules for access at the facility. "Lessor (City of Burlington) does also have the right to use that premises for public purposes at such times and in such a manner not inconsistent with the rights granted to the lessees hereunder." Riggs stated his interpretation of that language would be that with requests the City of Burlington or the Park Board could use that facility for public purposes. Riggs further explained that later on in the lease agreement it does provide the lessee (BB2K) with the authority to erect signs on the premise as long as it complies with City of Burlington ordinances and Park Board policy. The Park

Board does have an adopted signage policy which provides ultimate authority over any sign that would be erected in any City park to the Park Board. Regardless of the merit, truth, validity or message of that sign the Park Board is the ultimate decider in that case. The Park Board can also delegate this authority to the Director of Public Works for purposes of this policy.

Riggs additionally informed the board that minutes from the April 20, 2017 Park Board meeting was found that discussed this similar issue vaguely. Riggs stated at that time the Commissioner of the Park Board presented a sign that BB2K had asked them to install and after some discussion, then Director, Jim Bergles, stated he would contact BB2K and inform them that it was not okay to install that signage.

Riggs stated it should be noted that athletic fields do require maintenance and there are appropriate times when athletic fields should be closed to public use. And public use on an athletic field should always be appropriate to that type of field. However there are times when conditions would allow for public use of an athletic field that is appropriate for that use. Riggs stated it would be his recommendation and the recommendation of other staff that the Park Board approve some policy to allow BB2K to install signage at the field when use needs to be limited but that should not be permanent signage to limit use at all times.

Bud Milroy, BB2K representative, referenced back to the meeting in April of 2017 stating that he thought BB2K had gone through the proper channels and it was not their intention to circumvent or ignore the Park Board policy. He reiterated again that they had brought their signage to the commissioner at the time who presented it to the board and they made their decision which was to be relayed to BB2K. Milroy stated that the sign that was presented in April of 2017 to the Park Board and denied is essentially the exact same sign that was hung up. Milroy stated that somewhere along the way communication broke down. Milroy stated he was advised that the sign was okay as long as the wording was approved by the Police Department. Milroy stated he personally took the sign to the Police Department for approval; however did not have them sign off on anything. Milroy stated that the Police Department advised him it was okay and they were not going to arrest anyone but merely ask them to leave the field.

Milroy advised the signage had gone up shortly after the backstop had been replaced. This was a project that they worked on with the City and the whole area had been freshly sodded, refurbished and a lot of work had been done to get the field ready to be played on for the high school seasons. The flood hit in July opening up a whole can of worms which involved a lot more work on the field. Milroy advised the sign has been up for a little over a year. Milroy stated a lot of money and time has been spent there. With baseball season typically running from the beginning of March to end of September which is when the high schools start playing their games and then the Barons finish up sometime in September. Milroy explained that after the season is when BB2K then gets into doing the maintenance in the late fall so that it's in place for the winter.

Milroy provided some history to the Board of the uses of the field over the years including Chocolate Fest and space for spectators to enjoy the fireworks. Milroy stated its those type of things that were in mind when the City said it was the public use of the field. Milroy stated that if the City or the Park Board came to BB2K and said the field was needed for a festival going on they would understand and move out of the way.

Milroy stated that signs were a big deal at the beginning of the lease and agreement at Beaumont Field. It was basically the deal with the advertising along the outfield fence. The boards were all in support of it just aesthetically pleasing sign rules. Milroy stated the advertising signage at Beaumont Field is the only source of income. There are signs on the outfield fence, the back of the scoreboard and along the driveway coming in BB2K receives in the neighborhood of \$30,000/yr with every dime being spent on the field. Milroy stated that is one of the things that was put into the lease and that's what the intent was so that the City could have proper approval of all the advertising signage that goes up.

Riggs questioned Milroy what the process was for approval when an advertiser comes to BB2K to install signage. Milroy stated the has to be of a certain size & material and made by their sign maker, Burli Signs, who was approved by the City years ago. Milroy further stated the message on their sign has to be non-offensive and the advertiser not a bar or liquor store. Riggs questioned who determines what advertisers allowed and the signage verbiage. Milroy stated the BB2K management committee determines that. Milroy stated that the contract /agreement that advertisers sign with BB2K stipulates if there is any question with their signage it goes before the Park Board or to the Public Works Director whether there is any uncertainty they can say that or not but it had never been an issue before.

Commission Schopp inquired as to where all the advertising signs were allowed. Milroy stated on the outfield fence primarily inside the outfield fence. Jim, BB2K, interjected and advised the board that years ago it was talked about putting the advertising signs along the fence on Milwaukee Avenue and BB2K and the Park Board agreed they didn't want to do that so BB2K adhered to that. Jim noted that civic groups and organizations are allowed to have temporary banners placed on the Milwaukee Ave fence down to the south towards Adrian's on that low fence just to the south of the scoreboard but have to go through the Public Works Department to have it put up.

President Amborn voiced concerns over the number of advertising signs and questioned whether a detailed expenditure of where the advertising money goes could be provided. Milroy stated that BB2K does that monthly and was able to provide the board with copies of the expenditures for 2017 & 2018. President Amborn thanked Milroy but still requested more detail which he agreed to provide but wanted to know how often she would like them. President Amborn requested them monthly. President Amborn also noted that in the lease it states that a member of the Park Board should be on the BB2K Management Committee and she would like to be notified when those meetings are so a board member could attend. Jim advised during the summer BB2K tries to meet on Saturday mornings and during the off season on Wednesdays. He stated he would email both President Amborn and Park Board Secretary Angela Hansen with the details as well as copies of the financials and minutes from the meetings.

President Amborn reiterated the issue with the most recent sign posed a lot of confusion as to why after the signage was not approved back in April of 2017 did no representative from BB2K ever come back to the Park Board with a rewrite or new sign submittal for Park Board approval. Milroy stated BB2K was told by former Director of Public Work, Jim Bergles, that we were okay and to get the wording approved by the Police Department.

Commissioner Wasik interjected stating she was at the April 20, 2017 meeting and stated that was not what was discussed regarding this sign. Milroy stated he was merely stating what Bergles told him as he was not at that meeting. Jim Luedeke, BB2K, stated that some of this was on BB2K as they should have gotten something regarding the boards and/or Bergles direction from that meeting in writing but they didn't. Commissioner Wasik referenced her unique perspective on this subject not only as a Park Board member and City resident but also as a Burlington Little League member and parent of a player who plays on Beaumont Field. Commissioner Wasik expressed her opinion that she felt the sign was inflammatory in nature; however wholeheartedly appreciated the time, cost and the energy that it takes to maintain the beautifully kept Beaumont Field. But as a taxpaying citizen of the City, Commission Wasik questioned with it being a City park and if nothing were to be going on at the field and her or the public wanted to use it, was the harsh language of sign including possible arrest really necessary. Milroy stated that is part of the issue. He stated just because there is not a game on the field doesn't necessarily mean there is nothing going on, whether it be sod or fertilization. Commissioner Wasik stated she has seen signs on the field saying keep off the grass and assumed it was for fertilization or the like but if there is nothing there what is to stop her or any other tax paying citizen to play there. Luedeke stated BB2K does have a lease for the field and they are spending money as a non-profit corporation to have a maintenance guy mowing and maybe prepping for a game the following day. Commissioner Wasik stated that basically it was BB2K's position that during baseball season, from April to July, the public was not allowed on that

property. Luedeke, BB2K, responded with unless you are a team player on the field. Milroy advised that current players at Beaumont know they are allowed to use the field with prior approval from coaches. Milroy stated players who currently play at Beaumont Field are encouraged to use the field/batting cages anytime with prior approval and know the rules of the field and how to restore it when they are done. Milroy stated the problem BB2K has with the 9-12 yr olds that want to come to Beaumont and play on a field that is regulation size to major league don't know the same rules and may not leave the field in the condition it was in. Milroy questioned why any younger kids who want to use a field couldn't go to the Hintz Complex and confirmed with Wasik that Little League wouldn't want kids on their fields either. Commissioner Wasik disagreed and advised Milroy that Little League was not allowed to kick anyone off the field. She stated the only time they have ever asked anyone to leave a field was if the City had freshly lined it for them and they had a game. Luedeke, BB2K, stated the City doesn't line Beaumont Field nor do any maintenance on it. BB2K pays a maintenance guy to mow it, seed it, and water it as well as having sprinkler systems they have to maintain.

President Amborn questioned if some signage could be done that states something like "field has been prepped for game please come back" or "field has been prepped for game please stay off". That signage could go up whether its 2 hours before a game or 6 hours before a game but then when the game is over the signage should not go back up and the public should be able to utilize the field. Milroy voiced concern over the damage that could be caused on a field especially a wet field. Luedeke also voiced concerns over someone coming onto the field and damaging the very expensive underground sprinkler system installed there thus creating more expense for BB2K. Milroy also stated that players who come to Beaumont field come with a certain expectation that the field is going to be in good shape. Milroy further noted that per the lease, BB2K is carrying liability insurance to not only protect the City but the players, volunteers and coaches. That being said if a resident was to come down with their family and be hurt Milroy expressed concern on who would be liable for their injuries.

Commissioner Schopp questioned if multiple leagues in the area have fields to the same caliber as Beaumont. Milroy and Luedeke advised most leagues fields have turf. Commissioner Schopp questioned if Milroy knew what their policies were for uses of those types of fields. President Amborn also questioned who funded and provided maintenance for those type of fields. Milroy stated a lot of fields with turf such as Wilmot & Lake Geneva are supported and maintained by the school boards. Luedeke noted that in all of the years that they have been doing the sign advertising BB2K has invested approximately \$300,000 into the field just since he has been on the board over the last 12 years, which is an immense amount. He stated that monetary amount doesn't even include the time and effort put into the field over the years as well.

Riggs discussed the necessity for direct signage regarding the field's usage but also discussed the possibility of different signage being placed for different events, maintenance on the field or when games would be played. Riggs stated that direct signage tailored to specifically what is going on at the field will help the public wrap their head around the intended usage instead of the current signage terse language that includes no explanation of why usage of the field is not allowed which is especially important considering the park is labeled a City of Burlington park. Milroy agreed and stated the signage for the field needed to be better worded. With that said Milroy stated he was unsure the Park Board and/or the general public really understood all of BB2K's concerns with public field usage. Milroy again reiterated that any players that play on Beaumont Field are "schooled" on how to prep the field and take it down when games are over and that is expected of them each and every time they play.

Luedeke questioned if the board wanted BB2K to have multiple signs for different times, etc.

Riggs stated that central to his recommendation is the concept that there are times when use of the field by the general public is not appropriate but there are times when use by the general public is appropriate. Riggs stated he felt there are times when Beaumont Field could be used by the public and should be open

to the general public and noted that was his recommendation to the board. Milroy voiced concern with the general public being on the field and maintenance for BB2K coming out needing to mow the lawn and not being able to tell people to leave. Riggs stated maintenance of the field would most definitely be one of the reasons the public should not be on the field; however appropriate signage would need to be in place to state such so the general public was aware of why they could not use the field at that time. Milroy again stated some maintenance issues such as mowing not always being a planned event and had concerns of issues arising when/if they would have to ask people to leave.

Luedeke made mention that BB2K is a very unique organization being able to run a baseball field non-profit as most organizations are for profit. Milroy noted other communities have asked BB2K how they their organization. Milroy advised the board both he, Luedeke and BB2K want to be reasonable and cooperative but they are sensitive to all of the time and effort necessary to maintaining the field to the level it needs to be.

President Amborn raised concern that BB2K was still very hesitant to any public usage of the field during the baseball season. Milroy stated the public usage they would like to see would be activities sanctioned of a larger nature such as a concert or City festival. President Amborn reiterated the root issue is still that BB2K does not want the public on the field at any time during baseball season. Milroy stated they would allow for the public to use the batting cages respectfully but not the field.

Commission Wasik agreed that with the public being allowed to utilize the field there is the potential for damage. Milroy mentioned that the Burlington Baseball's Hall of Fame induction is on July 8, 2018 and Beaumont Field will host a Barons game as well as a softball game with some City workers, Fire & Police employees etc., as sort of an anniversary for first responders from the flood. Milroy noted the game will not be to regulation so players will be running across the grass and this type of event is BB2K's idea of public use. Commission Wasik confirmed that the Park Board and BB2K's definition of public use is different. Milroy agreed and stated that a Mom and Dad pitching to a kid on the field is a gray area as far as usage for BB2K. Commissioner Hoffman questioned how much of the type of public use that is being discussed tonight has been done. Milroy advised prior to the sign being put up there was a moderate amount of public use.

Luedeke stated there was a time where BB2K had to ask a parent and child to leave the field and the parent was very upset due to being a City resident and feeling they should have been allowed to be there. But Luedeke stated that is where the conflict lies with BB2K. How do they allow the general resident to use the field and possibly tear it up leaving the cleanup and repairs to BB2K, when the players who play there are expected to and know they have to assist in the maintenance of the field each time it's used by restoring it to how it was prior to the start of their game. Commissioner Hoffman questioned if there was substantial damage that resulted in monies spent by BB2K that was done by the general public when they used the field or was it merely the worry of BB2K that there could be damage done if the public was allowed usage of the field. Commissioner Hoffman further questioned if the public being on the field was a real problem or one that could be problem. Both Milroy and Luedeke agreed that it was the fear of the unknown with the public being there and the fact that they were worried the public could cause damage to the field which would force BB2K to incur costs not budgeted for. Neither Milroy nor Luedeke were able to provide specific damage sustained to the field nor monetary amounts spent in repairs.

Commissioner Brandt gave BB2K credit on their maintenance and care of the field and respected the organization and what it does for Burlington; however he too would like to see the public allowed to use the field as well. Milroy stated Beaumont Field was the only "adult" field in Burlington and noted there were several other fields around in the City for kids to throw a ball and have batting practice.

Riggs brought up the point made by Milroy that the general public was not aware of how to treat the field appropriately. Riggs questioned if there was signage on the field that stated the rules including conduct,

usage or a list of other surrounding fields. Milroy stated no there was no signage at Beaumont like that at this time. President Amborn commented that this seemed like a good place to start for signage. Commissioner Hoffman noted that maybe in order to educate the public on the use of Beaumont Field some sort of signage be placed informing that the field is dedicated to the play of a certain level of teams which requires the field to be maintained at a high level. Also maybe include something about the maintenance being done by a non-profit organization and the field is a special place not meant for casual use that may damage the field or result in injuries. Commissioner Hoffman felt this would assist in putting it in context for the general resident who is unaware of what the park/field is being used for. Commissioner Brandt agreed with previous comments on the need for better/informative signage but also wondered if there maybe could be a public day similar to what Miller Park does just on a smaller scale. Commissioner Hoffman agreed with the stating maybe allow the public to meet the Barons. Commissioner Brandt felt this would allow for BB2K to educate the residents on how the organization is run and the rules and regulations of the field.

President Amborn and the board agreed that BB2K should start by obtaining some educational / informative signs stating the rules, regulations and expectations of Beaumont Field. Milroy and Luedeke agreed and were advised to obtain mock up signs and come back to the Park Board for review and approval prior to installation.

Commissioner Hoffman did note that per the lease agreement there is supposed to be a Park Board representative on the board. She felt this by begin more involved in the direct meetings would avoid some of the confusion in the future on items affecting BB2K. Milroy and Luedeke agreed and Luedeke agreed to email over copies of the Treasurers report as well as meeting times for the BB2K board.

(At this time BB2K representatives Bud Milroy and Jim Luedeke left the meeting thanking the board for their time)

Discussion ensued between board members regarding the confusion over the sign being installed, even when directed by the board last year not to, as well as how to better work with BB2K to allow the public to utilize the field. All members were in agreement that the maintenance and care BB2K has taken with Beaumont Field over the years has been wonderful. Questions were raised regarding what the lease with BB2K entailed. Riggs advised the board that BB2K is the possessor of the premise during the term of the lease (2 years) which expires in November of 2018. The lease with BB2K and the City allows BB2K control of the premise for the term of the lease and it is within their right to refuse anyone to access that facility. Director Riggs stated BB2K's main way to prohibit the use of the field is through signage which is where the authority of the Park Board comes into play. Questions were raised on who paid for all expenses for the field. Pursuant to the lease agreement with BB2K, the City pays the cost of all electric, sewer & water utilities; maintenance, cleaning and stocking of the restroom facilities; maintenance of the parking lot, bleachers, fencing, buildings and landscaping and providing technical assistance and operation support by the Department of Public Works as directed by the Park Board. Riggs advised the board as they come into lease negotiations later this year a majority of items related to BB2K would be discussed and could be better defined at that time. The board also questioned what they needed to do to appoint or motion to dedicate a representative on the BB2K board. Riggs stated he would check with City Attorney John Bjelajac regarding how the appointment would need to be made.

A. Discussion of an additional pavilion at Devor Park.

Director Riggs advised the board that Aldermanic Representative had some discussion among folks that thought that a pavilion should be built closer to the play structure at Devor Park due to the relocation of the playground equipment to the opposite side of the existing pavilion. Director Riggs advised that he had spoken with Bob Prailes and the discussions regarding this pavilion are still in the very initial stages. No work, formal designs or plans have even been drawn up. Director Riggs reminded the board that they

had seemed to generally support the idea of this additional pavilion and could make a motion to be supportive of using leftover pool funding to addressing this issue. Commission Schopp questioned if the left over pool funding was under the control of the City Council and Director Riggs agreed. By making this motion of support is really a proactive measure by the Park Board and provides the City Council with a good start for them to go forward with determining the validity of the additional pavilion. Director Riggs stated as of now staff has moved additional picnic tables and trash cans to the playground area to provide people with more seating option for the time being. Director Riggs clarified that the board's motion tonight would merely be to state that the additional pavilion option has merit and would be an appropriate addition to the park and not to commit any park development funds to project at this point.

Commission Brandt entertained a motion to make a recommendation to the Common Council regarding Park Board approval of the addition of another pavilion at Devor Park using existing pool funding. Motion seconded by Commissioner Hoffman: Roll Call: Aye: Amborn, Brandt, Schopp, Hoffman & Wasik. Nay: None. Motion carried 5-0.

Old Business:

Commissioner Schopp questioned the status of the tennis courts. Director Riggs advised both he and the Parks Foreman, Aaron DeGrave have been working on this issue. Director Riggs stated he has found a few products through Sherwin Williams that he has yet to purchase due to determining if any are the right product for this project. He advised that both he and Foreman DeGrave inspected the courts and them with only one large crack of concern. Director Riggs stated the weeds growing out of the cracks would be taken care of and in the coming months a proposal will be coming before the board to add Pickleball lines to the court as well.

Commissioner Schopp mentioned the split wood fence on the uphill side of Amanda St with a few sections out and in need of repair. Director Riggs stated he would have Foreman DeGrave check on this area and update the board of any costs.

Other Items:

None.

There being no further items for discussion, President Amborn entertained a motion for adjournment. Motion to adjourn made by Commissioner Brandt. Seconded by Commissioner Wasik. All voted aye, and President Amborn adjourned the meeting at 8:40 PM.

Minutes submitted by:

Angela Hansen
Administrative Assistant
Department of Public Works