

WHITEHALL PARKS AND RECREATION COMMISSION

FEBRUARY 25, 2016

The meeting of the Whitehall Parks and Recreation Commission was called to order at 6:03 pm by Chairperson John Feters. In attendance: Mike Adkins, Tiffanie Charles, Feters, Greg Thurman, Director Steve Carr and Shannon Werner. Absent: Kyra Barnes, Katie Quincel and Zach Wright. Guests: Councilman Wes Kantor, Chris Bolich, Ken Euman and Eric Neale.

Thurman moved, seconded by Charles, to excuse the absent members and the motion carried 5-0. Zach Wright arrived several minutes later.

Next, guests were polled. First to address the Commission was Chris Bolich of the Whitehall Bantam Football Association. He asked the Commission/maintenance to address football field conditions. He said, over the years, diamond #7 has crept further into the field and the crown of the football field also needed maintenance (grass and dirt).

It was explained that Rosemore Middle School uses diamond #7 and they require certain regulation depths. Carr suggested that, since the league doesn't really use the goal posts, the posts could be removed and the football field could be re-angled to avoid more of the baseball diamond. Moving the football field to another location would mean the loss of the field lights. Bolich agreed that could work and said he'd look into it. Carr also said the department would try to address the field's crown too.

Ken Euman, of the Whitehall Tee Ball League, was next to address the Commission. He said he doesn't agree with the suspension of services to non-compliant youth leagues that is to be discussed. He said that the league's financial information was not the Commission's to gather and that he submitted the league's constitution and by-laws years ago. He said that the Auditor and Carr said they were satisfied with their financial statement before. Carr said that was untrue.

Euman continued to say that suspending services was a violation of the Charter. And limiting the league to 5 and 6 year olds goes against the league's constitution and could threaten their 501(c)3 status. He said that no one has tried talking with him or the leagues. He said that communication should be done by talking and not through emails.

Thurman asked if the T-ball league simply did not have the requested information, or did the league have the information and was refusing to submit it upon principle.

Euman said the league did have the requested information.

Thurman asked if they were willing to lose city assistance because they were choosing not to turn in an auditable financial statement.

Euman said the league wasn't going to comply because they didn't have to. Euman also thanked the Commission and department for their past assistance.

Lastly, Eric Neale of the Whitehall Youth Athletic Association spoke. He said that WYAA did provide all requested information with the exception of insurance but they had a plan in place to buy insurance through USSSA. He also wanted to introduce Bob Straits, who will be taking over as league president for the 2016 season.

Carr added that he did receive the additional requested information from WYAA. However he has not had a chance to carefully review the league's financial information. Therefore staff was not prepared to make any recommendation concerning WYAA tonight, but will be prepared to do so at the next regular meeting.

Carr also added that WBFL was substantially in compliance with the Commission's reporting policies.

Moving on, Charles moved, seconded by Adkins, to approve the minutes for the January 21, 2016 and January 28, 2016 meetings and the motion carried 5-0.

Charles moved, seconded by Thurman, to approve employees' wages/ personal service for 1/22/16 through 2/18/16 and the motion carried 5-0.

Charles moved, seconded by Wright, to approve bills and refunds through 1/31/16 and the motion carried 5-0.

The Commission reviewed the trust fund and budget through 1/31/16.

Director's Report:

Carr confirmed that members had received the report and attached checklists. These were individualized checklists sent to each youth league requesting additional information and/or explanation (per financial the reporting policy) with a notice of pending suspension approved at the January 28th meeting.

He reminded the Commission of the State of the City address to be held March 16th at 6:30 pm and that RSVPs were requested.

Carr is meeting with ABM and MSA on 2/26/16 to discuss how the city's energy audit will be incorporated into the Activity Center's planned renovation.

A legal notice advertising bid proposals for the construction of the spray ground will run on March 3 and 10, with bids to be opened on March 23.

Carr informed that a switch was made to the 2016 Music in the Park series, with Mojoflo scheduled to play on July 10 and Direct Energy to play on July 17. This year's lineup includes three local acts and four tribute bands. He also anticipates a request from the Community Affairs department to sponsor a July 3rd band.

Next Carr read the staff recommendation to suspend city assistance to youth sports groups that remain non-compliant with the Commission's reporting policy. Currently this would affect the soccer and T-ball

leagues. The suspension would be lifted if the leagues substantially meet the requirements by March 17, 2016.

Wright asked if it meant that the soccer league could not use the fields at JBP. Carr said, yes, that is what he is recommending.

Thurman stated that the Commission was trying to straddle their appreciation for the leagues' volunteerism while at the same time upholding city mandates. He asked Carr to clarify, once more, the relationship between the youth leagues, the Commission, the city auditor, etc.

Carr started with the city charter. The charter says it is the Commission's responsibility to provide assistance to groups which provide recreation programs within the city. However, neither the nature nor the amount of assistance, is defined in the charter. Further, according to the city attorney, there is no language in the charter that would prohibit the Commission from setting conditions upon that assistance. So, through discussions with the city attorney, Carr believes the recommendation is within the guidelines of the charter.

Next Carr addressed the city ordinance. The current ordinance defines assistance as "moneys and/or equipment". The city attorney has determined that "in-kind services" were not the same as "moneys", although the Commission and city officials had previously assumed it was. Now, there is currently pending legislation before city council. This legislation is intended to clarify the term "assistance" to include "in-kind services," so there will be no misunderstanding.

Carr continued by addressing the leagues' relationship with the Parks and Recreation department. He explained that he examined the department's salary/benefits budget in relation to the amount of time staff and maintenance spends providing assistance to youth sports. Conservatively, he puts that amount at \$45,000 annually across all four leagues. In the case of T-ball, this expenditure is in addition to the cost of extra contract mowing, weed and feed treatments, trash pick-up, port-a-johns, cleaning of flush restrooms, plates and bases, and sand and clay. This adds up to a substantial amount of money. The situation is that a private non-profit group runs their league, in part, with a subsidy of tax-payer dollars.

Carr thinks that if the department provides assistance, there should be accountability. The current checklists for missing/incomplete information provided to the youth leagues is quite a reduction from the original reporting policy the Commission instituted, as advised by Auditor Miler and the city's insurance risk manager.

Carr said the recommendation "speaks for itself". Carr feels there has been plenty of communication through emails and formal Commission and City Council meetings. There is a defiance on the part of two leagues to fulfil the request for reasonable information. Carr added that one youth league has fulfilled all requests and another league that may have fulfilled all requests (information currently being reviewed).

Thurman asked for more information regarding the ordinance. Carr expands, explaining that the city ordinance says that groups which receive assistance provide a financial statement to city council in an

accounting system approved by the Auditor. The proposed amendment provides two clarifications: 1) It adds facilities and in-kind services as types of assistance and 2) it requires groups to turn in their reports within 60 days of the end of their season. This second part allows the city time to react before the league resumes their next season. The Auditor has made available what information he wants from the leagues. This information includes documented beginning and ending account balances, receipts for all expenditures, and pay-in vouchers signed by two board members.

Thurman asked what the Commission's role is if the amendment passes and regarding the financial reports.

Carr said that there is no penalty described in the ordinance (a fine, for example). So, if the Auditor believes a group's financial report falls short, the only "teeth" the Commission has is to withhold support/assistance. There is nothing in the ordinance that speaks about proof of insurance or providing by-laws. Providing insurance was recommended by the city's own insurance provider. Requesting that a league provide its by-laws allows the Commission to see that they are following their own prescribed procedures.

Carr added, because the city is supporting the groups with public tax dollars, it is an appropriate role for the Commission to act as a "watch dog". Further, if a group does not ask for any city assistance the city will not make any requests from that group.

Wes Kantor referred to the legislation before City Council as a matter of "housekeeping". He said he knows the City Attorney reviewed the legislation, and he asked Carr if he received a legal opinion regarding the interpretation of the charter.

Carr said he had a lengthy conversation with Michael Bivens. And while he did not request a formal legal opinion, Bivens verbally indicated he saw nothing in the charter that prohibited the Commission from placing conditions upon assistance rendered.

Kantor reminded the Commission that T-ball could petition the schools to provide the same services they currently receive, but their decision will greatly affect soccer (because they play on city property).

Charles asserted that the Commission is only asking for basic information pertaining to financial transparency and it is not an unreasonable request.

Charles moved, seconded by Wright, to approve the recommendation to suspend city assistance to non-compliant youth leagues and the motion carried 5-0.

The Commission moved on to a discussion of the JBP Walk of Fame. Wright recommended they induct the last three nominees (Phil Allen, Gary Miedl and Earl Foit) and honor them with the existing monument style, even if those large monuments need to be moved in the future, then honor all future inductees on a "Wall of Fame". Carr said he did not know for sure if the monuments could be moved. Carr also said that there is \$3500 in the 2016 budget to build one monument. Wright suggested they could explore the option of using the Recreation Trust Fund to fund the other 2 memorials.

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Thurman said he was agreeable to the idea so long as the monuments could be moved, if needed, to facilitate future park improvements. He did agree to honor all three nominees. Carr said he would investigate the viability of moving the monuments.

Wright moved, seconded by Adkins, to build three more monuments (for Allen, Miedl, and Foit, provided they can be moved if necessary) in the current style and to honor future inductees in some other fashion and the motion carried 5-0.

The Commission agreed to contact the newspaper and honor the inductees at the city's Fourth of July celebrations.

Charles asked about the nomination to rename the baseball fields after Earl Foit. The Commission decided not to act on it at this time.

Moving on to old/new business, Charles spoke up for better promotion of Parks and Rec. in the Fourth of July parade in the form of signage, the department named on shirts, and more candy.

Wright also mentioned that, with the addition of the spray ground, there may be a need for an overhang on diamond #8 to prevent foul balls from entering the spray grounds.

Thurman asked if anyone knew how Orton Davis Park came to be renamed John Bishop Park. As no one could say for certain, he suggested it may be worth looking into in the interest of righting a potential wrong.

Adkins asked if it was possible to bring Whitehall Youth Basketball into the fold under a potential umbrella group. He said the Parks actually own the backboards for the Micro Division and the current president would like to have some sort of (third party) financial accountability. Carr said he would reach out to Ms. Colwell at the end of her season.

Also, at the request of Fetters, Carr agreed to obtain pricing for an ad/insert in the Whitehall News in order to promote the department and its programming.

There being no further business Adkins moved, seconded by Charles, and the meeting adjourned at 7:11 pm.

To the best of my knowledge these minutes are true and correct.

Chairperson