Councilman Gilbert, Chairman, called the meeting of the Parks and Recreation Committee to order with Councilpersons Robinson, Rico, Berz, Benson, Ladd, Scott, Murphy and McGary present. City Attorneys Michael McMahan and Phil Noblett and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Larry Zehnder, Dan Johnson, Randy Ray, Daisy Madison, Dickie Hutsell and Dave Crockett.

On motion of Councilman Murphy, seconded by Councilwoman Berz, the minutes of the previous meeting were approved as published.

Chairman Gilbert turned the meeting over to Larry Zehnder.

Mr. Zehnder introduced Ramona Nichols, with Goodwill Industries, to speak about the Dog Park issue. He stated that the other items listed on the agenda would give the Council something to study for the next three weeks.

Ms. Nichols thanked the Council for having her, stating that she was a Program Director with Goodwill and was very honored to be here to talk about the new Dog Park at Heritage. She stated that she wanted to share with the Council how the idea came about—that Goodwill had the idea of a Dog Park several years ago and heard many concerns from dog professionals—that such parks were very healthy for both people and dogs; that one of the concerns that came from citizens when talking about a Dog Park was that they did not know if another dog was current on their vaccinations and if other dogs had behavior problems. She stated that someone needed to fix this problem in order to make Dog Parks safer, and they hoped that they would play a part, along with the Parks and Recreation Dept. and McKamey. She went on to say that based on these concerns, they had developed a strategy for pre-screening for vaccinations and McKamey will also pre-screen for rabies and current pet licenses; that animals must have a pet license and one of the added benefits of the Dog Park is that it will increase compliance.
Ms. Nichols went on to say that Goodwill will offer free educational programs for dogs with behavior problems and will teach owners how to work together for a pleasant experience; that they would need someone on site with the responsibility to help with dog management and Goodwill will pay for this part-time attendant who will be supplemented with volunteers. She stated that the Parks and Recreation Dept. will do the park maintenance.

Councilman McGary asked the hours of operation? She responded from sun-up to sun-down. He wanted to know the “peak” hours. She explained that they would monitor the crowd size for peak hours—that it should be evenings and Saturday and Sunday—that they would adjust this—that it would also be seasonable. Councilman McGary asked if someone would be working during regular business hours? Ms. Nichols stated that there would be someone there during the evenings and on Saturday and Sunday—that most people would be working during regular business hours; that one of the attractive options would be that users would pay an annual user fee—that McKamey would handle this; that the user fee would be $50.00 annually per family, which would cover all of the dogs in a family. There will be a Park ID Card for each dog and the park will be secured with a combination lock. Councilman McGary asked if the user fee would be transferable and was told “no”.

Councilman Benson asked if there would be a one-day guest fee for visitors, and the answer was “yes”. Ms. Nichols said that the user fee would be renewed annually each January.

Councilman McGary asked if the Police would check out who you were and if you had paid the fee? Ms. Nichols explained that the attendant and volunteers would look for ID cards on the dogs. She added that the great news was that those who sign up and pay $50.00 now will get the next two months for free.

Councilwoman Berz asked if we had talked about user fees for people who did not live in the City. She asked if City residents were paying a fee to use a public facility? Councilman Benson stated that it could be like our golf courses, where County people have to pay more.
Adm. Zehnder stated that this was an especially interesting situation that was happening throughout the country, where dogs are controlled and inspected; that the dog population and human population are both looking for this; that people are not charged to use Heritage but charged for the Dog Park. He added that this is an off-lease area; that outside the area, dogs can be taken for a walk free.

Dan Johnson felt that we should settle the issue about people out of the city using the park; that McKamey can’t handle dogs outside the city; that this should be settled before we start as to whether we want a higher rate for out of the city residents.

Councilwoman Scott asked if this was just about this one park; that we have dogs all over the city and questioned if we were going to look at dog parks in all the areas with equal access.

Adm. Zehnder stated that could be accomplished if it is what the Council wants; that there will be a special ceremony for Heritage Park Dog Park; that a major portion of the contributions came from the area and from the County; that this was truly a coordinated effort, and it can now be opened and maintained; that we are working out a partnership with Goodwill and McKamey, and the model, hopefully, will work for other areas; that they were encouraged about the partnerships—that it was a step in the right direction.

Ms. Nichols had a point that she wanted to make sure she got across about special services and someone monitoring to make sure everyone follows the rules in so far as dog manners and pre-screening for vaccinations; that these were special services that one got for their user fee. She mentioned other specific amenities such as separate large and small dog areas and public drinking fountain for dogs. She noted that local businesses had gotten involved in the Dog Park; that she was proud that the people who would be using the park would help to pay for maintenance; that part of the proceeds go to McKamey and part to Goodwill.
Councilman Benson stated that the Friends of East Brainerd were against this when Ms. Nichols first came out; however Goodwill offered quality supervision and $25,000 was raised by the community; that this will give a chance for Goodwill employees to work there and help us with quality supervision.

Ms. Nichols noted that they offered job training for people with disabilities and this site will get a person with a disability and will be used as a job training site; that it will help McKamey, but it will also help people with disabilities and give them employment.

Councilwoman Ladd stated that this was a great idea—that it was super; however she had a question about the philosophy—that users will be paying for the service and wanted to know if everyone is aware of our concerns with McKamey and making sure they have the staff for their commitment. She wanted to make sure they understood the scope. She also wanted to know how we will check for out of town guests.

Adm. Zehnder stated that we needed to publicize this.

Councilwoman Ladd asked if the park attendant would be trained, and the answer was “yes”—in dog handling. Councilwoman Ladd stated that she was impressed with this, with Adm. Zehnder stating that they hoped this worked.

Councilman McGary asked if other communities would have the opportunity to raise funds and secondly, since the County helped with the fees, would there be a problem in charging county people more? Councilman Benson responded that they have an obligation, and he thought we could justify this. Councilman McGary asked him if county dollars had not also gone for this Dog Park, with Councilman Benson pointing out that the City pays County dollars, too.

The second item on the agenda was MarineMax East. Adm. Zehnder indicated that the final draft from the attorney would be ready in the next three weeks. The original lease is from February 28, 2005 to April 31, 2010 with two additional periods of five years each. MarineMax pays a sales percentage of gross sales as rent for leased premises. MarineMax is responsible for maintenance and repair
of leased properties, exteriors, floating docks and dock components, including public restrooms.

Councilman Gilbert asked where the docks are located and was told Ross Landing.

Mr. Zehnder went on to say that restroom access for the public will be from 9:00 A.M. to 6:00 P.M. and Marine Max plans to provide additional parking area in front of the building.

Mr. Zehnder went over the Management Agreement for all of the Waterfront, stating that it had been through several revisions and would be before the Council soon. The term will be five years plus the option of renewal for one additional period of five years. MarineMax would provide supervision and management of all transient slips providing all employee benefits, insurance, etc. to staff the waterfront. This provision would cost the City approximately $180,000 annually. MarineMax is not charged for the first three million in sales. Any new slips built by the City will be managed by MarineMax with revenues collected by MarineMax and turned over to the City, less a small percentage to cover their direct associated costs such as charge card fees, rental commissions, etc.

Mr. Zehnder stated that this was a brief taste of what is in the contract, which had been through 15 versions and had been very difficult.

Councilwoman Scott asked if this contract had passed through our Auditor? Adm. Zehnder stated that it has been and will be; that Crystal Freiberg had conversations with the Internal Auditor.

The next item on the agenda was the Skate Park Lease Agreement. Adm. Zehnder stated that this was in the packet given to the Council, and they could read this; that privatizing this had been a challenge—that there were insurance issues and liability issues; however this had not been a big problem.
Councilwoman Scott stated that she needed to “drift back” and ask about liability with the Dog Park. Attorney McMahan responded that there is some liability with any municipal operation; that there had been no claims, at all, with other dog parks—that he did not think this was major. Adm. Zehnder added that there is a waiver release that everyone will sign where they can read the rules. She asked if this would indemnify us, with Attorney McMahan responding that it releases us from claims.

Councilwoman Berz stated that this is totally controlled membership and wanted to know who holds the liability? Adm. Zehnder stated that it was still city land. Attorney McMahan added that it could be the person managing it—that it might be Goodwill. Councilwoman Berz stated that the questions are good ones, asking about management and membership only. Attorney McMahan stated that it would be something like people falling or tripping, which would be inadequate maintenance of the facility.

The next issue was the North Chickamauga Conservancy Agreement, which contains the preservation of an old building and NCCC will pay all the costs. They have a Lyndhurst Grant to help with getting this building preserved.

The last issue was a dumpster at Coolidge Park that had been there for many years. TDOT is requiring us to move structures under the Bridge and one of the structures is the dumpster. When the Park was first constructed, there was a very limited amount of space for the dumpster. Mr. Zehnder stated that they had written letters to those affected saying that the dumpster is not now available, and they are not getting our service, and the responsibility is on them. He was telling the Council in case they got any calls about this.

The meeting adjourned at 4:45 P.M.