

**REGULAR PARKS & RECREATION COMMISSION MEETING**  
**June 19, 2019**

The Regular Parks & Recreation Commission Meeting was called to order by Chairperson Schulz at 6:00 p.m. in the City Council Chambers.

Present: Schulz, Stempky, LaLonde, Chastain, and Clouser

Absent: Horrocks and Hayden

Also Present: City Manager Eustice, Councilwoman Sara Johnston, Liaison and  
Parks & Recreation Director Hancock

Chairperson Schulz stated the Commissioners were sent the meeting materials that included the Agenda, minutes of the May 15, 2019 meeting, final draft of the Commission Bylaws and the list of items that came out of the Community Forum on April 22, 2019, many of which have to do with parks & recreation.

**APPROVAL OF AGENDA:**

*Motion by Clouser seconded by LaLonde to approve the Agenda as presented. Motion carried.*

Commissioner Horrocks arrived.

**OLD BUSINESS:**

**Development of Bylaws** – Chairperson Schulz informed the Commission the Bylaws were drafted based on discussion at the last meeting. Each term is for two years unless reappointed. She pointed out Article II, Section 4 deals with absences and if a Commissioner is absent from three regular scheduled monthly meetings within a calendar year without being excused by the Parks and Recreation Commission, the Commissioner can be removed from office. City Manager Eustice said the Commission votes on whether or not the absence is excused. Chairperson Schulz asked if clarification needs to be done on how the Commission will decide whether an absence is excused or not. Parks & Recreation Director Hancock suggested common sense. City Manager Eustice referred to Councilwoman Johnston on this matter, stating he thinks we should set absenteeism at a specific number quarterly or every six months. For example, if you miss three meetings in six months, excused or unexcused. Commissioner Clouser asked if an excused absence would carry more weight than an unexcused absence. Chairperson Schulz said the proposed Bylaws stated three unexcused absences, so if we are going to ask for someone's resignation based on excused or non-excused and that person is upset about that, does the Commission need to say how we are determining whether or not they are excused or not, or do we go with common sense. Councilwoman Johnston commented her opinion is and what is being pushed for Council is there is no excuse; there are absences or presence. City Manager Eustice noted there could be extenuating circumstances such as being in the hospital. Commissioner Stempky commented and agreed that there must be extenuating circumstances to miss a meeting. Chairperson Schulz asked if Article II, Section 4 should be left as it is or be more specific. Commissioner Stempky likes the idea presented by City Manager Eustice that if within a six month period you have missed three meetings then you are not being very helpful. Chairperson Schulz suggested changing three absences in a calendar year to three absences in a six-month period. Commissioner Chastain said there are two options: absence from three meetings without being excused in a calendar year or three absences in a six-month period regardless of reason. Commissioner LaLonde pointed out the

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Commission meets once per month while the City Council meets twice per month, so missing three City Council meetings is 3 out of 12, where on the Commission it is 3 out of 6 and would hope that people can make it for more than 3 out of 6 meetings. Commissioner Schulz commented she feels that missing three in a calendar year without being excused is fair. Commissioner Chastain says she thinks it is fine, because when someone is missing more than that they probably don't care to be here and they are not going to argue the excuse. Commissioner Horrocks commented on his current health conditions stating he feels that if someone misses two consecutive meetings in any one quarter, they should be gone. Chairperson Schulz stated in previous discussion it was decided not to include anything about consecutive meetings. She went on to state that Commissioner Horrocks would be excused as long as he called and said he is not going to make it and also he would have the opportunity to participate via phone. She then commented that we have the issue of Commissioners not calling and not showing up. City Manager Eustice said he likes Councilwoman Johnston's idea for Council because that is a very critical legislative body for the City and they are elected officials, so it is a little different; this Commission is all volunteers.

Chairperson Schulz asked for any additional feedback on the proposed bylaws, noting the Chairperson and Secretary are supposed to only hold the office for one-year, but may be reappointed.

***Motion by Horrocks seconded by Clouser to approve the Bylaws of the City of Cheboygan Parks and Recreation Commission as presented. A roll call vote was taken; motion carried unanimously.***

**Cheboygan's 130<sup>th</sup> Birthday Party** – Commissioner Stempky reported she and Emily Eckhart have been working on coordinating a slow pitch softball game at the ballfield with Parks & Recreation Director Hancock. They are going to get the word out for people to sign up and it will be \$5.00 per person and the proceeds will benefit the Parks & Recreation programming. There will be old fashion games going on the side fields for all ages and the co-ed slow pitch will be for ages 7 and up. Chairperson Schulz inquired as to how to get a copy of the flyer and how does someone sign up. Commissioner Stempky stated she will e-mail it to everyone and wanted to present it before mass producing it. She has Emily's number listed to contact for questions or to sign up. Commissioner Clouser inquired on signing up the day of the event. Commissioner Stempky replied they are encouraging pre-sign-up, noting there is a clause that "we hold the power to even up teams for a friendly competition". Commissioner Horrocks inquired as to the age group. Commissioner Stempky answered the drop-in softball game is ages 7 & up and anyone can play in the old fashion games such as corn hole, sack races, and egg & spoon games, etc. Commissioner Horrocks noted that anyone under the age of 18 cannot waive his rights (hold harmless). Director Hancock explained in the volleyball leagues anyone under the age of 18 has to have a parent sign the waiver. A brief discussion was held on the waiver and people signing up ahead of time so they know how many people are going to play in order to assign the teams in a timeslot. Details need to be worked out as to where people will fill out forms, etc. Chairperson Schulz suggested a sign up date be noted, adding that the liability is pretty important especially since it says Parks & Recreation. Director Hancock commented the City has an insurance umbrella that will cover this. He said if there is a 7 year old that gets hit with a line drive by a 25 year old the City is liable for that. This is why we need the waiver. Commissioner LaLonde asked if they are going to use regular balls or limited flight. Director Hancock replied limited flight. Commissioner LaLonde says he worries about a little 7 year old getting hit with a line drive. Commissioner Stempky stated their idea was a

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7 year old would be with their parents or relative, an adult. Commissioner Stempky stated you can sign up individually or in groups and they will hold the power to split groups up so that the teams are fairer. Director Hancock stated he thinks if they read the flyer they will understand; competitive teams will not get into it, but they will get in it with their kids and have fun, but they are not going to put a co-ed team in it to win it. It is definitely unique. Commissioner Horrocks commented on the hold harmless, noting that a parent waiving the rights of a kid to an accident is not a legal action; therefore, it does give some clout to it. The Courts have ruled that you cannot waiver a kid's health or well-being. If we are hanging our hats that we can't get sued as a City then we are running into it blind. Chairperson Schulz asked whoever is going to get the waiver language together get it to Commissioner Stempky and Emily Eckhart. Director Hancock said he can get the waiver he uses for spike league, church league and basketball, noting everyone has to sign them. He is not sure if we want the City Attorney to look at it. He will see that City Manager Eustice receives a copy of the waiver. Chairperson Schulz suggested language that parents or legal guardian must be present or sign the waiver ahead of time for minors because someone else will be dropping kids off. Discussion held on registering through August 22. City Manager Eustice said liability/insurance wise the City is protected, noting Commission Horrocks has made a good point. Even though somebody signs a waiver, if there is a serious injury on City property the City could be in a suit, but we are covered for that. Commissioner Horrocks asked when we are working as a functional body, does the City carry officer and participant liability. City Manager Eustice replied municipal governments are not required to carry that. They are protected by State law as a municipality. Errors and Omissions Insurance is not required. You basically as a Commissioner and legislative body, any errors and omissions that you make you can get prosecuted for and the City has to cover that with their liability insurance. Someone said the softball is not just a game; we are celebrating Cheboygan's 130<sup>th</sup> birthday so there are going to be more events taking place that day, so the game is just a portion of that celebration.

### **NEW BUSINESS:**

#### **Approval of May 15, 2019 Minutes -**

*Motion by Clouser seconded by LaLonde to approve the May 15, 2019 Parks & Recreation Commission meeting minutes. Motion carried.*

**Community Forum – Input on Recreation** – Chairperson Schulz noted on Monday night there was follow-up to the April 22, 2019 Community Forum at which individuals from various entities throughout the City, including parks & recreation, were invited to participate in a planning meeting. They took the items that were most frequently commented on related to parks & recreation and the Commission was given the opportunity to say what we feel we can accomplish to achieve those goals that were stated by the community. The top five items they were asked to comment on were: a campground; restrooms, community rec center/sports complex; trails; and dog park. Under the Community Rec Center/Sports Complex everyone would still like a pool and they also suggested we buy the Armory or the old K-Mart, which are all things we talked about in preparing for our five-year Recreation Plan and we as a Commission decided that rather than investing in something like the old K-Mart or Armory or building a pool that we would work towards highlighting and improving the existing recreational assets in this community before we go building anything new. For the campground and community rec center/sports complex was rather than looking at investing in something, which we are not in any position to do at this point and time, we would work on highlighting recreational opportunities and what a great area Cheboygan is for recreational investment. If there was someone who wanted to maybe invest in expanding lodging options in

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Cheboygan and doing some kind of a campground, that maybe we could lease the space within Major City Park to do that. The same thing with the pool; maybe someone wants to do a hotel with a pool and waterpark that would be open to the community with a day pass. All of these kind of new development projects are not anything we felt that we were in a position to commit to.

Chairperson Schulz went on to state things the City would commit to were marketing and highlighting the area. One item was soap in all of the restrooms, which Director Hancock reported was already done, so that has been corrected. It was also noted that we could do a little more to address vandalism in all of our recreational spaces, including public restrooms and the trails. We perhaps can work with other departments to get a better plan for preventing and addressing vandalism. The Commission was under the impression that the DDA was working on the restrooms at Festival Square; City Manager Eustice said that is right. Chairperson Schulz said the Parks & Recreation would be happy to work with the DDA or if there was a grant that needed to be written because that space was originally acquired as part of the DNR Grant. The other item, Community Rec Center/Sports Complex, people would like to see indoor soccer, volleyball, gymnastics, tennis, racquetball and more activities for teens. We have started to do more activities for teens with the Saturday night program, which is going very well. Chairperson Schulz commented we have all these things happening in our community and we have very good recreational space with the Rec Center, the churches and the schools, and we are hoping that by doing their program database we will be able to coordinate all of that and promote all of that a little bit better. Maybe we can get more things going on in the facilities we have.

Chairperson Schulz noted under Trails people want to see a groomed cross-country ski trail and a river walk. For the cross-country ski trail there is a trail committee that meets and they are hoping to get friends of the trail group together, similar to what the Trailblazers do, but for non-motorized trail use. For the river walk they have scheduled Water Street Park to Gordon Turner Park. This would be a DDA project we can help with, but it would not necessarily be our project. The fishermen were pretty vocal about not wanting lights on the river; if we are going to do lights on the downtown side maybe we can be respectful and at least during the good fishing months don't have lighting on the east side of the river. A dog park could be in our next five-year plan on property on Garfield Avenue owned by the DNR adjacent to the County property, which has access to the river. The DNR grant is three years at Garfield.

Chairperson Schulz asked if the Commission is in agreement with what she, Director Hancock and Commission Stempky spoke on at the forum. No response.

Chairperson Schulz said she felt parks & recreation was probably the most commented on item. We do have a lot going on in Cheboygan; we just need to organize and promote it a lot better before we go building on it or building any physical structure. She then asked for any comments or feedback before announcing the next meeting is not until September 25.

### **Recreation Plan Update:**

**Goal 1: Maintenance and Development** – Chairperson Schulz asked the easement at Gordon Turner Park. City Manager Eustice stated it has not been granted yet and the City is still trying to obtain the property. He found an appraiser that has contracted with the DNR to do the appraisal to expedite this. The appraisal is the hold-up. We will then give an easement to the County.

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Chairperson Schulz inquired on the Recreation Passport Grant. City Manager Eustice stated he has had a lot of contact with Lindsey Ross; they for some reason lost our site plan and he had to resend it. The review period goes into August before they actually begin to review the applications; we will not know if we get that grant until December.

Commissioner Clouser said he talked with Curt Chambers, Harbor Master, at the County Marina and they are going to start construction with moving the gas tanks on July 30.

Chairperson Schulz noted that items (C) and (D) Felix Merchant Park and Water Street Park will be tabled until the next meeting.

**Goal 2: Programs** - Chairperson Schulz asked for an update on the Program Database. Commissioner Stempky said they are working on the database and currently there are 62 programs that she is trying to track down and has about one-fourth filled out.

**Goal 3: Trail Town Master Plan** - Chairperson Schulz asked if we have heard anything on our Pure Michigan Application submitted on June 1. City Manager Eustice replied no. He says this review will happen much quicker and if we are selected as a Trail Town they will make a presentation here.

**Subcommittee** - Chairperson Schulz noted they meet the 2<sup>nd</sup> Thursday of every month at 9:00 a.m. in the City Council Chambers and they will continue to work on the outstanding items from the land trails, i.e. signage, marketing plan. They then have to begin our designation for a water trail. She then noted there is a new event "Trail Tuesday", which is a group getting together for a bike ride every Tuesday. City Manager Eustice noted this will start the first Tuesday in July and will go for nine Tuesdays. They will ride from the Trailhead to Festival Square. Ms. Connie Rieger added they may ride as far as the City beach and then back to Festival Square. Chairperson Schulz inquired on the maintenance agreement for the trails, asking if the City Manager has it. City Manager Eustice replied the City has the DNR Maintenance Agreement for the trail, which was submitted with the Trail Town Application noting it is not very detailed and the City does not have any type of maintenance agreement on the trails themselves as the DNR handles that. The City has an agreement with the DNR with maintenance on the trailhead on Western Avenue. Chairperson Schulz said it might be helpful to have that to fill in any blanks. Ms. Rieger said that would be good and thinks Friends of the Trails would be helpful, as well, if we can do some maintenance with that group.

Chairperson Schulz asked Ms. Rieger about the Walking Story. Ms. Rieger replied the Story Walk got done today. Kourtney Hahn came and did some photos and thinks it will be in the paper. This was funded by Rotary with donations from some businesses, as well. A thanks went out to the Library for the book. Chairperson Schulz commented they are still working on the marketing plan, asking if we have any lead on that or are we going to just figure it out. Ms. Rieger said she will talk with Sandy Rose again. Chairperson Schulz then inquired on directional signage for trail users to get down town, asking if the City has any plan to get those signs installed. City Manager Eustice replied we have eight signs and we have to schedule a Miss Dig; a Miss Dig was scheduled before but the City never put the signs in. They will probably not be able to get to it until after the 4<sup>th</sup> of July. Chairperson Schulz asked who will be doing the installation. City Manager Eustice answered the DPW and we will coordinate it with Ms. Kirsten Guenther as these signs basically refer to the

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downtown. Commissioner Horrocks asked if the new signage can be put up with existing signage. City Manager Eustice said probably not. We have the sign posts to put them on and there really isn't anything there; we are going to put them at intersections of the trail and roads. Chairperson Schulz asked if we will have an update at our July meeting and hopefully Miss Dig will have been called and that work is in progress by July 17. City Manager Eustice replied yes. Commissioner Horrocks asked where they are going to be placed. Chairperson Schulz said Mr. Jim Conboy has it all drawn out and she can either e-mail it or mail it to Commissioner Horrocks. City Manager Eustice explained it is basically all the cross-streets from Taylor Street to Mackinaw Avenue. Commissioner Horrocks asked if there is going to be one on Mill Street. City Manager Eustice replied no, that is too far south.

**Goal 4: Recreation Authority** – Chairperson Schulz noted we don't really have a coordinator at this moment for the Recreation Authority but with all the talk of parks and recreation and community forums for Main Street, it seems like the timing would be excellent. City Manager Eustice responded there is an Organizational Committee that Councilwoman Johnston sits on and we had a meeting Tuesday and that group, which is three Council people, would like us to get it put together. This is something he is going to discuss next Tuesday at the Council meeting to get a feel from the entire Council. As a Council, Parks & Recreation Commission and Planning Commission we are going to have a lot of discussion about how we are going to attack it. We want to start putting it in front of the townships that want to participate. His thought is that we form a recreation authority with those townships that are willing to do so and get it moving. You can form a recreation authority by resolution of those legislative bodies that want to participate, even though you have no money to work with. You have to go to a vote of the people to get a millage to fund it, so that may be out a little ways in an election. City Manager Eustice then stated he thinks we should seriously look at taking steps to form the authority and discuss with townships what to do. Chairperson Schulz suggested timing this with the program guide so when the guide is released we can talk of a recreation authority. Councilwoman Johnston commented she thinks if we have a significant amount of time, several months to a year, of working together before a vote it would strengthen the foundation we are all working on. Chairperson Schulz asked if she is speaking of the recreation authority board or her organizational board. Councilwoman Johnston answered the recreational authority board, adding if we can establish by resolution this board and people can start working together without funds and have that foundation before establishing a vote for the millage she thinks it will put us in a much better spot of success. Commissioner Horrocks asked if the National Trial Dogs Association apply for a permit for the fairgrounds. City Manager Eustice said not that he is aware of. Commissioner Horrocks stated anybody that wanted to come into the City and do something at the fairgrounds, if it wasn't a Fair action, they had to get a permit from the City. Commissioner Clouser commented the fairgrounds property is County property. Commissioner Horrocks then stated it does not matter; there still needs a permit. City Manager Eustice replied through the City's licensing. Commissioner Horrocks stated this Association will bring in a couple thousand people and he understands it is coming to the fairgrounds he believes in August.

Chairperson Schulz asked Councilwoman Johnston when the organizational meeting is with the three Council people. Someone replied they just met Tuesday and will meet before each Council meeting excluding next Tuesday. Chairperson Schulz asked if these meetings are open to the public. City Manager Eustice replied these are committee meetings and are not open to the public.

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Chairperson Schulz then commented that the Commission can be told what it needs to know from these meetings.

### **PUBLIC COMMENTS:**

A gentleman commented on a boat launch down by the old lighthouse that is not being used any more, but very obviously an original boat launch, and Ryba has a barge right there. Commissioner Clouser asked if this is behind the Eagle's. The reply was yes. The gentleman said even if someone wanted to put a boat in there they couldn't. He is wondering if anything can be done about that because trying to launch a boat by the drawbridge is difficult due to the current. Commissioner LaLonde said he thought the City leased it to Ryba. City Manager Eustice commented the City had a lease agreement with Ryba. Councilwoman Johnston asked if the City still owns the property but Ryba uses it. City Manager Eustice replied yes, explaining it is a road right-of-way. He went on to state Ryba leased it for 15 years and did in-kind services but that lease is expired. The City does not really want anyone using it in the condition it is in at this point. Commissioner Horrocks asked why the City does not develop the launch behind the Holiday gas station, noting there is no parking. City Manager Eustice replied they could, but is unsure how much use it would get. Someone mentioned there is another launch by Garfield Avenue that already has a cement pad. City Manager Eustice clarified that is owned by the State of Michigan and they do want to give it to the City, so we can look at that.

Chairperson Schulz noted the Trail Town Sub-Committee meets the 2<sup>nd</sup> Thursday of each month at 9:00 a.m. in the Council Chambers. They have applied for land trail designation and will be applying for water trail designation for things such as boat launches and the easability of boat launches that exist will be part of that application. They also have to assess any water access we have.

### **UPCOMING DATES:**

July 11, 2019 - Trail Sub-Committee Meeting – 2<sup>nd</sup> Thursday of each month, 9:00 a.m.

July 17, 2019 – Regular Recreation Commission Meeting – 6:00 p.m.

August 8, 2019 – Trail Sub-Committee Meeting – 9:00 a.m.

August 21, 2019 – Regular Recreation Commission Meeting – 6:00 p.m.

August 24, 2019 – Cheboygan's 130<sup>th</sup> Birthday

Chairperson Schulz asked for flyers and information on Cheboygan's 130<sup>th</sup> Birthday be given to Janet Gahn, Deputy Clerk/Asst. so the same can be sent to the Recreation Commission with meeting materials.

### **ADJOURNMENT:**

*The meeting at 6:51 p.m. by a call of the Chair.*

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Catherine (Kate) Schulz, Chairperson