

GOSHEN PARKS AND RECREATION PARK BOARD MINUTES

Date: November 18, 2019

Time: 5:30pm

Place: 410 W. Plymouth Avenue, Rieth Interpretive Center

Present: Doug Yoder, Vice President; Jennifer Shell, Secretary; Jim Wellington, Member; Barbara Swartley, Member.

Also Present: Tanya Heyde, Superintendent; Kimberlee Stephens, Recreation Supervisor; Kevin Yoder, Maintenance Director; Staycie Gervais, Administrative Office; Don Shuler, Park Attorney.

I. Call to Order

Yoder called the meeting to order at 5:30 PM.

II. Motion to Amend Agenda

Stephens added Elkhart County 4H Fairgrounds, Mother Son Dance Rental Contract to the Recreation Service Agreements.

III. Approval September 2019 Park Board Minutes

Wellington requested a correction to the October 21 minutes. The Larry Beachy Classified Forest brochure should state the "Dr. Larry Beachy, a former owner of the land" not "Dr. Larry Beachy, the former owner of the land".

Yoder called for a motion to approve the Park Board Minutes for October 21, 2019. On a motion by Swartley, seconded by Shell, ayes carried.

IV. Approval of Park Payable Docket, October, 2019

Financial reports were not yet available per Clerks Office

V. Approval of Park Gifts Expenditures, October, 2019

Financial reports were not yet available per Clerks Office

VI. Approval of Park Gifts Revenue, October, 2019

Financial reports were not yet available per Clerks Office

VII. Public Presentations and Correspondence

None

VIII. Approval of Superintendent and Director Reports

Yoder called for a motion to approve the Superintendent and Supervisor Reports for November 2019 as presented. On a motion by Wellington, seconded by Shell, ayes carried.

IX. New Business

1.) Park Rules and Regulations 7.1.1.10 Possession, consumption and sale of alcoholic beverages – Heyde

Heyde presented for discussion the current park rules and regulations regarding possession, consumption and sale of alcoholic beverages. Heyde explained there have been some informal discussions within previous board meetings surrounding alcohol in Parks and wanted to present a formal discussion. Heyde also explained there is some gray area in the rental process with Parks Department taking over the

responsibility of renting and reserving the Powerhouse and the Millrace greenspace for Redevelopment. The Park Department is better equipped to handle the reservations, rentals and custodial needs. The two Redevelopment spaces allow for alcohol during rental events.

Yoder questioned what the City policy is for alcohol in public spaces. Shuler explained the city does not have a specific policy for alcohol in public spaces; state law governs it. Local park rules and regulations state alcohol is not permitted in parks.

Heyde explained there are state guidelines for obtaining permitting for special events through the Indiana Alcohol and Tobacco Commission for temporary alcohol permits. Heyde stated there are procedures already in place that Parks can easily adopt into the reservation process. Heyde clarified that her recommendation would be to allow alcohol in conjunction with a park's rental space or rental facility.

Swartley mentioned several local businesses that provide for outdoor special events that serve alcohol.

Wellington mentioned the discussion with previous administration where park rules were incongruent with state laws because the laws allow for alcohol in public spaces.

Shuler stated that to be true, and elaborated that it is not unlawful to possess or consume alcohol while walking down a public street and there is not a city ordinance stating it is unlawful. There is no criminal offense to consuming or possessing alcohol, so ordinances typically attempt to control the behavior that could be associated with consumption.

Wellington stated when the park rule was last presented in 2012; the request was to simply allow alcohol in parks not just for rentals, this recommendation is more restrictive.

Heyde explained it would be her recommendation that if supported, alcohol only be allowed when there is a parks facility or space being rented and that alcohol would remain within the footprint of that facility or structure.

Shuler stated when applying for an alcohol permit through the Alcohol and Tobacco Commission, applicants must provide the equivalent of a site plan that includes where the alcohol will be served; parks can require copies.

Shell mentioned associating fees with alcohol use. Shuler explained this would be a two-step process. First is the recommendation to change park rules and regulations to allow alcohol with rental spaces and facilities in parks. The second step, if the recommendation is approved, is to change the rental procedures, applications, manuals and park rules and regulations. The details for how that will be done will follow a supported recommendation from the Parks Board by Council.

Wellington stated that the basics is that last time it was presented anyone could just have alcohol in the parks, and this time what? Shuler answered, if somebody wants to have alcohol for an event for which they are renting a park facility or space, they are allowed to have it presuming they apply for and receive approval from the Alcohol and Tobacco Commission as well as are able to meet park requirements for such rental.

Wellington sated he is willing to support this recommendation. Swartley stated she is also willing to support. Swartley added it has potential to increase park revenue.

Shell added that there is consideration for the proposed multipurpose pavilion/ice rink slated to be under Parks operation. The Board added it could be another facility causing some gray area if rules and regulation remain as they are.

Swartley inquired about the process for a recommendation to Council. Shuler explained if the Board recommends an ordinance change, and council adopts with no changes, then the ordinance is changed. What comes back to the Board is changes to the rental contracts, policies, procedures and facility rental manual and proposals for adoptions. If the Council amends the ordinance change then it will come back to the Board to ratify. Rental agreements, policies procedures does not go to council, just the ordnance change.

On a motion by Wellington to favorably recommendation to Council to change park rules as presented and seconded by Shell, ayes carried.

The Board discussed parks rule relating to photography.

2.) 2020 Board Meeting Dates

Heyde presented the Board with the Park Board Meeting dates for 2020. Heyde requested changing the January 2019 meeting to Tuesday, January 14, 2019 in observance of the Martin Luther King holiday. Heyde requested the Board approve the 2020 Park Board Meeting dates as presented. On a motion by Swartley, seconded by Wellington, ayes carried.

3.) Board Member and Terms

Heyde presented the Board with a Board Member list of terms as a reminder of the upcoming January officer elections. Roger Nafziger's term year should read 2019 not 2018. No motion needed.

4.) Goshen College Request

Heyde presented the Board with a request from Goshen College to use Fidler Pond and the parks equipment at no charge for research. Heyde informed the Board that the college since their initial request has decided not to continue with their research due to the unseasonably cold temperatures and wind. Heyde requested Board approval and ratification. On a motion by Wellington, seconded by Swartley, ayes carried.

5.) Recreation Service Agreements

Stephens presented the Board with Recreation Service Agreements for The Music Place, Mother Son & Daddy Daughter Dances; Ashle Horvath, High Fitness Instructor; Bryan Barrick, Jiu Jitsu Instructor; Burns Rent All, Daddy Daughter & Mother Son Dances; Charlie Ray, Fly Fishing Instructor; Champion Force, Cheerleading; Elkhart County Fairgrounds, Mother Son Dance; Goshen Community Schools, Water Aerobics Lifeguard; Heart City Scuba, I try Scuba; Linda Miller, Water Aerobics Instructor; Lindsey Schrock, Art Camps Instructor; Monster Message, Movies In the Park; Pound Fit Instruction, Myra Simpson; Spacious Heart Yoga, Yoga; Ted Campbell, Ballroom Dance; Tricia Blosser, Ballet/Dance Instructor; Veronica Bontrager, Ballet Instructor; Pam Sanchez, Zumba Instructor and Your Party Princess. Stephens requested permission to enter into and execute these agreements as presented. On a motion by Wellington, seconded by Swartley, ayes carried.

6.) Heart City Scuba

Stephens presented the Board with a Recreation Service Agreement for Heart City Scuba. Stephens requested permission to enter into and execute this agreement as presented. On a motion by Wellington, seconded by Shell, ayes carried.

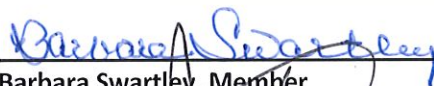
7.) Das Dutchman Essenhaus

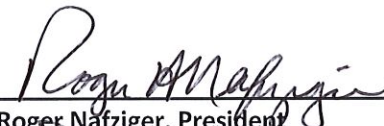
Stephens presented the Board with a Service Agreement from Das Dutchman Essenhaus to cater brunch at the Anna and Elsa Event. Stephens requested permission to enter into and execute this agreement as presented. On a motion by Wellington, seconded by Shell, ayes carried.

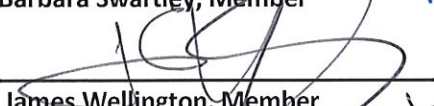
By request from Wellington, Heyde updated the Board on the Multipurpose Pavilion/Ice Rink.

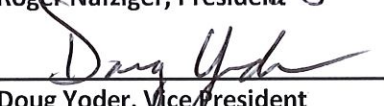
Park Board Signatures:

Approved this Monday, December 16, 2019


Barbara Swartley, Member


Roger Nafziger, President


James Wellington, Member


Doug Yoder, Vice President

Jennifer Shell, Secretary ATTEST: 