

AGENDA
MONONA PARK AND RECREATION BOARD
Conference Room – Monona City Hall
5211 Schluter Rd Monona, WI. 53716
September 13, 2016
6:30 PM

1. **Roll Call**
2. **Approval of the Minutes**
 - A. August 9, 2016
3. **Appearances**
 - A.
4. **Unfinished Business**
 - A. Leashed Dogs Ordinance Revision Request from City Council
 - B. 2017 Capital Budget Update
 - C. Smoking Ban in Parks Discussion/Recommendation
5. **New Business**
 - A. 2017 Operating Budget Discussion/Recommendation
 - B. Schluter Park Playground Surfacing Budget Amendment
6. **Director's Report & Questions to Staff from Committee**
 - A. Jake Anderson – Parks & Recreation Director
7. **Adjournment**

NOTE: Upon reasonable notice, the City of Monona will accommodate the needs of disabled individuals through auxiliary aids or services. For additional information or to request this service, contact Joan Andrusz at (608) 222-2525 (not a TDD telephone number, Fax: (608) 222-9225, or through the City Police Department TDD telephone number 441-0399.

The public is notified that any final action taken at a previous meeting may be reconsidered pursuant to the City of Monona ordinances. A suspension of the rules may allow for final action to be taken on an item of New Business.

It is possible that members of and a possible quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information or speak about a subject, over which they have decision-making responsibility. Any governmental body at the above stated meeting will take no action other than the governmental body specifically referred to above in this notice.

MINUTES
MONONA PARK AND RECREATION BOARD
MONONA LIBRARY MUNICIPAL ROOM
1000 Nichols Rd, Monona, WI. 53716
Tuesday, August 9, 2016

The regular meeting of the Park and Recreation Board for the City of Monona was called to order by Co-Chair Andrew Kitslaar at 6:36 pm.

Roll Call

Present: Co-Chair Andrew Kitslaar, Greg Anderson, Dan Coyne, Jeff Hinz, Jennifer Kahl, Karen Turino, Parks & Recreation Director Jake Anderson

Absent: Chair Chad Speight, Pat Howell

Approval of the Minutes

Jeff Hinz made a motion to approve the minutes from July 12th, Jennifer Kahl seconded the motion. Motion Carried unanimously.

Appearances

A. Matt Marks – 5205 Mesa Rd

Mr. Marks spoke in favor of allowing leashed dogs in parks with minimal restrictions and access to water from lake front parks.

B. Veronica Willsey 5516 Pheasant Hill Rd

Ms. Willsey spoke in favor of allowing leashed dogs in parks.

Unfinished Business

A. Dogs in Park Discussion/Recommendation

Co-Chair Kitslaar noted the number of people in attendance to the Public Hearing on Monday August 8, and summarized the results of the online survey. The Committee began discussions regarding recommending to City Council a change in the ordinance to allow dogs in city parks. Here is a summary of what board members thought

Greg Anderson – Supports dogs on leash in all parks on 6' leash under owner's control

Jeff Hinz – Supports dogs on 6' leash in parks under owner control with restriction to not closer than 50' from playgrounds, athletic fields, shelters, special events. Also dogs would need to be licensed in whatever city they reside in. Would like to see if new Code Enforcement Office position could monitor parks for those not following the rules.

Andrew Kitslaar - Supports dogs on leash with no restriction to length of leash under owner's control with restrictions to playgrounds but would like to allow for groups/organization putting events on to decide whether the event will be dog friendly or not. Andrew would also like to see dog license fee's accounted for in the parks budget so any increase in cost associated with dogs in parks could be offset by revenue from dog license fees.

Dan Coyne – Supports dogs on 6’ leash in parks with restrictions away from playgrounds, athletic fields, special events, and on a trial basis

Jennifer Kahl – Supports a trial basis of allowing dogs in parks on 6’ leash with restrictions to playgrounds, shelters, athletic fields, and special events.

The board discussed that signage would be important in addressing restrictions to allowing dogs in parks and also discussed the ability for dogs to be off-leash in the water off a pier, boat launch, or other city park and returned to being on-leash once they were back on shore.

The following motions/recommendations came from the discussion:

Jeff Hinz made a motion to recommend to City Council allowing dogs in parks on leash, under control of owner, with restrictions on not allowing dogs 50’ in proximity to playgrounds, park shelters, athletic fields, special events and beaches. Dogs must be licensed. Additionally dogs would be allowed to be off leash swimming in the lake from parks, piers, & boat launches. Dan Coyne seconded the motion. Motion carried 4-1 (Kahl)

After discussion of the recommendation on whether this be a permanent ordinance change or not, the following motion was made:

Dan Coyne made a motion to recommend the policy change to be on a trial basis for a period of (1) year to allow for study and documentation of usage, violations, and public feedback. Karen Turino seconded the motion. Motion carried (3-2) (Anderson, Hinz)

B. Schluter Park Playground Discussion/Recommendation

Director Anderson presented the playground proposals from (4) vendors and noted that he was working with Anne Wellman on the additional improvements associated with her \$20,000 matching donation. Based on that feedback, Director Anderson recommended the Lee Recreation proposal with upgrades as part of the matching \$20,000 donation for playground equipment at Schluter Park.

Karen Turino made a motion to recommend the playground bid from Lee Recreation and accept a \$20,000 matching donation from Anne Wellman for playground equipment at Schluter Park. Jeff Hinz seconded the motion, motion carried unanimously.

New Business

A. Schluter Park Security Camera Change Order Request

Director Anderson presented a quote to install security cameras at Schluter Park that would cover the stored kayak area, beach, parking lot, and gazebo. Several vandalism acts including arson of a kayak, and (2) portable toilets happened this year, and the park will have increased usage with the new improvements, and security camera’s will assist Monona Police Dispatch with apprehending any criminal activity at the park.

Greg Anderson made a motion to recommend to City Council to purchase security cameras at Schluter Park and use contingency money from the project to fund it. Jeff Hinz seconded the motion, motion carried unanimously.

A. Jake Anderson – Parks & Recreation Director

Anderson noted several large special events next week including National Night Out on Tuesday August 16 and Food Cart Cinema on Saturday August 20.

Adjournment

A motion to adjourn by Jeff Hinz seconded by Karen Turinoo was carried at 8:15 pm.

DRAFT

PARK & RECREATION BOARD (Agenda Item 4A)

Meeting Date: August 9, 2016

AGENDA ITEM:

Dogs in Park Amendment Request from City Council

REQUESTED BY:

Doug Wood

POLICY ANALYSIS STATEMENT:

Alder Doug Wood requested some amendments to the resolution for allowing Dogs in Parks on leash. Attached is the resolution that was drafted by City Attorney Bill Cole and the proposal from Alder Wood. The council requested that the Parks Board make a recommendation on whether to accept the changes or not for the next meeting for consideration of adopting the proposal.

FISCAL IMPACT:

Reviewed By City Administrator
_____ Yes _____ No

Action Taken: _____
Approval: _____
Disapproval: _____
Tabled: _____
Committee Meeting Date: _____

Ordinance No.

AN ORDINANCE PERMITTING DOGS IN CITY PARKS ON AN INTERIM BASIS

WHEREAS, section 12-1-1(b)(17) of the Code of Ordinances prohibits pets in City parks except under limited circumstances; and

WHEREAS, the Park and Recreation Board has received public input concerning permitting dogs in public parks; and

WHEREAS, the Park and Recreation Board recommends the Common Council permit dogs in City parks on an interim basis, and under certain conditions, in order to evaluate the effect on the parks and benefit to the public

NOW, THEREFORE, the Common Council of the City of Monona, Dane County, Wisconsin, do ordain as follows:

SECTION 1. The provisions of section 12-1-1(b)(17) of the Code of Ordinances as they apply to canines in City parks are hereby suspended until January 1, 2018, on the following terms. The provisions of section 12-1-1(b)(17) prohibiting all other pets in City parks, and canines not in full compliance with the below stated terms of this ordinance, remain in full force and effect.

SECTION 2. Notwithstanding the provisions of section 12-1-1(b)(17) of the Code of Ordinances, canine pets shall be permitted in all City parks during times such parks are open to the public on the following conditions:

a. No canine shall be within 50 feet of any park public building, picnic shelter, athletic field/court, playground structure or delineated beach; and at such other locations posted by order of the Park and Recreation Director, or their designee.

b. Except as provided in subsection (c) below, all canines in City parks shall be under the direct control of a person at all times by means of a physical leash held by a person at all times. Control by way of radio collar is prohibited.

c. Canines shall be permitted off leash while swimming, provided they are within direct sight and vocal control of a person controlling the animal and on leash at all times they are not in the water.

d. All waste from the canine shall be immediately picked up and disposed of. Bags, scoops or other appropriate implements for the removal of waste shall be carried by any person bringing a canine onto park property.

e. All canines shall display on their collar current rabies and registration tags.

SECTION 3. The restrictions imposed in section 2 above shall not apply to service animals, as defined in state and federal law, assisting a person with a disability; and any canine assisting law enforcement personnel in their duties.

SECTION 4. Any person permitting a canine in a City park in violation of this ordinance shall be subject to the penalty provided in section 1-1-7.

SECTION 5. This ordinance shall take effect upon passage and publication as provided by law and sunset at midnight on January 1, 2018, unless otherwise directed by the Common Council.

Adopted this _____ day of _____, 2016.

BY ORDER OF THE COMMON COUNCIL

Robert E. Miller
Mayor

Joan Andrusz
City Clerk

Requested By: Park & Recreation Board – 8/11/16
Drafted By: William S. Cole, City Attorney – 8/12/16
Approved As To Form By: William S. Cole, City Attorney – 8/12/16

Dogs in the Parks Ordinance (From Doug Wood)

I support allowing dogs on leashes in city parks. Unfortunately, the restrictions in the proposed ordinance will prohibit the presence of leashed dogs from very large portions of numerous city parks. It is unclear what problems makes the 50' restriction necessary.

The proposed ordinance would prohibit leashed dogs to be within "50 feet of any public park building, picnic shelter, athletic field/court, playground structure or delineated beach." For several reasons, in my opinion this 50' limitation is far too restrictive and unnecessary.

The 50' restriction would eliminate dog walkers from the following areas:

1. **Dog walkers would be barred from an approximately 300' section of the sidewalk running along the north side of Nichols Road from the Community Center to a point just beyond the swimming pool and an approximately 80' section as it approaches and passes the Blue Park.** This would effectively Barr dog walkers from the entire 700' section from the Community Center to the Blue Park;
2. **They could not use the pathway that begins on Nichols Road near the skate park and extends all the way to Greenway, approximately 1050'.** The path passes within 50' of the skate park, the tennis courts and the before turning and running within 50' of the softball fields. Technically, dog walkers could use about 170' of the pathway from its beginning on Nichols Road until it passes within 50' of the skate park;
3. **Virtually the entire north end of Winnequah Park due to presence of a city softball field, youth soccer fields, the, Firemens Park shelter, and the playground structure immediately south of the shelter.** There may be a small island of legal dog walking territory between the shelter and the Schaefer Softball fields, if you can get there from here;
4. **Virtually the entire section of Winnequah Park south of Nichols Road and west of the lagoon** extending all the way along Healy Lane to Winnequah Road because of the presence of the **Gazebo, the informal soccer field, the shelter, the Dream Park, youth baseball fields, and the Emily Dare softball fields.** There are probably some small dog walking areas within the much larger prohibited area.
5. **An area extending 50' on each side of Oneida Park shelter.**
6. **Nearly all of Frost Woods Park** due to the baseball field, playground structure and basketball court.
7. **Bridge Road Park** is mostly available to dog walkers, except that they would not be able to enter or exit the park on the Bridge Road end due to the narrowness of the park at that end and the presence of a playground and a basketball court.
8. **All of Arrowhead Park** would be off limits due to the new playground structure, the basketball court, and the baseball diamond at the north end.
9. **A sizeable portion of Maywood Park** would be off limits due to playground structure near the road and the basketball court farther back.

10. **Nearly all of Schluter Beach Park** will be off limits due to the presence of the new bathroom, the playground structure, beach, and gazebo.
11. **Essentially all of Ahuska Park** due to the baseball and soccer fields.

Dog walking would primarily be permissible only in our smallest parks, such as Wyldhaven and Stone Bridge, because those parks don't have playgrounds, athletic fields, basketball courts, or park buildings.

The proposed ordinance doesn't really allow dog walking in our parks, it only creates dog walking ghettos. The 50' restriction will cause confusion for dog walkers and be difficult to enforce. It will be difficult for both dog walkers and law enforcement to determine where the small permissible areas are.

I believe the effort was well-intentioned and done in good faith, but the proposed ordinance bars dog walking from large areas of many parks, including the vast majority of Winnequah Park. This proposal, if adopted, is unlikely to change dog walking patterns. It will still be seldom enforced and widely violated.

I frankly do not understand the reasoning behind the 50' ban area for so many areas of parks. The dogs would be on leashes, under the control of the person walking them, who would be required to pick up any poop their dog deposits. Do people walking their dogs really pose such a threat that they have to stay 50' away from soccer fields, playgrounds, or the skate park?

With regard to park shelters, such as Winnequah, Firemen, Ahuska, Oneida, and Schluter Beach, and playground structures, like the ones at Maywood and Arrowhead the 50' restriction is actually much larger because it would apply to all 4 sides of the structure. Thus the banned area is a rectangle 100' wide and 100' long, plus the size of the structure itself.

The proposed ordinance would be significantly improved by 1) to expressly allow dogs to be walked on sidewalks, other public pathway, or any public street regardless of the proximity to the numerous park-related facilities identified in the proposed ordinance; 2) to allow dog walking in athletic fields when they are not in use; and 3) to reduce the restricted area to 10'.

Proposed Amendments to the Dogs in Park Ordinance (From Doug Wood)

These are amendments to the proposed that I respectfully request the Parks Board to consider. New language is underlined and language removed is shown with a strikethrough.

SUMMARY OF PROPOSED AMENDMENTS: The proposal would make the following changes to the currently proposed amendment:

1. Decrease the restricted zone from fifty feet to ten feet generally and twenty feet for picnic shelters and playground structures. Limits the Park Director's authority to temporary prohibitions.

As explained in more detail in my prepared comments that I used at the September 6 city council meeting, the fifty-foot restriction would make large areas of city parks off limits for dog walking. In addition, I don't understand the purpose of a fifty-foot restriction or what problems justify that restriction given that the dogs would be leashed.

2. Adds gazebos to the list park-related structures where the ten-foot restriction would apply.

It wasn't clear to me whether gazebos would be covered by the terms public park building or picnic shelters.

3. Expressly permits leashed canines on public sidewalks, public pathways and public streets.

Under the current proposal dog walkers wouldn't be allowed on substantial sections of the Nichols Road and Healy Lane sidewalks and the pathway extending from Nichols Road to Greenway.

4. Expressly permits leashed canines to be on athletic fields when they are not in use (but prohibits canines to be on the Ahuska Park baseball field and Haukereid Field whether in use or not).

I think this change may have been the Park Board's original intent, but it wasn't written that way. Excluding dogs from athletic fields or courts when not in use would very significantly reduce the area where dog walking would be allowed. Combined with the restrictions related to park shelters, dog walking would be prohibited in nearly all of Winnequah Park east of the lagoon.

5. Allows dogs at public or private events at the discretion of the event sponsor with appropriate signage.
6. Removes the sunset provision because the Park Board can always recommend changes to the city council if problems arise.

7. Removes the requirement to display rabies and registration tags. This provision is redundant because the ordinances already require such display.
8. Requires the city to install appropriate signage to notify the public of the restrictions.

Proposed Text

Section 2. Notwithstanding the provisions of section 12-1-1(b)(17) of the Code of Ordinances, canine pets shall be permitted in all City parks during times such parks are open to the public on the following conditions:

- a. No canine shall be within ~~fifty~~ ten feet of any public park building, ~~picnic shelter~~, athletic field/court when in use, ~~playground structure~~ gazebo or delineated beach; and at such other locations temporarily posted by order of the Park and Recreation Director, or their designee.

- ~~e. All canines shall display on their collar current rabies and registration tags.~~
- e. No canine shall be within twenty feet of any picnic shelter or playground structure.
- f. No canine shall be permitted within fenced park facilities, including the Ahuska Park baseball field and the Haukereid Field and other such facilities as may be established in the future.
- g. Notwithstanding any other provision of this ordinance, canines are permitted on any public sidewalk, public pathway, or public street notwithstanding their proximity to any public park building, picnic shelter, athletic field or court whether in use or not, playground structure, gazebo or delineated beach, unless temporarily posted by order of the Park and Recreation Director or their designee.
- h. Notwithstanding any other provision of this ordinance, canines may be allowed at public or private events at the discretion of the event sponsor. The event sponsor shall post appropriate signage indicating whether canines are permitted or not.
- i. The City shall post appropriate signage notifying the public of areas where canines are not permitted.

Section 5. This ordinance shall take effect upon passage and publication as provided by law ~~and sunset at midnight on January 1, 2018~~, unless otherwise directed by the Common Council.

Drafted by Doug Wood on September 7, 2016

PARK & RECREATION BOARD (Agenda Item 4B)

Meeting Date: September 13, 2016

AGENDA ITEM:

2017 Capital Budget Update from Meeting with Mayor Miller

REQUESTED BY:

Jake Anderson

POLICY ANALYSIS STATEMENT:

Director Anderson will provide a summary of project changes in the 2017 Capital Budget from the Mayor's Proposed Budget

FISCAL IMPACT:

Reviewed By City Administrator
_____ Yes _____ No

Action Taken: _____
Approval: _____
Disapproval: _____
Tabled: _____
Committee Meeting Date: _____

PARK & RECREATION BOARD (Agenda Item 4C)

Meeting Date: September 13, 2016

AGENDA ITEM:

Smoking Ban in Parks Discussion

REQUESTED BY:

Andrew Kitslaar

POLICY ANALYSIS STATEMENT:

Director Anderson will provide a summary of information from other communities that have adopted Smoking Bans in Parks. Continued discussion on whether to make a change in ordinance to post areas of parks where smoking would not be allowed.

FISCAL IMPACT:

Reviewed By City Administrator
_____ Yes _____ No

Action Taken: _____
Approval: _____
Disapproval: _____
Tabled: _____
Committee Meeting Date: _____

PARK & RECREATION BOARD (Agenda Item 5A)

Meeting Date: September 13, 2016

AGENDA ITEM:

2017 Operating Budget Discussion/Recommendation

REQUESTED BY:

Andrew Kitslaar

POLICY ANALYSIS STATEMENT:

Director Anderson will discuss staff proposed 2017 Operating Budgets for Parks, Recreation, Community Center & Pool Budgets. A recommendation to the Mayor on the budget should be made at this meeting.

FISCAL IMPACT:

Reviewed By City Administrator
_____ Yes _____ No

Action Taken: _____
Approval: _____
Disapproval: _____
Tabled: _____
Committee Meeting Date: _____



Parks &

Recreation

2017 Operating Budget Notes

Submitted by: Jake Anderson – Parks & Recreation Director

Parks

Long Term Challenges

Staff Allocation & Retention

(1) FT Staff to oversee maintenance and repairs of (7) seasonal restroom facilities, the Outdoor Pool, athletic fields, tree planting/pruning/removals, playground inspections, ADA audits, working with and supervising up to 18 different seasonals. The knowledge, experience and ability to work with others is critical to the success of the department. In absence of seasonal or Public Works assistance, the Parks & Recreation Director is in the field to help the Parks Maintenance. This will continue until there is adequate staffing of the parks. Retaining qualified staff will be important in the maintenance of new facilities and park amenities. Competitive pay and qualified help will be two major issues to address with recruitment and retention of parks maintenance staff.

Parks Equipment Storage

The Parks Department has acquired numerous pieces of equipment over the last five years for maintenance including: truck & trailer, ball diamond groomer, aerator, top dresser, portable irrigation wheel, athletic field line strippers, additional mowing and winter snow removal equipment. While some equipment can fit at the Public Works Department, space has decreased at that site due to Public Works Storage needs, and a centralized location for equipment is desired for efficiency and location. Vehicles and equipment sitting outside will have a shorter overall lifespan than those covered. The Fire Department has concerns over the seasonal storage of mowers next to the equipment bay and there is not enough room to store all the mowers in that one location.

Shoreline Management Plan

The Lottes Park project included thousands of perennial plants and hundreds of feet of shoreline vegetation and multiple rain gardens for storm water management. In order for these systems to be effective, ongoing maintenance must be completed. City Staff conducted 4 separate invasive plant removal sessions this summer but it was difficult navigating the difference between a weed and plant and the amount of time that it took.

Revenue

1. No Fee Increases proposed for Park Shelter Rentals, Athletic Field Rentals. Dane County is proposing an increase for annual Lake Access Permits

Expenses

1. Increase PART-TIME WAGES	<u>\$45,000</u>
Weekend Duty Staff (April – October) – 28 weekends	
- 2 Staff x 4/hrs/day = 28 weekends x 16/hrs x \$14/hr =	\$6,300
Spring/Fall Seasonal Mowing (April-May, September-October)	
- 3 Staff x 15/hrs/week x 16 weeks x \$11/hr =	\$7,920
Summer Parks Maintenance (June – August)	
- 4 Staff x 38/hrs/week x 13 weeks x \$12/hr =	\$23,712
Seasonal Parks Cleaner (May – August)	
- 1 Staff x 25 hrs/week x 16 weeks x \$12/hr =	\$4,800
Winter Park Maintenance (December – February)	
- 1 Staff x 20/hrs/week x 12 week x \$12/hr	\$2,880

This budget includes additional funding for an additional staff member on weekend duty rounds, and the additional funding for the Spring/Fall mowing crew which improves mowing cycles, and also allows for DPW to work on other projects instead of mowing parks and city owned properties. It also includes an LTE to help with snow removal and ice preparation of the Winnequah Park Lagoon

The addition of these seasonal positions will allow the FT Parks Maintenance position to transition into a Parks Foreman position to directly supervise seasonal staff and allow Parks & Recreation Director to focus on the overall development of the department.

2. Increase TELEPHONE	<u>\$6,300</u>
- Addition of Schluter Park phone and fire alarm monitoring/inspections	
Park Staff Phone	\$900
Lottes Park Phone/Fire Alarm/Pay Station	\$2,500
Fireman's Phone/Fire Alarm	\$1,500
Oneida Fire Alarm	\$500
Schluter Phone/Internet/Fire Alarm	\$900
3. Increase PROFESSIONAL DEVELOPMENT	<u>\$900</u>
- New staff hire in 2016 for certifications/training	
4. Increase PARK SUPPLIES for increased facilities and usage of those facilities	<u>\$15,000</u>
5. Increase WATER & SEWER UTILITIES based on 2015&2016 actual costs	<u>\$9,000</u>
6. Decrease FUELS & ADDITIVES based on 2015-2016 actual costs and predicted 2017 costs	<u>\$9,000</u>
7. Increase PORTABLE RESTROOMS to supply Bridge Rd Park (new playground proposed in 2017) with a portable restroom April-October Current portable restrooms are placed at Frost Woods Park, Winnequah Park Healy Lane Parking Lot, and Lottes Park (Oct-Apr)	<u>\$4,000</u>

Community Center

Long Term Challenges

Building Age & Usefulness

A separate sub-committee should start to look at short, medium, & long term goals for the use of the existing Community Center and the possibility for major renovation/replacement of the building. As the building continues to age, issues continue to develop from energy efficiency of the building, pest control, multi-use nature of the Senior Center, Parks & Recreation programs, & Community Events to private rentals. As an anchor of the community for the past 50 years, what will the next 50 years look like for this building and/or the purpose of what the building will serve. Changing dynamics in population and community needs should drive improvements to the Community Center.

Revenue

1. Increase **COMMUNITY CENTER RENTAL FEES** **\$35,000**
based on actuals from 2015-2016

Expenses

1. Increase in **SERVICE CONTRACTS** based on multi-year escalator prices **\$8,500**

Recreation

Long Term Challenges

Competition from Private Run/Club Programs

The amount of privatized recreational program offerings in Madison/Dane County has exploded over the last decade. Early specialization in individual sports has reduced the amount of kids participating in certain recreation programs. Summer School through MG and our own swim lesson programs have seen a reduction in summer recreation programs. While we are still the affordable choice for introductory based kids program, participation revenue vs expenses for some programs may not justify the continuation of programs. Based on geography and participation number for core youth sport programs, eliminating the non-resident fee to attract more participants may be an option/opportunity for growth.

Storage Space for Special Events

The Parks & Recreation Department runs a thriving Special Events program that includes many pieces of equipment, supplies/etc to run them. Finding a storage place for them has been difficult. We currently have equipment/supplies in 5-6 different areas, many hard to reach. Our Events are extremely popular and looking for a permanent home for supplies will lead to longer lifespan of the equipment

Staffing Issues

With the addition of selling concessions at Lottes on the weekend, our department offers programs/services 7 days a week for the majority of the year. Have a weekend Supervisor or another permanent part-time employee to help supervise, train/mentor our part-time staff will reduce the workload of FT Director & Rec Supervisor.

Revenue

1. Decrease in **RECREATION PROGRAM FEES** based on 2015-2016 actual revenue
2. Decrease in **YOUTH BASEBALL/SOFTBALL** based on actual 2016 revenue.
3. Decrease in **CONTRACTED SERVICES** based on reduction of contracted programs and reduction from offerings in camps from MG High School
4. Increase in **PARK FIELD RENTAL** based on 2016 actuals and line item where individual player registrations from Monona Adult Softball. Anderson will explain at meeting

Expense

1. Decrease in **WAGES – PART-TIME** based on less program offerings
2. Decrease in **CONTRACTED SERVICE** due to reduction in program offering and less MGHS sponsored activities
3. Decrease in **RECREATION PROGRAM** based on actuals from 2016
4. Increase in **PARK FIELD MAINTENANCE** based on actual expenses and additional lining of athletic fields for rec and sponsored sport programs and payout of revenue to Monona Adult Softball.

Pool

Long Term Challenges

Staff Recruitment/Retention

There is a national shortage of lifeguards and young adults willing to get certified to become a lifeguard. Goodman pool starts at over \$13/hr with Monona starting at \$8.75/hr. With the increase amount of hours that we are open and Federal Child Labor Laws over hours worked and breaks required, schedule can be extremely difficult. We offered a free lifeguarding class early in the summer that gave us some new staff but long term recruitment and retention based on pay will be difficult.

Facility Improvements

The Monona Community Pool will be 25 years old in 2018 (The same year we host the All-City Swim Meet). Industry standards for outdoor pools have a 30 year lifespan. While the City Council has been excellent in the support of funding for maintenance repairs/improvements, there are still challenges with the design of the pool/locker rooms. Admissions and getting people into our pool and be clunky and slow. No family locker rooms have been a source of complaints and embarrassment. The Concession area is inadequate in size and functionality. Not having zero-depth entry in the shallow end is a barrier for use.

The utilization of the pool by various user groups and sheer number of open hours to the general public is awesome. The programs, events, and support from the Monona Community is outstanding. A long term plan for facility rehabilitation/renovation should start in the next two years with a goal of construction in 2023 for a renovation of the existing pool.

Revenue

1. Increase in **PATCH SALES** based on 2016 actuals. Reduction in cost of Family Swim Pass for Non-Residents from \$205 to \$190 to encourage more participation
3. Decrease in **SWIM LESSONS** based on 2016 actuals. Participation decrease may be a result of time changes to hours of operation for open swim.
4. Increase in **CONCESSIONS** based on anticipated increase in number of cabana rentals

Expenses

1. Increase in **WAGES PART-TIME** due to expected number of hours and expected wages, includes a increase for new and returning staff. Addition of **WAGES, PART-TIME SWIM LESSONS** line item in the budget to account more accurately for staff time spent teaching/guarding swim lessons
2. Reduction in **OTHER PERSONNEL SERVICES** due to extremely limited help from Public Works/Water Utility in the start-up/shutdown of the pool. Parks & Recreation Staff is responsible for everything with the mechanical operation of the pool.
3. All other expenses flat from 2016 budget.

						2016	2017		2017
		2013	2014	2015	TO DATE	YEAR END	2016	DEPARTMENT	COMMITTEE
PARKS		ACTUAL	ACTUAL	ACTUAL	6/30/2016	ESTIMATED	BUDGET	BUDGET	BUDGET
100-55-55200-110	PARK SALARIES	45,619	44,184	30,363	26,045	52,090	42,642	51,000	51,000
100-55-55200-119	WAGES, PART TIME	19,666	25,866	42,103	13,252	42,500	42,500	45,000	45,000
100-55-55200-120	OVERTIME	4,588	1,024	926	380	1,000	3,000	3,000	3,000
100-55-55200-130	FICA	5,198	5,325	5,652	2,993	6,743	6,743	7,344	7,344
100-55-55200-131	WISCONSIN RETIREMENT	6,989	3,087	2,197	1,744	3,012	3,012	3,468	3,468
100-55-55200-132	LIFE & DISABILITY INSURANCE	11	3	7	7	200	200	200	200
100-55-55200-133	HEALTH INSURANCE	9,165	13,117	9,274	5,008	7,889	7,889	8,520	8,520
100-55-55200-134	PROFESSIONAL DEVELOPMENT	13	-	25	454	500	500	900	900
100-55-55200-220	GAS & ELECTRIC UTILITIES	12,854	13,166	17,043	6,523	16,000	15,000	16,000	16,000
100-55-55200-221	TELEPHONE	389	1,895	2,963	2,675	6,000	5,400	6,300	6,300
100-55-55200-222	WATER & SEWER UTILITIES	9,357	8,750	9,945	3,696	7,000	7,000	9,000	9,000
100-55-55200-225	STORM WATER UTILITY	8,572	8,572	6,902	881	9,500	9,500	9,500	9,500
100-55-55200-240	OUTSIDE SERVICES	899	2,330	17,572	735	2,000	3,400	3,400	3,400
100-55-55200-340	PARK SUPPLIES	9,464	11,847	13,222	8,650	15,000	14,000	15,000	15,000
100-55-55200-350	EQUIPMENT MAINT & REPAIR	3,001	7,597	7,098	7,919	8,000	6,000	6,000	6,000
100-55-55200-351	FACILITIES MAINT & REPAIR	6,758	7,077	5,060	5,458	7,000	5,000	5,000	5,000
100-55-55200-370	FUELS & ADDITIVES	7,499	7,561	7,463	1,531	8,000	10,000	9,000	9,000
100-55-55200-392	Portable Restrooms (all parks except Lottes)	870	-	-	320	-	-	-	-
100-55-55200-393	Portable Restrooms	2,720	3,610	2,690	1,200	3,000	3,000	4,000	4,000
100-55-55200-394	Lake Weed Spraying	1,210	-	-	-	-	1,210	1,210	1,210
		<u>154,842</u>	<u>165,011</u>	<u>180,505</u>	<u>89,471</u>	<u>195,434</u>	<u>185,996</u>	<u>203,842</u>	<u>203,842</u>

OUTDOOR SWIMMING POOL

						2016			2017	2017
---		2013	2014	2015	TO DATE	YEAR END	2016	DEPARTMENT	COMMITTEE	
---	REVENUES	ACTUAL	ACTUAL	ACTUAL	6/30/2016	ESTIMATED	BUDGET	BUDGET	BUDGET	
204-46-41110-000	GENERAL PROPERTY TAXES	63,514	66,671	83,121	83,160	-	83,160	92,772	92,772	
204-46-46730-100	PATCH SALES	34,278	31,752	38,192	39,066	51,865	38,000	47,000	47,000	
204-46-46730-110	DAILY ADMISSIONS	47,059	45,029	53,226	19,995	62,595	60,000	60,000	60,000	
204-46-46730-120	CONCESSIONS	17,545	17,521	21,628	10,011	25,208	21,000	24,000	24,000	
204-46-46730-130	POOL RENTALS	19,160	20,089	19,972	2,937	20,269	20,000	20,000	20,000	
204-46-46730-140	SWIMMING LESSONS	43,485	46,051	43,859	28,305	41,793	45,000	43,000	43,000	
204-46-46730-150	ADVERTISING/PROMOTIONS	4,100	1,875	500	500	500	4,000	2,000	2,000	
204-46-49210-000	TRANSFER FROM GENERAL FUND	-	-	-	-	-	-	-	-	
---		229,141	228,988	260,498	183,974	202,230	271,160	288,772	288,772	

---	EXPENDITURES									
204-55-55420-110	ADMINISTRATIVE SALARIES	40,174	44,510	44,994	23,985	51,136	51,136	56,024	56,024	
204-55-55420-111	OTHER PERSONNEL SERVICES	12,426	2,485	1,264	77	100	8,000	1,000	1,000	
204-55-55420-118	WAGES, PART-TIME SWIM LESSONS	-	-	-	1,671	14,838	-	15,000	15,000	
204-55-55420-119	WAGES, PART-TIME	100,058	106,135	98,772	21,765	109,826	109,300	109,000	109,000	
204-55-55420-120	OVERTIME	-	-	46	-	-	-	2,200	2,200	
204-55-55420-130	FICA	11,546	11,544	10,951	3,548	13,456	12,885	13,848	13,848	
204-55-55420-131	WISCONSIN RETIREMENT	4,728	2,759	2,676	1,375	3,382	3,919	3,766	3,766	
204-55-55420-132	LIFE & DISABILITY INSURANCE	7	6	6	3	92	92	92	92	
204-55-55420-133	HEALTH INSURANCE	8,754	8,369	8,119	4,157	9,345	9,345	10,092	10,092	
204-55-55420-134	PROFESSIONAL DEVELOPMENT	2,050	1,133	1,055	1,049	2,250	2,250	2,500	2,500	
204-55-55420-220	GAS & ELECTRIC UTILITIES	19,443	20,191	19,160	6,832	19,646	18,000	19,000	19,000	
204-55-55420-221	TELEPHONE	57	-	-	-	250	250	250	250	
204-55-55420-222	WATER & SEWER UTILITIES	8,922	10,066	14,958	774	9,000	9,000	9,000	9,000	
204-55-55420-310	OFFICE SUPPLIES	1,159	1,241	1,264	343	1,343	1,000	1,000	1,000	
204-55-55420-338	POOL OPERATING SUPPLIES	27,316	25,008	22,885	16,573	28,437	25,000	25,000	25,000	
204-55-55420-339	CONCESSION EXPENSES	14,225	11,634	13,958	4,115	14,367	15,000	15,000	15,000	
204-55-55420-342	CASH OVER AND SHORT	-	-	(3)	-	-	-	-	-	
204-55-55420-350	EQUIPMENT MAINT & REPAIR	5,983	4,511	10,928	4,001	8,000	6,000	6,000	6,000	
204-55-55420-351	BUILDING MAINT & REPAIR	573	-	-	422	-	-	-	-	
---	TOTAL POOL	257,421	249,592	251,033	90,690	285,468	271,177	288,772	288,772	

---				CURRENT			0%			
---				YEAR		PROPOSED	DIFFERENCE			
---	PERSONNEL			194,677		211,022	8.40%			
---	NON-PERSONNEL			76,500		77,750	1.63%			
---	TOTAL			271,177		288,772	6.49%			

		2016				2017		2017	
COMMUNITY CENTER		2013	2014	2015	TO DATE	YEAR END	2016	DEPARTMENT	COMMITTEE
REVENUES		ACTUAL	ACTUAL	ACTUAL	6/30/2016	ESTIMATED	BUDGET	BUDGET	BUDGET
204-46-41110-000	GENERAL PROPERTY TAXES	144,843	140,038	144,874	142,270	-	142,270	145,887	145,887
204-46-46740-100	COMMUNITY CENTER RENTAL FEES	28,135	32,475	36,077	14,989	40,000	33,000	35,000	35,000
204-46-46740-120	CONCESSIONS	44	147	238	145	250	500	500	500
204-46-46740-200	COMMUNITY CENTER BAR LEASE	441	355	-	-	1,000	500	500	500
204-46-46740-300	CC EQUIPMENT RENTAL	-	-	36	-	-	100	100	100
204-46-49210-000	TRANSFER FROM GENERAL FUND	-	-	-	2,190	-	-	-	-
		173,463	173,015	181,225	202,145	41,250	176,370	181,987	181,987
EXPENDITURES									
204-55-55140-110	ADMINISTRATIVE SALARIES	89,558	91,907	93,836	48,509	87,445	87,445	90,704	90,704
204-55-55140-112	SHIFT DIFFERENTIAL	796	738	741	341	850	850	800	800
204-55-55140-114	JANITORIAL SALARIES	-	4,758	3,945	-	-	-	-	-
204-55-55140-120	OVERTIME	4,056	3,663	3,866	3,911	5,500	4,500	4,200	4,200
204-55-55140-130	FICA	6,894	7,444	7,462	3,915	7,175	7,099	7,321	7,321
204-55-55140-131	WISCONSIN RETIREMENT	6,451	6,365	6,365	3,329	6,124	6,124	6,508	6,508
204-55-55140-132	LIFE & DISABILITY INSURANCE	29	32	35	20	125	125	125	125
204-55-55140-133	HEALTH INSURANCE	17,221	19,354	20,903	11,356	18,777	18,777	20,279	20,279
204-55-55140-134	PROFESSIONAL DEVELOPMENT	50	471	460	330	500	500	500	500
204-55-55140-137	UNIFORM ALLOWANCE	249	253	158	80	250	250	250	250
204-55-55140-220	GAS & ELECTRIC UTILITIES	28,695	29,738	29,123	11,683	29,000	28,000	28,000	28,000
204-55-55140-221	TELEPHONE	2,830	2,577	1,934	924	3,500	3,500	3,500	3,500
204-55-55140-222	WATER & SEWER UTILITIES	2,684	1,705	2,520	1,213	3,000	3,000	3,000	3,000
204-55-55140-240	SERVICE CONTRACTS	6,079	8,167	7,358	4,170	8,200	8,000	8,000	8,000
204-55-55140-310	OFFICE SUPPLIES	1,062	866	462	581	1,300	1,300	1,300	1,300
204-55-55140-344	JANITORIAL SUPPLIES	2,057	3,719	3,538	1,642	3,250	2,500	3,500	3,500
204-55-55140-350	EQUIPMENT MAINT & REPAIR	2,007	-	240	-	-	-	-	-
204-55-55140-351	BUILDING MAINT & REPAIR	2,769	6,931	5,137	4,111	5,000	4,000	4,000	4,000
204-55-55140-352	ADVERTISING	545	-	-	-	-	400	-	-
TOTAL COMMUNITY CENTER		174,032	\$188,688	188,083	96,115	179,996	176,370	181,987	181,987
				CURRENT YEAR		0%			
PERSONNEL				125,420		PROPOSED	DIFFERENCE		
NON-PERSONNEL				50,700		130,437	4.00%		
TOTAL				176,120		51,300	1.18%		
						181,737	3.19%		

PARK & RECREATION BOARD (Agenda Item 5B)

Meeting Date: September 13, 2016

AGENDA ITEM:

Schluter Park Playground Surfacing Budget Amendment Request

REQUESTED BY:

Andrew Kitslaar

POLICY ANALYSIS STATEMENT:

During a recent site visit with members of the city's insurance company CVMIC, it was noted that placing playground equipment in sand violates Title II ADA laws from 2010. Previously the working interpretation was that if other playgrounds in the community were ADA accessible then some could not be. Based on the alterations to the facility and new playground equipment being order, discussion should be on location of equipment outside sand area. Director Anderson proposes equipment be placed to the NE of the sand indicated in the area on the following page with a budget amendment of \$24,000 for poured-in-play surfacing and border timbers.

FISCAL IMPACT:

\$24,000 would be needed from the Schluter Park Contingency Fund.

Reviewed By City Administrator

_____ Yes _____ No

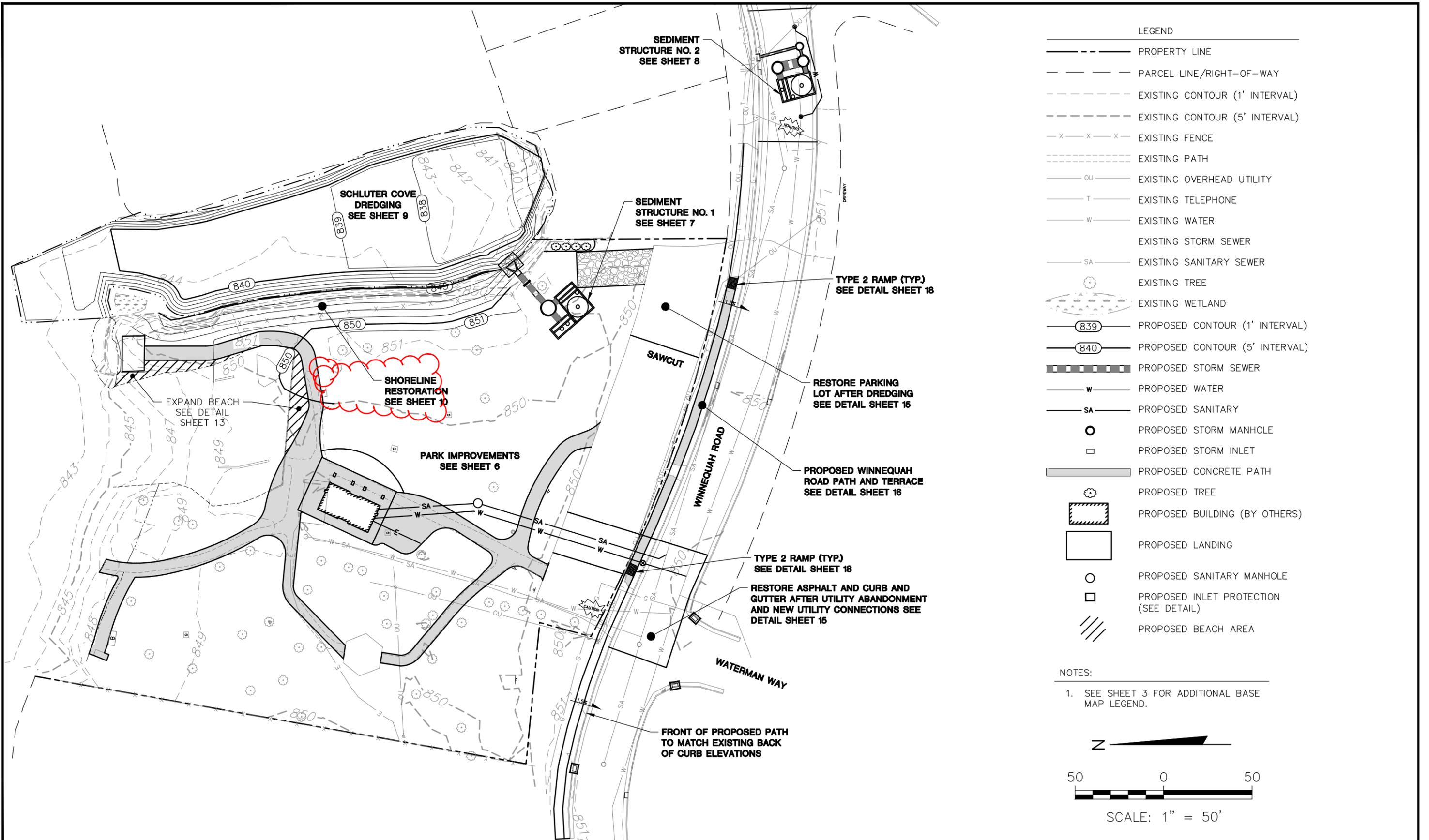
Action Taken: _____

Approval: _____

Disapproval: _____

Tabled: _____

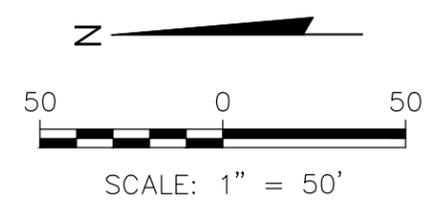
Committee Meeting Date: _____



- LEGEND**
- — — — — PROPERTY LINE
 - — — — — PARCEL LINE/RIGHT-OF-WAY
 - - - - - EXISTING CONTOUR (1' INTERVAL)
 - - - - - EXISTING CONTOUR (5' INTERVAL)
 - x - x - x - EXISTING FENCE
 - - - - - EXISTING PATH
 - OU — EXISTING OVERHEAD UTILITY
 - T — EXISTING TELEPHONE
 - W — EXISTING WATER
 - — — — — EXISTING STORM SEWER
 - SA — EXISTING SANITARY SEWER
 - ⊙ EXISTING TREE
 - ⊙ EXISTING WETLAND
 - ⊙ 839 — PROPOSED CONTOUR (1' INTERVAL)
 - ⊙ 840 — PROPOSED CONTOUR (5' INTERVAL)
 - ▬▬▬▬▬▬▬ PROPOSED STORM SEWER
 - W — PROPOSED WATER
 - SA — PROPOSED SANITARY
 - ⊙ PROPOSED STORM MANHOLE
 - PROPOSED STORM INLET
 - ▬▬▬▬▬▬▬ PROPOSED CONCRETE PATH
 - ⊙ PROPOSED TREE
 - ▨ PROPOSED BUILDING (BY OTHERS)
 - PROPOSED LANDING
 - ⊙ PROPOSED SANITARY MANHOLE
 - PROPOSED INLET PROTECTION (SEE DETAIL)
 - ▨▨▨▨▨▨▨ PROPOSED BEACH AREA

NOTES:

- SEE SHEET 3 FOR ADDITIONAL BASE MAP LEGEND.



PROJECT NO. 25213134.00	DRAWN BY: JB/KP/AHB	<p>2830 DAIRY DRIVE MADISON, WI 53718-6751 PHONE: (608) 224-2830</p>	<p>CITY OF MONONA 5211 SCHLUTER ROAD MONONA, WI 53716-2598 608-222-2525</p>	CITY OF MONONA SCHLUTER BEACH IMPROVEMENT PROJECT	OVERALL PROPOSED SITE PLAN	SHEET
DRAWN: 04/08/14	CHECKED BY: JO					5
REVISED: 11/24/15	APPROVED BY:					

I:\25213134\Drawings-General\Grading & Utility Plan_.dwg, 11/24/2015 3:30:24 PM

PARK & RECREATION BOARD (Agenda Item 5C)

Meeting Date: September 13, 2016

AGENDA ITEM:

Tree Ordinance Review/Discussion/Recommendation

REQUESTED BY:

April Little

POLICY ANALYSIS STATEMENT:

City Administrator April Little has revised the Tree Section of Chapter 12 as part of the Re-codification process. Review, comment, discuss, and possible recommendation to City Council for adoption.

FISCAL IMPACT:

Reviewed By City Administrator
_____ Yes _____ No

Action Taken: _____
Approval: _____
Disapproval: _____
Tabled: _____
Committee Meeting Date: _____

Chapter 411

TREES

ARTICLE I
Public Tree Maintenance

- § 411-1. Trimming.
- § 411-2. Trees and shrubbery obstructing view at intersection or view of traffic signs.
- § 411-3. Tree costs chargeable to lands.

ARTICLE II
Public Tree Program

- § 411-4. Statement of policy and applicability of chapter.
- § 411-5. Definitions.

- § 411-6. Authority of City Forester to enter private premises.
- § 411-7. Interference with the City Forester prohibited.
- § 411-8. Abatement of tree disease nuisances.
- § 411-9. Planting of trees and shrubs.
- § 411-10. Removal of trees and stumps.
- § 411-11. Prohibited acts.
- § 411-12. Appeal from determinations or orders.
- § 411-13. Inspection of trees.
- § 411-14. Adoption of state statutes.

[HISTORY: Adopted by the Common Council of the City of Monona as indicated in article histories. Amendments noted where applicable.]

ARTICLE I
Public Tree Maintenance
[Adopted as Title 6, Ch. 2, of the 1994 Code]

§ 411-1. Trimming.

- A. Trees and shrubs standing in or upon any terrace, public area or upon any private premises adjacent to any public right-of-way or public areas shall be kept trimmed so that the lowest branches projecting over the public street or alley provide a clearance of not less than 14 feet. The Director of Public Works may waive the provisions of this section for newly planted trees if it determines that they do not interfere with public travel, obstruct the light of any streetlight or endanger public safety.
- B. The necessity of the pruning may be determined by the Director of Public Works.
- C. Clearance from sidewalk to lower branches shall not be less than 10 feet. All trees standing upon private property in the City, the branches of which extend over the line of the street, shall be trimmed so that no branch shall grow or hang over the line of the sidewalk lower than 10 feet above the level of the sidewalk. No tree shall be permitted to grow in such a manner as to obstruct the proper diffusion of light from any public lamp.
- D. Trimming or pruning of more than 2/3 of the crown of a public area tree shall be considered to be a major alteration and shall require a permit from the Director of Public Works.

§ 411-2. Trees and shrubbery obstructing view at intersection or view of traffic signs.

- A. Notwithstanding any other provision of this chapter, no person shall maintain, plant or permit to remain on any private or public premises situated at the intersection of two or more streets or alleys in the City any hedge, tree, shrub or other growth which may obstruct the view of the operator of any motor vehicle or pedestrian approaching such intersection.
- B. It is unlawful for any person to plant, cause to grow, allow to grow or maintain any trees, bushes, shrubbery or vegetation of any kind which is an obstruction to the clear and complete vision of any traffic sign or driveway approach to a street in the City. It shall be the duty of every owner of such tree, bush, shrubbery or vegetation to remove such obstruction.
- C. Any shrub, tree or other plant which obstructs the view at an intersection or the view of a traffic sign shall be deemed to be dangerous to public travel and the Director of Public Works may order, by written notice, the owner or occupant of any private place or premises on which there stands a tree or shrub which unreasonably interferes with or encroaches upon the street or sidewalk, to take such steps as are necessary to remove such interference. If such owner or occupant fails, within 10 days of receipt of notice, to take such necessary steps, the Director of Public Works shall order City employees to remove the interference. The cost of removing the interference shall be levied and collected as a special tax upon the property upon which or in front of which such tree or shrub stands.
- D. Any person who is an owner or occupant or firm or corporation failing to obey the written notice of the Director of Public Works as specified in Subsection C above shall, upon conviction thereof, be subject to a forfeiture as established in § 1-4 of the Code of the City of Monona.

§ 411-3. Tree costs chargeable to lands.

- A. Assessment. The entire cost of planting, removal, spraying, trimming or treatment of trees, shrubs and plants in front of or upon any lot or parcel of land abutting on any public way, may be chargeable to and assessed upon such lot or parcel of land.
- B. Account to be kept. The Director of Public Works shall keep a strict account of the cost of planting, removal, trimming or treating of any tree, shrub or plant in front of or on each lot or parcel of land abutting any public way, and prior to the tenth day of November in each year shall make a report to the City Clerk of all work done for which assessments are to be made stating and certifying the description of land, lot, parts of lots or parcels of land abutting on any public way, in which any such work shall have been done and the amount chargeable to each piece of property; the City Clerk at the time of making the annual report to the Common Council of the lots or parcels of land subject to special assessments shall include therein the lots or parcels of land so reported during the preceding year.
- C. Amounts chargeable as lien. The amounts so reported to the Council shall be levied on said lots or parcels of land, respectively, to which they are chargeable and shall constitute

a lien thereon and shall be collected by the City. The Director of Public Works shall advance out of the proper fund sufficient money for doing said work and the said special assessment shall be credited to said fund of the City and shall not be diverted or used for any other purpose.

ARTICLE II

Public Tree Program

[Adopted as Title 12, Ch. 2, of the 1994 Code]

§ 411-4. Statement of policy and applicability of chapter.

It is the policy of the City of Monona to regulate and establish policy, under the administration of the Parks and Recreation Board, for the control of planting, removal, maintenance and protection of trees and shrubs in or upon all public areas and terrace areas of the City to eliminate and guard against dangerous conditions which may result in injury to persons using the streets, alleys, sidewalks or other public areas; to promote and enhance the beauty and general welfare of the City; to prohibit the undesirable and unsafe planting, removal, treatment and maintenance of trees and shrubs located in public areas; and to guard all trees and shrubs both public and private within the City against the spread of disease, insects or pests.

§ 411-5. Definitions.

Whenever the following words or terms are used in this chapter, they shall be construed to have the following meanings:

BOULEVARD OR TERRACE AREAS — The land between the normal location of the street curbing and sidewalk. Where there is no curb and gutter, the area four feet from the curblines shall be deemed to be a boulevard for the purpose of this chapter. "Boulevard" shall have the same meaning as "terrace." Where there are no sidewalks, the area four feet from the curb shall be deemed boulevard areas under this chapter.

EVERGREEN TREE — Any woody plant normally having one stem or trunk and bearing foliage in the form of needles and crowns which extend from ground level throughout its entire height.

MAJOR ALTERATION — Trimming a tree beyond necessary trimming to comply with this chapter.

PERSON — Person, firm, association or corporation.

PUBLIC AREAS — Includes all public parks and other lands owned, controlled or leased by the City except the terrace areas. , public right of ways,

PUBLIC NUISANCE — Any tree or shrub or part thereof which, by reason of its condition, interferes with the use of any public area; infected with a plant disease; infested with injurious insects or pests; injurious to public improvements or endangers the life, health, safety or welfare of persons or property.

PUBLIC TREES AND SHRUBS — All trees and shrubs located or to be planted in or upon public areas.

SHRUBS — Any woody vegetation or a woody plant having multiple stems and bearing foliage from the ground up.

TREE — Any woody plant, normally having one stem or trunk bearing its foliage or crown well above ground level to heights of 16 feet or more.

Replace section 6 with paragraph at end of chapter.

§ 411-6. Authority of City Forester to enter private premises.

The City Forester or its authorized representative may enter upon private premises at all reasonable times for the purpose of examining any tree or shrub located upon or over such premises and carrying out any of the provisions of this chapter. If a request to inspect such trees or shrubs is denied by the person responsible for the property, an inspection warrant may be obtained pursuant to § 66.0119, Wis. Stats. The City Forester shall be a citizen or City employee appointed by the Common Council, upon the recommendation of the Parks and Recreation Board.

~~**§ 411-7. Interference with the City Forester prohibited.**~~

~~No person shall interfere with the City Forester or its authorized representative while they are engaged in carrying out any work or activities authorized by this chapter.~~

§ 411-8. Abatement of tree disease nuisances.

~~A. Dutch elm and other tree diseases a public nuisance. Whereas the Common Council has determined that there are many trees growing on public and private premises within the City, the loss of which would substantially depreciate the value of public and private property, impair the use and enjoyment of public and private premises and erode the tax base of the City, and that the health and life of such trees is threatened by fatal diseases such as Dutch Elm disease, which is spread by the elm bark beetles *Scolytus multistriatus* (Eichb.) or *Hylurgopinus rufipes* (Marsh.), the Common Council hereby declares its intention to control and prevent the spread of such disease and the insect pests and vectors which carry such diseases and specifically declares Dutch Elm disease and the elm bark beetles which carry such disease to be public nuisances.~~

~~B. Definitions. As used in this section, unless otherwise clearly indicated by the context:~~

~~PERSON — Person, firm or corporation.~~

~~PUBLIC NUISANCE —~~

~~(1) Dutch Elm disease.~~

~~(2) Elm bark beetles *Scolytus multistriatus* (Eichb.) or *Hylurgopinus rufipes* (Marsh.).~~

- ~~(3) Any living or standing elm tree or part thereof infected with the Dutch Elm disease fungus or in a weakened condition which harbors any of the elm bark beetles, Scolytus multistriatus (Eichb.) or Hylurgopinus rufipes (Marsh.).~~
- ~~(4) Any dead elm tree or part thereof, including logs, branches, stumps, firewood or other elm material from which the bark has not been removed and burned or sprayed with an effective elm bark beetle destroying concentrate.~~
- ~~(5) Any other deleterious or fatal tree disease.~~
- ~~(6) Any tree or part thereof which by reason of its condition and location is hazardous or dangerous to persons and property using or upon any public street, sidewalk, alley, park or other public place, including the terrace strip between curb and lot line.~~
- ~~(7) Any tree or part thereof which is infested by the eastern tent caterpillar or other defoliating larvae.~~

~~PUBLIC PROPERTY — Owned or controlled by the City, including without limitation because of enumeration, public sites, parks, playgrounds, streets, alleys, sidewalks, boulevards, and the terrace strip between the lot line and the curb or improved portion of any public way.~~

C. Inspection.

- ~~(1) The City Forester may inspect or cause to be inspected all premises and places within the City to determine whether any public nuisance exists thereon. The City Forester may also inspect or cause the inspection of any elm tree reported or suspected to be infested with the Dutch Elm disease or any elm bark bearing materials reported or suspected to be infested with elm bark beetles.~~
- ~~(2) Whenever necessary to determine the existence of Dutch Elm disease or elm bark beetles in any tree, the person inspecting such tree shall remove or cut specimens from the tree in such manner as to avoid fatal injury thereto and deliver such specimens to the City Forester which shall forward them to the Wisconsin Department of Agriculture at Madison for analysis to determine the presence of such nuisances.~~
- ~~(3) The City Forester and his agents shall have authority to enter upon private premises at reasonable times for the purpose of carrying out any of the provisions of this section.~~

D. Abatement of nuisances.

see attached

- ~~(1) Following authorization from the Parks and Recreation Board, the City Forester shall order, direct, supervise and control the abatement of public nuisances as defined in this section by spraying, removal, burning or by other means which he determines to be necessary to prevent as fully as possible the spread of Dutch Elm disease fungus, other deleterious tree diseases or the insect pests or vectors known to carry such diseases.~~

(2) Whenever the City Forester after inspection or examination shall determine that a public nuisance as herein defined exists on public property in the City, he shall immediately abate or cause the abatement of such nuisance ~~in such manner as to destroy or prevent as fully as possible the spread of Dutch Elm disease, other deleterious tree diseases, or the insect pests or vectors known to carry such disease fungus.~~

(3) _____

← Q: can we refer back to the general nuisance abatement procedure and delete remainder of D and E (see attached)?

(a) When the City Forester shall determine with reasonable certainty that a public nuisance exists upon private premises, he shall immediately serve or cause to be served personally or by registered mail upon the owner of such property, if he can be found, or upon the occupant thereof, a written notice of the existence of such nuisance and of a time and place for a hearing before the City Forester, not less than 10 days after service of such notice, on the abatement action to be taken. Such notice shall describe the nuisance and recommend procedures for its abatement, and shall further state that unless the owner shall abate the nuisance in the manner specified in the notice, or shall appear at the hearing to show that such nuisance does not exist or does not endanger the health of trees in the City, the City Forester shall cause the abatement thereof at the expense of the property served. If the owner cannot be found, such notice shall be given by publication in a newspaper of general circulation in the City.

(b) If, after hearing held pursuant to this Subsection, it shall be determined by the City Forester that a public nuisance exists, he shall forthwith order the immediate abatement thereof. Unless the property owner abates the nuisance as directed within five days after such hearing, the City Forester shall proceed to abate the nuisance and cause the cost thereof to be assessed against the property in accordance with the procedures provided in this section. The City Forester may extend the time allowed the property owner for abatement work but not to exceed 10 additional days.

E. Spraying.

(1) Following authorization from the Parks and Recreation Board, whenever the City Forester shall determine that any tree or part thereof is infected with a deleterious or fatal tree disease or is in a weakened condition or harbors elm bark beetles, he may cause all trees within a one-thousand-foot radius thereto to be sprayed with an effective disease destroying concentrate or other insecticide.

(2) In order to facilitate the work and minimize the inconvenience to the public of any spraying operations conducted under this section, the Forester shall cause to be given advance public notice of such operations by newspaper, radio, television, public service announcements or other effective means and shall also cause the posting of appropriate warning notices in the areas and along the streets where trees are to be sprayed at least 24 hours in advance of spraying.

(3) When appropriate warning notices and temporary "no parking" notices have been given and posted in accordance with Subsection E(2) of this section, the City shall

not allow any claim for damages to any vehicle caused by such spraying operations.

- (4) When trees on private property are to be sprayed, the Forester shall notify the owner of such property and proceed in accordance with the requirements of Subsection D(3).

Replace with: The City Forester shall recommend to the Parks and Recreation Board a program for tree planting, care and protection of trees and shrubs on public areas within the Village.

§ 411-9. Planting of trees and shrubs.

A. Responsibility. ~~The size and genus, species and variety of trees and shrubs to be planted in terraces, tree banks and boulevards and the manner of planting shall be submitted to the City Forester for approval before commencement of such work. All planting, maintenance and trimming of trees in terraces shall be the responsibility of the individual property owners.~~

B. Tree sizes. The Parks and Recreation Board, upon the recommendation of the City Forester, shall prepare and maintain lists of tree species desirable for planting in boulevards according to their normal mature height:

- (1) Large trees: over 40 feet;
- (2) Medium trees: 25 feet to 40 feet; and
- (3) Small trees: 15 feet to 25 feet.

C. Planting size.

- (1) All large or medium trees, when planted, shall be at least eight feet high and have a minimum trunk diameter of 1 1/2 inches at a point six inches above the ground.
- (2) All small trees, when planted, shall be least five feet high and have five or more branches.

D. Location.

- (1) There shall be a distance of 40 to 50 feet between terrace area trees depending upon the size of tree and other factors. Terrace trees shall be planted equal distance between the sidewalk or proposed sidewalk and back of the curb or proposed back of curb. In terrace areas less than three feet wide, planting will not be permitted. Terrace area trees shall be a minimum of 25 feet from an intersection.

35 feet?

- (2) Small sized trees shall be planted at least five feet from driveways and large or medium sized trees shall be planted at least 15 feet from driveways. Trees shall also be planted at least 10 feet from curb box/water shutoffs.
- (3) Evergreen trees or shrubs shall not be planted in a terrace area.
- (4) It shall be unlawful to plant or maintain shrubbery, ground cover or other plants not considered to be a deciduous leaf tree within terrace areas whose growth is in excess of eight inches in height above the top of the nearest curb.

(5) Tree grates shall be provided for terrace trees surrounded by concrete by the adjacent property owner and shall be level with adjacent concrete.

E. Minimum opening to be maintained. Unless otherwise provided for in a written permit from the City Forester, there must be at least nine square feet of open ground about the base of each tree three inches in diameter one foot above the ground, and for each two inches of increase in such diameter there must be an increase of at least one foot of open ground around each such tree.

F. ~~Permitted species. Only trees from the following approved listing shall be planted in a public terrace strip (between curb and sidewalk). Trees are listed by their commercial name and grouped by suitability for various terrace strip widths. The mature height is given following the name so that consideration can be given in cases where overhead wires are present:~~

4 Feet +	
Globe Norway Maple	16 feet
Almira Norway Maple	16 feet
Amur Maackia	20 feet
Rancho Sargent Cherry	25 feet
Hop Hornbeam	25 feet
Olmsted Columnar Norway Maple	30 feet
Mountain Ash	30 feet
Seanlon Red Maple	35 feet

Don't need this section; see section B.

6 Feet +	
Manchurian Bird-cherry	20 feet
Frau Louise Dittman Crabapple	20 feet
Flame Crabapple	25 feet
Double Flowered Mazzard Cherry	30 feet
Sargent Cherry	30 feet
Mongolian Linden	30 feet
Wineleaf Sycamore Maple	30 feet
Tilford Red Maple	35 feet
Littleleaf Linden	40 feet
Amur Corktree	45 feet
Chinese Pearleaf Crabapple	20 feet
Ruby Red Horsechestnut	25 feet
Seneca Sugar Maple	25 feet
Rancho Littleleaf Linden	25 feet
Golden-Leaf Sycamore Maple	25 feet

Pyramidal Sycamore Maple	25 feet
Globe Blue Ash	25 feet
Pyramidal European Ash	30 feet
Manchurian Ash	30 feet
Cleveland Norway Maple	30 feet
Schwedler Norway Maple	30 feet
Pyramidal European Hornbeam	35 feet
Columnar Sugar Maple	45 feet
8 Feet +	
Kobus Magnolia	20 feet
Dolgo Crabapple	30 feet
Redbug Maple	45 feet
10 Feet +	
Liset Crabapple	20 feet
Shakespeare Crabapple	20 feet

G. Certain species restricted. No person shall plant within the City of Monona any female tree of the species *Populus Deltoidea*, commonly called the "Cottonwood," or any tree commonly called the seed-bearing Box Elder or *Acer Negundo*, which may now or hereafter become infested with Box Elder bugs, and such trees are hereby declared a nuisance. Any person having any such trees on his premises shall cause the same to be removed.

H. Unlawfully planted trees. Trees, plants or shrubs planted within any terrace or planting easement without the authorization and approval of the City Forester may be removed. The City Forester shall notify the abutting owner in writing, listing the unlawfully planted trees, plants or shrubs, ordering their removal, and establishing a reasonable time within which such removal shall be accomplished. In the event that removal is not to be accomplished within the time specified, the City may remove such trees, plants or shrubs and assess the costs thereof to the owner.

§ 411-10. Removal of trees and stumps.

A. Dangerous, obstructive and infected trees. Any tree or part thereof, whether alive or dead, which the City Forester shall find to be infected, hazardous or a nuisance so as to endanger the general public or other trees, plants or shrubs growing within the City, or to be injurious to sewers, sidewalks or other public improvements whether growing upon public or private premises, shall be removed, trimmed or treated by the owner of the property upon or adjacent to which such tree or part thereof is located. The City Forester shall give written notice to said owner to remedy the situation which shall be served personally or posted upon the affected tree. Such notice shall specifically state the period of time within which the action must be taken, which shall be within not less than 24

Checking w/ DNR on species to include

A. seems to be repetitive. Delete. Keep B & C? Move C to sect. 11?

hours nor more than 14 days as determined by the City Forester on the basis of the seriousness of the condition of the tree or danger to the public. If the owner shall fail to remove, treat or trim said tree within the time limited, the City Forester shall cause the tree to be removed, treated or trimmed and shall report the full cost thereof to the City Clerk, who shall thereupon enter such cost as a special charge against the property.

- B. Removal standards. In cutting down trees located in public and terrace areas, the tree must be removed with the root stump grubbed out, or ground out to a depth of at least nine inches below grade measured in a straight line with the normal grade of sidewalk to top of nine inches below grade measured as a straight line, normal grade of sidewalk to top of curb. All wood and debris must be removed from the street prior to the end of each working day and all holes shall be filled to normal grade level with topsoil as soon as practicable. The abutting property owner shall have a right of first refusal to keep the wood, provided such wood is not diseased.
- C. Private removal. No person, firm, organization or corporation shall plant, injure, trim, remove or destroy any tree or shrub located in or upon any public place, until a permit shall have been issued by the City Forester. Such permit shall be issued only when the removal, trimming or cutting of the tree or shrub is necessary, as determined by the City Forester, because of disease, damage, hazardous condition, and/or location, or its location is such that substantial detriment is done to the property upon which the tree or shrub stands, or property abutting the same. Such permit shall expressly state the premises upon which the tree stands and the location of the tree thereon.

§ 411-11. Prohibited acts.

- A. Damage to public trees. No person shall, without the consent of the owner in the case of a private tree or shrub, or without written permits from the City Forester in the case of a terrace-area tree, public tree or shrub, perform or cause to be performed by others any of the following acts:
- (1) Secure, fasten or run any rope, wire sign, unprotected electrical installation or other device or material to, around or through a tree or shrub.
 - (2) Break, injure, mutilate, deface, kill or destroy any tree or shrub or permit any fire to burn where it will injure any tree or shrub.
 - (3) Permit any toxic chemical, gas, smoke, oil or other injurious substance to seep, drain or be emptied upon or about any tree or shrub or place cement or other solid substance around the base of the same.
 - (4) Remove any guard, stake or other device or material intended for the protection of a public tree or shrub, or close or obstruct any open space about the base of a public tree or shrub designed to permit access of air, water and fertilizer.
 - (5) Attach any sign, poster, notice or other object on any tree, or fasten any guy wire, cable, rope, nails, screws or other device to any tree; except that the City may tie temporary "no parking" signs to trees when necessary in conjunction with street improvement work, tree maintenance work or parades.

- (6) Cause or encourage any fire or burning near or around any tree.
 - (7) Except with a written permit from the City Forester to place or maintain upon the ground any stone, brick, cement or other impervious substance in such manner as may obstruct the free access of air or water to the roots of any tree, shrub or plant in or upon any public way or public place.
- B. Excavations. All trees on any parkway or other publicly owned property near any excavation or construction of any building structure or street work shall be sufficiently guarded and protected by those responsible for such work as to prevent any injury to said trees. No person shall excavate any ditches, tunnels or trenches, or install pavement within a radius of 10 feet from any public tree without a permit from the City Forester.
- C. Interference with forester. No person shall:
- (1) Interfere with or prevent any acts of the City Forester or its employees while it is engaged in the performance of duties imposed by this section.
 - (2) Refuse to permit the City Forester or its representative to enter upon his premises at reasonable times to exercise the duties imposed by this section.
- D. Refusal to abate nuisance. No person shall permit any public nuisance to remain on any premises owned or controlled by him when ordered by the City Forester to abate such nuisance.

Are C & D repetitive?

§ 411-12. Appeal from determinations or orders.

Chapter 68 of the Wisconsin Statutes

seems a little fast

Any person who receives a determination or order under this chapter from the City Forester and objects to all or any part thereof shall have the right to appeal such determination or order, subject to the provisions of ~~Chapter 7, Administrative Review, of the Code of the City of Monona~~, to the Parks and Recreation Board within seven days of receipt of the order and the Parks and Recreation Board shall hear such appeal within 30 days of receipt of written notice of the appeal. After such hearing, the Parks and Recreation Board may reverse, affirm or modify the order or determination appealed from and the grounds for its decision shall be stated in writing. The Parks and Recreation Board shall, by letter, notify the party appealing the order or determination of its decision within 10 days after the hearing has been concluded. The Parks and Recreation Board shall file its written decision with the City Clerk.

§ 411-13. Inspection of trees.

An annual inspection by competent personnel shall be made of all trees within the terrace strip along every public way within the City, and also those trees on private lands within falling distance of any public way or public place.

Can we / should we be doing this?

§ 411-14. Adoption of state statutes.

Sections 27.09 and 86.03, Wis. Stats., are hereby adopted and incorporated herein by reference.

Adopt ANSI reference too?

411-6 City Forester.

1) APPOINTMENT. The City Forester shall be a citizen or City employee appointed by the Common Council, upon the recommendation of the Parks and Recreation Board.

(2) POWERS AND DUTIES. The City Forester, subject to the direction of the Parks and Recreation Board, shall have the following general powers and duties:

(a) To direct, manage, supervise, and control the City's urban forestry program including the planting, removal, trimming, maintenance, and protection of all trees and shrubs in or upon all public areas of the City;

(b) To enforce such rules, regulations, permit, and penalty procedures as deemed necessary and may do so by the issuance of administrative orders and/or municipal citations to effectuate the intent of this chapter.

(c) To inspect any trees, shrubs, vines, hedges, plants, logs or branches existing or growing upon any property within the City and to conduct surveys to determine if any destructive or communicable disease or pest exists which may be detrimental to or endanger the good health and wellbeing of trees or other plant life in public areas. To inspect all premises and places within the City to determine whether any public nuisance exists thereon. The City Forester or his authorized representative may enter upon private premises at all reasonable times for the purpose of examining any tree or shrub located upon or over such premises and carrying out any of the provisions of this chapter. If a request to inspect such trees or shrubs is denied by the person responsible for the property, an inspection warrant may be obtained pursuant to § 66.0119, Wis. Stats.

(d) To restrict or regulate tree maintenance activities within the City limits to reduce the spread of infectious diseases and/or insects.

(e) To provide information to the public concerning the urban forestry program and tree and shrub care.

(f) To implement and direct a City Urban Forestry Management Plan.