

**PARKS & RECREATION BOARD MEETING**  
**TUESDAY, JUNE 11, 2013**  
**6:15 P.M.**

The Parks & Recreation Board met on the above date and time in the Council Chambers, 270 W. 15<sup>th</sup> Street. President Sue Otte called the meeting to order. Members present were: Aaron Gurley, Will St. John, Sue Otte, Dave Malson and James Zachery arriving later. Paul Barada was absent. Also present were Parks Director Danny Mathews, Attorney Tracy Newhouse, Secretary Carla Sharpe, Parks Liaison Brad Berkemeier, Pool Manager Rita Kaster and Mitchell Cain.

**MINUTES:** Minutes of May 23, 2013 was presented for approval. Malson moved to approve May 23<sup>rd</sup> minutes. Gurley seconded the motion. Motion carried.

**CLAIMS:** Reviewed prior to meeting by Gurley and St. John. Gurley moved to approve the claims for the month. St. John seconded the motion. Motion carried. Claims approved.

**MAYOR'S REPORT:** None at this time.

**PARKS REPORT:** Mathews shared with the board that Relay for Life is this weekend. His department has been busy. Grass has been growing rapidly.

**REPORT:** Aaron Gurley – Kids Summer Camp Program – 21 applications have been turned in. Still have plenty of sponsor money left. Deadline is Friday, June 21<sup>st</sup>. After June 21<sup>st</sup> they won't get a T-shirt. Program will be July 15<sup>th</sup> through July 19<sup>th</sup>. No one will be turned away.

Aaron Gurley – Parks Patrol Update – Thirty-one hours patrol time has been logged. Two altercations reported. Two adults ejected from park for domestic. Sent letter, banned from park.

Carla Sharpe – Amphitheater Update – Reported concert this weekend. The Easthills take stage at 7:00 p.m. with Georgia Satellites at 8:00. Should be a big concert. Invited board members to attend.

**UNFINISHED BUSINESS:** Pool Policy – New Rules have been added.

Kaster stated the chair rental is not going bad. Would like to have a chained in area for returned chairs. After further discussion Malson moved to use the straight back chairs on the deck at no charge and to number the lounge chairs and not give back refund until the chair has been brought back. St. John seconded the motion. Motion carried.

Kaster then explained that there was a problem with evening pool parties. Her Assistant (Jean Kopf) cannot supervise pool parties due to prior commitments, which just leaves Kaster to supervise them. Malson asked if (Gina) Dyer can supervise a pool party if her daughter (Lucy Dyer) is not one of the life guards on the night of the party. Newhouse said that would work.

Mathews stated Gina Dyer makes minimum wage now in the concession stand. If she becomes Assistant Manager and works the pool parties then her salary will go up for her work during those hours. Malson stated her salary should be equal to other guards operating pool parties.

Newhouse stated we will have to check with the Clerk-Treasurer to see if this can be done.

Malson moved to authorize Gina Dyer to supervise pool parties when Kaster is not available at a salary equal to the other guards operating pool parties subject to the Clerk-Treasurer's approval. Gurley seconded the motion. Motion carried.

Gurley asked if City employees could have pool passes. Kaster stated that the Mayor has approved that.

Gurley then asked if he could have a couple pool passes for the 4<sup>th</sup> of July. The Chamber is going to have a Mr. Freedom and Miss Independence for 5-9 year olds and they would like to give as gifts. Zachery moved to approve two pool passes as gifts for Mr. Freedom and Miss Independence. St. John seconded motion. Motion carried.

Kaster reported the new dolphin is in and she also got a weather radio. It has been a slow start to the season due to the weather, but had a great day today.

Gurley reported the back ground checks on the pool employees have all been good.

Mathews stated he would like to thank Gurley for pressure washing the gazebo for Relay for Life.

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**NEW BUSINESS:**

Picnic Table Rentals – Mathews said he has had a lot of calls from private citizens, some demands, to deliver picnic tables to their property for parties. He stated he would like to implement a rental fee. After further discussion, Malson stated he feels we should not allow our equipment to be taken off City property. Our equipment is not for private citizens to use. Malson made a motion to NOT allow picnic tables to be used by private citizens or to be taken off City property for private use. Gurley seconded the motion. Motion carried.

Low Income/No Income Passes – Kaster stated she received a phone call from a parent whose husband was deceased and had three children and who wanted free pool passes for her children. After further discussion Malson asked Kaster to check with other towns and see what their policy was. This will be taken under advisement at this time and discussed at the next meeting.

Vandalism/Basketball Courts – Mitchell Cain was present and shared with the board that he had received a letter from the Police Department stating he was banned from the City of Rushville Parks System for a period of one (1) year due to an incident that happened on May 30, 2013 in which a basketball goal backboard was shattered (see the attached materials). Mitch stated he didn't choose to run away and he wasn't scared because he felt he had not done anything wrong. When Officer Ervine arrived Cain defended himself saying he simply dunked the basketball and didn't do anything malicious. He stated that he has 4-6 witnesses that will tell the same story. Cain said there was a bolt missing in the rim which made it loose and that is probably why the backboard shattered.

Gurley stated that if Cain realized the rim was broken, he should not have dunked it.

Cain went on to say he is already signed up for a basketball tournament and wants to be allowed to play ball.

Malson asked Cain how old he was and if he had a job.

Cain stated he was 22 years old and was a bookkeeper for his dad.

Malson stated as a responsible citizen he should not have been dunking the basketball and dunking it hard since he knew there was a bolt loose. Malson told Cain that several people have been hurt by his actions because now people cannot play basketball there and taxpayers have to pay for damage.

Mathews stated he was told 3-4 days prior that there was a bolt loose on the rim and Parks employee Donnie Raines went and tightened the bolt. To his knowledge it was fixed. Mathews added that it had to take pressure to shatter the backboard.

Cain said the basketball rim was a time bomb as it was already broken.

Malson stated again, as a responsible citizen, Cain should not have played basketball at that rim and should have reported it so it could be fixed.

Cain asked why he was singled out since others were playing there, too.

Mathews stated he got there right after the police officer did. He was discouraged as there was glass everywhere. His staff had to clean this up. He figured it was an accident.

Mathews then stated the next morning he read on Facebook what Cain had said and took this as a slap in his face (see attached). Mathews told Cain, "You admitted on Facebook you broke the basketball goal and that it was on your bucket list and you were proud."

Cain said he volunteered to help compensate for the damaged goal but he didn't think he had done anything illegal or wrong since he didn't hurt anyone. He told the board what he put on Facebook was stupid and he should not have done that.

Malson told Cain, "You never said to the board that you were sorry," and added that Cain should pay for the broken backboard because he was the one who broke it.

Cain again stated he never ran before police arrived or when approached by police.

Malson told Cain, "You did something deliberate."

Cain said if he had not broke the backboard someone else would have.

Malson reiterated that Cain was not being a responsible citizen when he continued to play and then decided to dunk the basketball.

Malson asked if he would agree to help pay for the damaged goal.

Cain said he will not agree to pay for it.

The City Attorney stated he has the paperwork to go after civil damages.

Otte stated in Barada's absence he agrees with the police report and Cain's suspension from the park.

Malson made a motion to continue with a one year suspension from the parks and asked him to pay for the damages amounting to \$1,100.00.

Motion died for a lack of a second.

Malson stated if we do nothing this suspension stays as is. Board agreed.

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Otte stated she thought Cain is a good guy, but that he is a 22-year old adult. If Cain had seen something wrong with the basketball goal, he should not have messed with it. Cain should have reported it and not used it.

Being a responsible adult is the main lesson to be learned.

After Cain left the meeting, Newhouse stated he has a statement of claim ready to go to court.

St. John asked if the board would consider Cain doing some community service in lieu of repayment. Malson reminded the board that Cain is working and has a paycheck. Otte added that Cain is an adult and not a teen.

After further discussion Gurley moved to file a suit for \$1,100.00 plus court costs. Malson seconded. Motion carried.

There being no further business, meeting adjourned at 7:35 p.m.

SUE OTTE, PRESIDENT

PAUL BARADA, VICE PRESIDENT

DAVID A. MALSON, MEMBER

AARON GURLEY, MEMBER

WILL ST. JOHN, MEMBER

JAMES ZACKERY, MEMBER

ATTEST:

CARLA SHARPE, SECRETARY