



City of Merrill
Merrill Park and Recreation
Department
1100 Marc Drive | Merrill, WI | 54452
Phone: (715) 536-7313/Smith Center
(715)536-6187

JUNE MEETING NOTICE

The Merrill Parks and Recreation Commission will have a meeting on **Wednesday, June 7, 2023 at 4:15 p.m. at the Merrill City Hall.**

Voting members of Commission: Jean Ravn, Rebecca Rutkowski, Kyle Gulke, Joan Tabor, Mark Weix, Chad Krueger and Dan Novitch

The following items will be included on the agenda:

1. Approve minutes from previous meeting.
2. Approve claims.
3. Public Comment
4. Discuss issue of unleashed dogs and removal of pet waste in all parks.
5. Continued discussion and update on connector bridge from Prairie Dells County Park to the City Forest.
6. Discuss potentially adjusting cancellation fees for Park Shelter Reservations
7. Update on Bierman Family Aquatic Center repairs.
8. Monthly reports.
9. Set date for next meeting.
10. Public comment
11. Adjournment

Submitted by,

A handwritten signature in blue ink that reads 'Dan Novitch' with a small flourish at the end.

Dan Novitch, Chairperson
Parks and Recreation Commission

The Merrill City Hall is accessible to the physical disadvantaged. If special accommodations are required, please contact City Hall at 536-5594

PARKS AND RECREATION COMMISSION

May 3, 2023

The Merrill Parks and Recreation Commission met on Wednesday, May 3, 2023 at 4:15 p.m., at Merrill City Hall.

Members Present: Kyle Gulke, Chad Krueger, Dan Novitch, Rebecca Rutkowski, Mark Weix and Jean Ravn,

Members Excused Absent: Joan Tabor

Department Staff Present: Dan Wendorf and Dawn Smith

***Motion by Ravn, seconded by Weix to approve the minutes from the April meeting.

***Carried unanimously.

***Motion by Weix, seconded by Ravn, to approve the claims from April 2023.

Weix questioned the bill for the Turface. Wendorf stated it was for the ball fields. Wendorf also stated that softball and baseball also purchase some Turface.

***Carried unanimously.

Public Comment: none

The next item on the agenda was to elect member to the City Plan Commission. Novitch asked if anyone would be interested. Gulke stated that he would continue to be on the City Plan Commission.

***Motion by Weix, seconded by Ravn to elect Gulke to the City Plan Commission.

***Carried unanimously.

The next item on the agenda was to elect Vice Chairperson. Novitch questioned if anyone was interested in Vice Chairperson. Krueger stated that he would.

***Motion by Weix, seconded by Gulke to elect Chad Krueger Vice Chairperson.

***Carried unanimously.

The next item on the agenda was to discuss and revisit plan for houses between Lion's Park and 3rd Street. (Currently there is a home for sale). Wendorf stated that the plan a long time ago was to work with MAPS to purchase the homes between the two parking lots by Lion's Park. Wendorf stated that area would either have been turned into parking lot or green space. Wendorf stated they are trying to sell the home for \$145,000 and when the home was purchased in 2022 it was only purchased at \$68,000. Wendorf realizes that the city does not have the money to purchase the home but would like to revisit discussions with MAPS and agreement to see a fund started so that in the future if another home in that area came up for sale the Park and Recreation Commission could purchase the home for more parking. After some discussion it was decided that Wendorf should speak with City Attorney Tom Hayden and also with the Merrill Area School district to see if both entities could come up with an agreement to eventually purchase the

houses in that area. Wendorf will report back to the commission in a few months on this agenda item.

The next item on the agenda was monthly reports. Wendorf asked if anyone had any questions. Weix questioned how much damage was done by the flooding. Wendorf stated that Prairie Trails had damage with trail washout and Riverside had washout by the volleyball courts, around the shelter and in the playground area. Wendorf also stated a lot of branches and twigs were scattered throughout the parks. Lion's Park and Athletic Park also flooded but no damage. Weix questioned how the pool repairs were going. Wendorf stated that they were here Monday and Tuesday and will return next week to hopefully finish. Weix questioned if any vandalism was happening. Wendorf stated that Riverside and Ott's and Normal have all been getting vandalized. Krueger questioned if a bus trip is cancelled if there is a cancellation fee that has to be paid. Wendorf stated that if a trip is cancelled it is cancelled far enough in advance so there are no cancellation fees. Weix questioned when the Pickle ball courts would be done. Wendorf stated that they should be done by the end of August. Ravn questioned what is going on with the new skate park. Wendorf stated that no one has done any fund raising for it.

The next regular meeting is scheduled for Wednesday, June 7, 2023 at 4:15 p.m. at the Merrill City Hall.

Public Comment: no public comment

***Motion by Ravn, seconded by Krueger to adjourn at 5:10 p.m.

***Carried unanimously.

Dawn Smith
Recording Secretary

5/1/2023					
MARLENE LENZ	SHELTER REFUND - CANCELED	4/27/2023	VOUCHER	\$60.00	10-45200-46722
A A LOCKSERVICE	NEW KEYS MADE	5/10/2023		\$412.00	10-55400-08-82000
AJ CONTRACT SERVICES	CHEMICALS FOR AQUATIC CENTER	5/10/2023	35679	\$3,477.50	10-55420-03-40000
ALL PARTITIONS	PARTS FOR OUTDOOR BATHROOMS	5/16/2023	176739	\$127.80	10-55200-03-5000
AMERICAN WELDING	CYCLINDER RENTAL	4/30/2023	9590217	\$78.22	10-55300-03-41500
AMERICAN WELDING	CHEMICALS	4/30/2023	9289823	\$57.43	10-55200-02-15000
ATCO INTERNATIONAL	CENTURION	5/15/2023	10613505	\$303.10	10-55200-03-40000
ATCO INTERNATIONAL	POP UP SWIPES	5/15/2023	10613505	\$313.30	10-55400-03-40000
BAUMGART WASTE REMOVAL	WASTE HAULING APRIL	5/1/2023		\$148.00	10-55400-02-2600
BEACON ATHLETICS	PRO TARP PIN	6/4/2023	570404	\$175.00	10-55200-03-40000
BETH BEHR	REFUND ON FIELD TRIP	5/16/2023	VOUCHER	\$13.00	10-45300-46750
BRANDT EXTINGUISHERS	6V5AH BATTERY	5/8/2023	13149	\$25.00	10-55400-02-16500
BRANDT EXTINGUISHERS	ANNUAL INSPECTION	5/8/2023	13138	\$180.00	10-55200-02-15000
CARLY IMHOFF	SECURITY DEPOSIT	5/22/2023	VOUCHER	\$100.00	10-21-7200
CAROL FOUST	SECURITY DEPOSIT	5/22/2023	VOUCHER	\$50.00	10-21-7200
CAROL FOUST	PARK RENTAL RETURN	5/22/2023	VOUCHER	\$70.00	10-45200-46722
CHELSEA KANE	SHELTER REFUND - CANCELED	4/27/2023	VOUCHER	\$60.00	10-45200-46722
CHELSEA KANE	SECURITY DEPOSIT	4/27/2023	VOUCHER	\$50.00	10-21-7200
CINTAS	MOPS/MATS	5/3/2023	4154285318	\$197.21	10-55400-02-23250
CINTAS	UNIFORMS JIM/JOE/Ryan	5/3/2002	4154285367	\$109.57	10-55200-03-46000
CINTAS	UNIFORMS JIM/JOE/Ryan	4/26/2023	4153729942	\$109.57	10-55200-03-46000
CINTAS	UNIFORMS JIM/JOE/Ryan	5/10/2023	4154981225	\$109.57	10-55200-03-46000
CINTAS	UNIFORMS JIM/JOE/Ryan	5/17/2023	4155690594	\$120.70	10-55200-03-46000
CINTAS	UNIFORMS JIM/JOE/Ryan	5/24/2023	4156396774	\$109.57	10-55200-03-46000
DAVID GRAVEEN	SECURITY DEPOSIT	5/30/2023	VOUCHER	\$100.00	10-21-7100
DEBORAH KELLER	SECURITY DEPOSIT	5/15/2023	VOUCHER	\$100.00	10-21-7200
ERIC HOFFMAN	SECURITY DEPOSIT	5/22/2023	VOUCHER	\$50.00	10-21-7200
ETCO ELECTRIC SUPPLY	SUPPLIES	04-18-230	342128	\$48.58	10-55400-03-40000
FERGUSON	PARTS FOR SHOP	4/19/2023	718647-1	\$16.08	10-55200-03-50000
FERGUSON	PARTS FOR SHOP	4/17/2023	7186471	\$53.06	10-55200-03-50000

FERGUSON	PARTS FOR SHOP	5/9/2023	7212264	\$172.92	10-55200-03-50000
HORST DISTRIBUTING	PARTS FOR SHOP	5/4/2023		\$368.39	10-55200-03-5000
JANET ELLENBECKER	PARK RENTAL RETURN	5/10/2023	VOUCHER	\$60.00	10-45200-46722
JANET ELLENBECKER	SECURITY DEPOSIT	5/10/2023	VOUCHER	\$50.00	10-21-7200
KASIE DALLMAN	REFUND ON WEEK OF SUMMER PLAYGROUND	4/27/2023	VOUCHER	\$100.00	10-45300-46750
KATHERINE BAILEY	SECURITY DEPOSIT	5/11/2023	VOUCHER	\$100.00	10-21-7200
KAYLYN WEBER	RETURN ON SUMMER PLAYGROUND	5/25/2023	VOUCHER	\$51.00	
KRUEGER PLUMBING	INSTALL DEDUCT METER @ AQUATIC	5/8/2023	34829	\$2,157.91	26-55420-02-25925
LINCOLN COUNTY HEALTH DEPARTMENT	POOL ATTRACTIONS/WATERSLIDES	5/10/2023		\$310.00	10-55420-03-40500
LINCOLN COUNTY HEALTH DEPARTMENT	POOL ATTRACTIONS/WATERSLIDES	5/10/2002		\$310.00	10-55420-03-40500
LINCOLN COUNTY HEALTH DEPARTMENT	POOL - WATER	5/10/2023		\$215.00	10-55420-03-40500
LINCOLN COUNTY HEALTH DEPARTMENT	PUBLIC POOL	5/10/2023		\$185.00	10-55420-03-40500
LINCOLN COUNTY HEALTH DEPARTMENT	RETAIL - PREPACKAGED FOOD	5/10/2023		\$120.00	10-55420-03-40500
LINDA PROFT	SECURITY DEPOSIT	5/22/2023	VOUCHER	\$50.00	10-21-7200
MARLENE LENZ	SECURITY DEPOSIT	4/27/2023	VOUCHER	\$50.00	10-21-7200
MERRILL ACE HARDWARE	TRASH BAGS	4/29/2023	224705	\$31.99	10-55400-03-40000
MERRILL ACE HARDWARE	LANDSCAPE FABRIC	5/16/2023	225179	\$22.95	10-55200-03-4000
MERRILL ACE HARDWARE	PARTS FOR SHOP	5/10/2023	225000	\$6.59	10-55200-03-50000
MERRILL ACE HARDWARE	FASTENERS/CLAMPS	5/10/2023	225003	\$9.03	10-55200-03-40000
MERRILL ACE HARDWARE	CORDS	5/24/2023	225411	\$42.61	10-55400-03-40000
MERRILL COUNTY STORE	CORNERSTONE	5/16/2023	297615	\$1,104.00	10-55200-08-91000
MERRILL DISTRIBUTING	FOOD FOR AQUATIC CENTER	5/2/2002	1655881	\$177.80	10-55420-03-40100
MERRILL DISTRIBUTING	FOOD FOR AQUATIC CENTER	5/16/2023	1657823	\$312.00	10-55420-03-40100
MERRILL DISTRIBUTING	FOOD FOR AQUATIC CENTER	5/23/2023	1658754	\$809.35	10-55420-03-40100
MERRILL DISTRIBUTING	CREDIT FOR FOOD	5/23/2023	1658754	\$225.30	
MWC ADVERTISING	BLACK SQUIRREL SCURRY	5/30/2023		\$500.00	BLACK SQUIRRELL NON-LASPE
NAPA AUTO PARTS	SWEEPER LIGHTS	5/9/2002	21813	\$137.70	10-55400-08-82000
PETERSON BROS SAND AND GRAVEL	SAND FOR VOLLEYBALL COURTS	5/1/2023	19172	\$75.00	10-55200-08-91000
POWER HOUSE	TIRE	4/20/2023	643	\$98.00	10-55200-03-50000
RHYME	COPY MACHINE	5/15/2023	638117	\$35.92	10-55300-03-41500
RIESTERER & SCHNELL	BLADES	5/26/2023	2416444	\$516.12	10-55200-03-50000
ROD BURGNER	PARK RENTAL CANCELLATION	5/10/2023	VOUCHER	\$90.00	10-45200-46722

MERRILL PARK SHELTER RESERVATIONS REC. DEPT. 715-536-7313

_____ **KITCHENETTE PARK** **\$70 rental fee / \$50 deposit**

_____ **STANGE PARK** **\$70 rental fee / \$50 deposit**

_____ **OTTS PARK** **\$60 rental fee / \$50 deposit**
(electricity west of shelter inside gray box on utility pole)

_____ **RIVERSIDE PARK** **\$60 rental fee / \$50 deposit**

_____ **NORMAL PARK** **\$60 rental fee / \$50 deposit**

_____ **AGRA PAVILION** **\$90 rental fee / \$100 deposit**

Month: _____ Day: _____ Check # _____

Fee and deposit must be paid at the time the reservation is made: no reservations are taken over the phone.

Fee/Deposit paid _____ / _____ / _____ / Date Returned: _____

Shelter area reserved for:

_____ / Signature _____

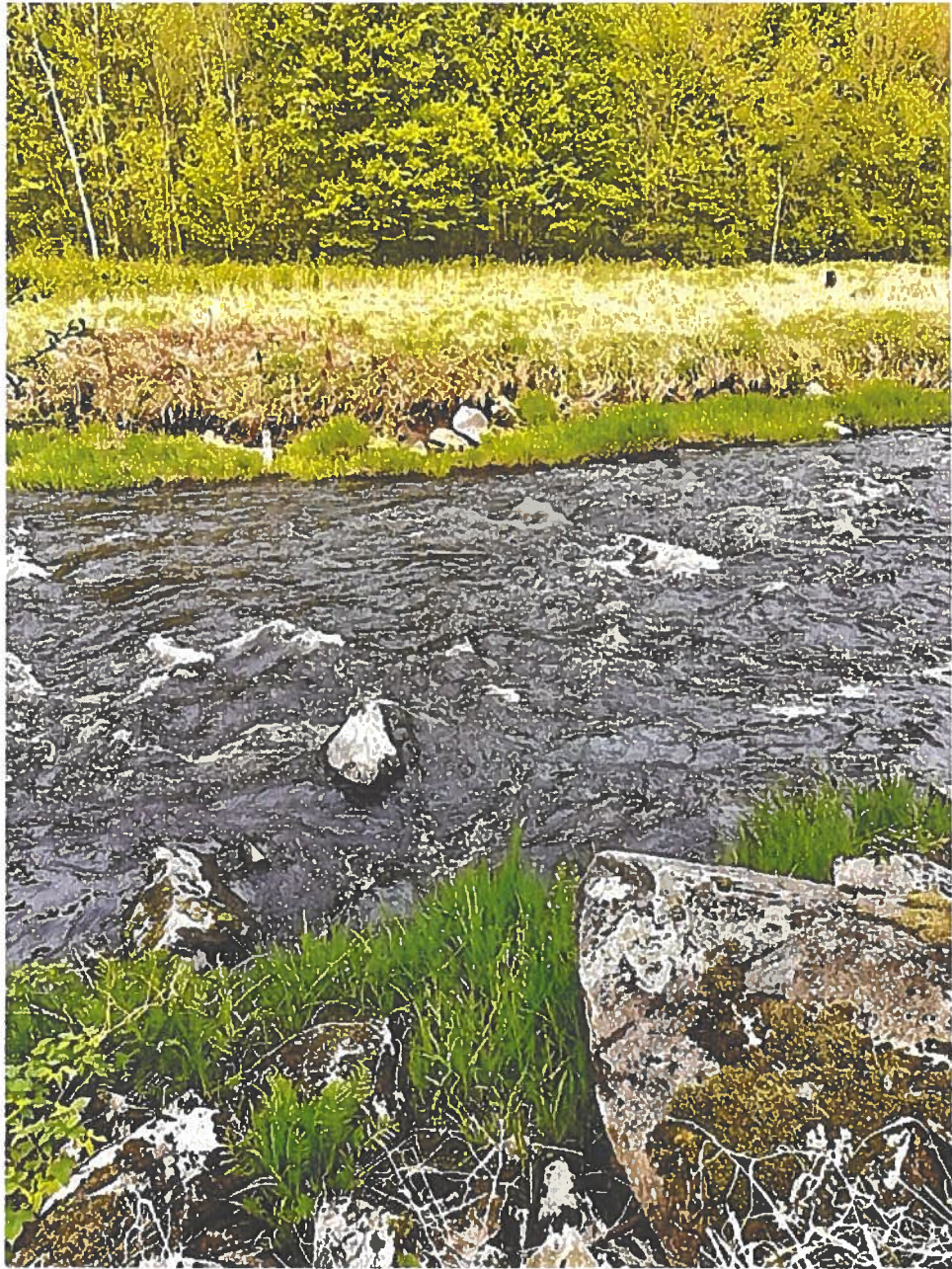
Address to send refund or explanation of non-refund

_____ / Phone #: _____

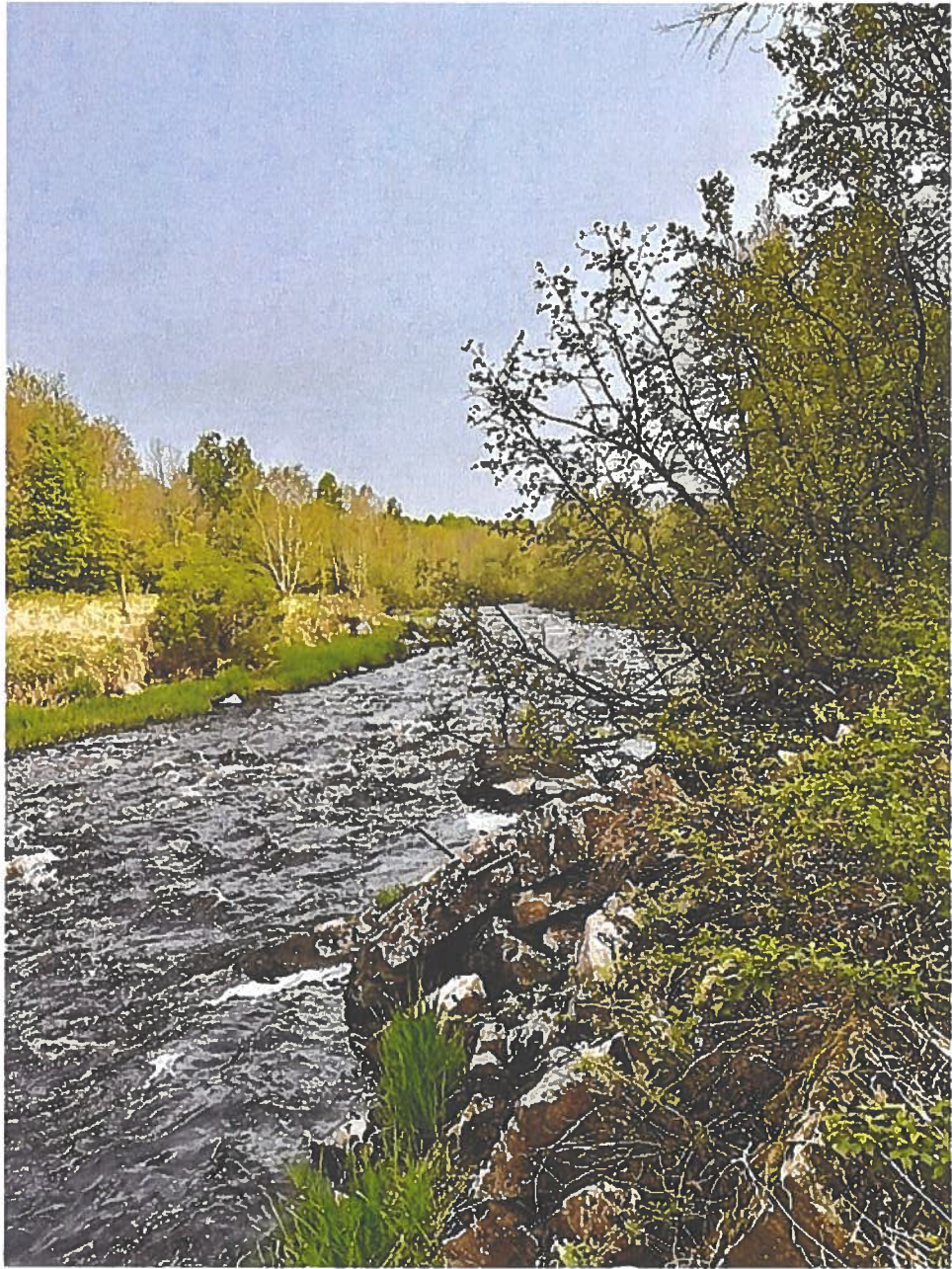
Rules & Regulations: 1) Lock up electricity and water and turn off lights. 2) Shut windows (Kitchenette/Stange/Normal) 3) Clean up area and put all trash in dumpster 4) Leave park by 10:30 when park closes. **If you encounter any serious problems during your reservation time, please contact the Merrill Police Dept at 715-536-8311.**

Pick up key by: _____ **Return key by:** _____

Return the key at the Smith Center, 1100 Mare Drive, during regular office hours. If you forget to pick up your key and if an employee gets called in, you will forfeit \$25.00 of your security deposit. A refund or an explanation of non-refund will be mailed to your within 30 days. You WILL forfeit your refund if the park facilities are not left in an orderly manner. You also agree to release and hold harmless the City of Merrill against all injuries, liabilities, damages or incidental claims of any nature whatsoever resulting from the use of the premises. **You can cancel your reservation up to 30 days prior to the date to be used and still receive deposit back with a cancellation fee of \$5.00**







Chapter 28 - PARKS AND RECREATION

ARTICLE I. - IN GENERAL

Sec. 28-1. - Park regulations.

(a) *Purpose.* In order to protect the parks, parkways, recreational facilities and conservancy areas within the city from injury, damage or desecration, these regulations are enacted.

(b) *Definitions.* The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Park means and includes all grounds, structures and watercourses which are or may be located within any area dedicated to the public use as a park, parkway, recreation facility or conservancy district in the city.

(c) *Specific regulations.*

(1) *Littering prohibited.* No person shall litter, dump or deposit any rubbish, refuse, earth or other material in any park or public waters, except in containers provided for that purpose. Where receptacles are not provided, all such litter shall be removed from the park by the person responsible for its presence and properly disposed of elsewhere in a lawful manner. It shall be unlawful for any person to dump or deposit any rubbish, refuse, earth or other material in any park containers provided for rubbish, refuse or garbage disposal, unless generated from the usage of the public park.

(2) *Sound devices.* No person shall operate or play any amplifying system, unless specific authority is first obtained from the parks and recreation commission. Vulgar, boisterous behavior, overly loud music and loud speakers which tend to interfere with the enjoyment of the park by others shall not be permitted.

(3) *Pets.* No person shall permit any dog, cat or other pet owned by him to run at large in any park. Pets are prohibited in swimming areas and children's playgrounds.

* Add pet waste removal

(4) *Bill posting.* No person shall post, paste, fasten, paint or attach any placard, bill, notice, sign or advertising matter upon any structure, tree or other natural object in any park, except park regulations and other signs authorized by the parks and recreation commission.

(5) *Throwing stones and missiles prohibited.* No person shall throw stones or other missiles in or into any park.

(6) *Removal of park equipment prohibited.* No person shall remove benches, seats, tables or other park equipment from any park.

(7) *Trapping.* No person shall trap in any park, unless specific written authority is first obtained from the common council.

(8) *Making of fires.* No person shall start, tend or maintain a fire, except in personal grills or designated fireplaces. Personal grills shall be used only in designated picnic areas. The use of personal grills is permitted; provided lawns and vegetation are not endangered. Unburned fuel and ashes shall be disposed of in such a manner as to prevent fire or damage to any park property.

(9) *Protection of park property.* No person shall kill, injure, disturb or attempt to injure or disturb waterfowl, birds or animals, wild or domestic, within any park, except as permitted by this chapter. No person shall climb any tree or remove flowers or fruit, wild or cultivated, or break, cut down, trample upon, remove or in any manner injure, deface, write upon or ill use any tree, shrub, flower, flower bed, turf, soil, sand, fountain, ornament, building, structure, apparatus, bench, table, official notice, sign or other property within any park.

(10) *Motorized vehicles.* Except for authorized maintenance vehicles, no person shall operate an unlicensed or licensed motorized vehicle outside of areas specifically designated as parking areas or areas where the operation of such vehicles is specifically permitted. Motor vehicles are restricted to the roads and drives and parking areas. No motor vehicles of any nature may be used on the seeded areas, except vehicles which have a parks and recreation commission authorization for shows, rides or exhibits and then only for the purpose of loading and unloading. No person shall operate any off-the-road vehicle, motorcycle, trail bike, all-terrain vehicle, truck or other motorized vehicle in any park, playground or other public ground where pathways or trails have been developed and/or designated for walking, hiking, jogging, running, bicycling, cross-country skiing, sledding or other pedestrian use. All motorized vehicles are limited to use of roadways specifically for their use and according to other restrictions in this Code.

(11) *Snowmobiles.* Snowmobiling will only be permitted in Ott's, Riverside and Prairie Trail Parks in designated areas as determined by the parks and recreation commission, or its designee, at times when county snowmobile trails are officially open.

(12) *Speed limit.* No person shall operate any vehicle in a city park in excess of 15 mph, unless otherwise posted.

(13) *Glass beverage bottles prohibited.* No person shall bring into, carry onto or possess while in any public park glass bottles or glass containers, including those containing or normally used for containing soda water, fermented malt beverages or alcohol.

(14) *Reckless driving prohibited.* No person shall operate a motor vehicle in a reckless manner in any of the city's public parks.

(15) *Parking.* No person shall park any motor vehicle in any park in the city, except in a designated parking area.

(16) *Horse and carriages.* No person shall ride a horse or drive a horse-driven vehicle in any park, except on roads or designated bridle paths, except when approval of the parks and recreation commission is first obtained. It shall be unlawful for any person to ride a horse or drive a horse-driven vehicle in a careless, negligent or reckless manner which may endanger the safety and well-being of others. Horseback riding shall be allowed only during the daylight hours. No person shall ride a horse which cannot be held under such control that it may be easily turned or stopped. No horse shall be ridden in a reckless manner. Pedestrians shall have the right-of-way when crossing a bridle path, and whenever groups of people are visible within 300 feet horses shall be ridden at slow gait.

(17) *Removing tree protectors.* No person shall remove any device for the protection of trees or shrubs.

Golfing and sporting activities. No golfing or practicing golf in city parks or recreation areas shall be allowed, except with the use of a whiffle ball. All sporting activities must be held in areas so designated for that purpose.

- (18) (19) *Arrows.* No person shall use or shoot any bow and arrow in any city park, except in authorized areas.
- (20) *Fees and charges.* The common council, upon the recommendation of the parks and recreation commission, shall have the authority to establish such fees as deemed necessary for use of any park facility, shelter or land area. It shall be unlawful to use such areas without payment of such fee or charge when required.
- (21) *Firearms; hunting.* Possessing or discharging of any firearm or weapon of any kind is prohibited in all city parks.
- (22) *Fish cleaning.* Cleaning of fish in shelters, toilet facilities or picnic areas is prohibited in all city parks.
- (23) *Controlled substances.* Possessing, using or dispensing of a controlled substance in violation of the Uniform Controlled Substances Act is prohibited in all city parks.
- (24) *Camping.* Overnight camping is not permitted in any city park, except by prior written permission from the parks and recreation commission.
- (25) *Commercial enterprise.* No person shall sell, or offer for sale, any article, thing, privilege or service in any park without prior written permission from the parks and recreation commission.
- (26) *Posted regulations.* In addition to the regulations herein contained and provided, the parks and recreation commission may post from time to time specific rules and regulations; and such specific rules and regulations shall be incorporated by reference in to this chapter as fully as set forth herein.

(Code 1993, § 12-1-1; Ord. No. 2000-13, 6-13-2000)

State Law reference— Removal of rubbish, Wis. Stats. § 66.0405; local regulations of firearms, Wis. Stats. § 66.0409; sound producing devices, Wis. Stats. § 66.0411.

Sec. 28-2. - Park operation.

(a) *Hours; exception.*

- (1) *Closing hours.* All grounds and facilities in the city park system shall be open between 6:00 a.m. and 10:30 p.m. daily with the exception that boat loading areas may be used for the loading or unloading of boats only at any time.
- (2) *Exceptions.* The restrictions set forth in subsection (a) of this section, shall not apply to the following individuals:
- Individuals who are attending or participating in city-authorized community celebrations or events held at the park. However, all such individuals exempted by this subsection shall be out of the park within one-half hour of the end or closing of the celebration or the event for that evening.
 - Individuals or groups who have received permission from the parks and recreation commission or common council for any special group activity.
 - Individuals who are law enforcement officers, firefighters, emergency personnel, city employees or city officers who are in the course of their official duties.
- (b) *Public road; exceptions.* A person driving through a park on a public road; however, stopping shall not be permitted within a park. The common council may modify closing hours for particular events.
- (c) *Authority for closure and dates of operation.* The common council will have full authority to open and close any park, swimming area, recreational facility or area because of season, condition, construction or when, in the interest of public safety, it is deemed necessary.

(Code 1993, § 12-1-4)

Secs. 28-3—28-22. - Reserved.

ARTICLE II. - SPECIFIC REGULATIONS

Sec. 28-23. - Radio-controlled model airplanes prohibited.

No person shall fly a radio-controlled model airplane or helicopter in any city park, except in areas specifically designated and posted for such purpose.

(Code 1993, § 12-1-2)

Sec. 28-24. - Turf protection on public property.

Except as authorized by the parks director, no person shall dig into the turf of any city-owned park property for any purposes whatsoever or remove any trees or flowers. Absent authorization by the parks director, the use of metal detectors and digging for buried objects on city park property is prohibited.

(Code 1993, § 12-1-3)

Sec. 28-25. - Ultralight aircraft regulated.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Ultralight aircraft, vehicle or hang glider means an unpowered or powered aircraft which is not subject to extensive regulation by the Federal Aviation Administration by virtue of its characteristics as an ultralight vehicle pursuant to 14 CFR 103.1 and Wis. Stats. § 114.195.

(b) *Usage regulations.*

- (1) No person shall operate any ultralight aircraft within the city in such a manner or in such a location as to endanger or injure any person or property. No person shall operate an ultralight aircraft in the city in violation of any applicable state and federal regulation and standard. No person shall cause an ultralight aircraft to land, or to take off from any property without permission of the owner or occupant of said property; provided that an emergency landing may be made to prevent a catastrophe. In the case of landing or taking off from a city public park or other city property, the operator of such ultralight aircraft shall first obtain a permit from the parks and recreation commission. No fee shall be charged by the parks and recreation commission for such permit which may be issued for a period up to 30 days, nor shall the parks and recreation commission sponsor such activity.
- (2) Any person desiring to land or to take off from any property owned by the city shall, prior to receiving a permit, procure evidence of insurance providing for not less than \$500,000.00 of coverage for each occurrence for damage to property or personal injury. Evidence of such insurance shall include a certificate of insurance naming the city as an additional insured and said certificate shall be filed with the city clerk at the time the applicant seeks a permit.

(Code 1993, § 12-1-5; Ord. No. 96-04, 2-13-1996)

State Law reference— Ultralight identification, Wis. Stats. § 114.195.

Sec. 28-26. - Reservation of park space.

- (a) *Policy.* The city-owned park, park facilities and shelter areas are primarily for the nonexclusive use of the residents and visitors of the city. However, under proper circumstances, exclusive use of the same or parts thereof may be permitted. This section is intended to regulate exclusive use of municipally-owned parks, park facilities, park shelters or parts thereof in the city to the end that the general welfare of the city is protected.
- (b) *Reservation.* A person or group, firm organization, partnership or corporation may reserve the use of a park facility or a park shelter by written application filed with the parks and recreation director for a permit for exclusive use of the same. The parks and recreation director shall issue permits for exclusive use of a portion of a park or park shelter, while the parks and recreation commission shall issue permits for the exclusive use of city parks. Park facilities are reserved on a first-requested, first-reserved basis.
- (c) *Application.* Applications shall be filed with the parks and recreation director at least 14 days prior to the date on which the exclusive use of the entire park is requested, or at least three days prior to the date on which a park shelter or a portion of a park is to be used, and shall set forth the following information regarding the proposed exclusive use:
 - (1) The name, address and telephone number of the applicant.
 - (2) If the exclusive use is proposed for a group, firm, organization, partnership or corporation, the name, address and telephone number of the headquarters of the same and the responsible and authorized heads or partners of the same.
 - (3) The name, address and telephone number of the person who will be responsible for the use of the said park, area or facility.
 - (4) The date when the exclusive use is requested and the hours of the proposed exclusive date.
 - (5) The anticipated number of persons to use the said park, area or facility.
 - (6) Any additional information which the parks and recreation commission or parks and recreation director finds reasonably necessary to a fair determination as to whether a permit should be issued.
- (d) *Fee schedule.*
 - (1) All applicants for reservation of park space or shelter for which a permit is required shall pay a fee for the city's maintenance and cleanup expenses. The fee shall be as established by the common council, from time to time, and as indicated on the schedule of licenses and fees appearing in chapter 16 of this Code.
 - (2) Fifty dollars of the fee shall be returned if cleanup or repair by the city is not required.
- (e) *Action on application.* The parks and recreation commission shall act promptly on all applications for permits for exclusive park use, not shelter use, after consulting with the applicant, if necessary.
- (f) *Denial.* Applicants may be denied for any of the following reasons:
 - (1) If it is for a use which would involve a violation of federal or state law or any provision of this Code.
 - (2) If the granting of the permit would conflict with another permit already granted or for which application is already pending.
 - (3) If the application does not contain the information required by subsection (c) of this section.
 - (4) The application is made less than the required days in advance of the scheduled exclusive use.
 - (5) If it is for a use of the park or park facility at a date and time when, in addition to the proposed use, anticipated nonexclusive use by others of the park or park facility is expected and would be seriously or adversely affected.
 - (6) If the law enforcement requirements of the exclusive use will require so large a number of persons as to prevent adequate law enforcement to the park, park facility or shelter area involved or of the rest of the city.
 - (7) The exclusive use will reasonably create a substantial risk of injury to persons or damage to property.
 - (8) The exclusive use is so poorly organized that participants are likely to engage in aggressive or destructive activity that will endanger public health or safety.

(g)

Indemnification. Prior to granting any permit for exclusive use of the park, the city may require the permittee to file evidence of good and sufficient sureties, insurance in force or other evidence of adequate financial responsibility, running to the city and such other third parties as may be injured or damaged, in an amount depending upon the likelihood of injury or damage as a direct and proximate result of the exclusive use sufficient to indemnify the city and such third parties as may be injured or damaged thereby, caused by the permittee, its agents or participants.

(h) *Permit—Not required for city activity.* A permit is not required for exclusive use of the park or a park facility sponsored by the city.

(i) *Same—Revocation.* The common council, mayor, parks and recreation commission and/or chief of police after granting a permit may revoke a permit already issued if it is deemed that such action is justified by an actual or potential emergency due to weather, fire, riot, other catastrophe or likelihood of a breach of the peace or by a major change in the conditions forming the basis of the issuance of the permit.

(j) *Same—Form of permit.* Each permit shall be in a form prescribed by the parks and recreation commission and shall designate the park, park facility or shelter area involved, date, hours of the exclusive use, purpose of the exclusive use and the name of the person, group, firm, organization, partnership or corporation to which the permit is issued.

(k) *Class B fermented malt beverage licenses.* When fermented malt beverages are sold at any event authorized by this section, a valid fermented malt beverage license shall be obtained and the provisions of sections 4-33 and 26-91 shall be fully complied with. Said license must be held by the person who filed the original license and shall be presented to any law enforcement officer upon request.

(Code 1993, § 12-1-6; Ord. No. 03-05, 2-11-2003)

State Law reference— Class "B" licenses, Wis. Stats. § 125.26.



June 2023 Parks & Recreation Director's Report

Parks: The weather has finally turned nice since our last meeting which equals the grass growing and park usage explosion. Luckily we have had a few seasonals able to begin a little early to help with things to allow us to clean parks, mow, and prep athletic fields daily for now. The drier weather over the past few weeks has helped slow the grass somewhat to allow us to keep up. Unfortunately with the nicer weather came more vandalism. We have had pretty consistent vandalism over the past several weeks ranging in severity. Most of our vandalism came in the form of graffiti and smaller damage to property (paper towel, soap, and toilet paper dispensers, etc.). We are very thankful for the new cameras at Normal, Kitchenette, and Stange Parks as they have allowed us to identify quite a few of the vandals and we are working with the Police Department to charge them and hopefully attain restitution to pay for their damages. It is always difficult for us to have to deal with vandalism this time of year as we don't have any time to waste on senseless damage while we are trying to keep up with so many other things. The lack of respect for our parks and facilities by these vandals (combined with their lack of supervision) is appalling to me and needs to change. We will hold them accountable for their actions. The High School sports seasons have come to a close (ones that we host) and we are onto our locally sponsored leagues and tournaments over the next few months. The hanging flower baskets are being hung on June 7th in the morning. As usual, we will have our flower watering person ready to go right away and during the weekdays. The Hanging Flower Basket Committee will be responsible for finding someone and paying them for the weekends. Badger Pool was here two weeks ago to work on fixing our issues at the Aquatic Center. As you recall from my update, they found a major leak from a pipe that broke in the southwest corner of the deep well so they fixed that and the construction joints. When we pressurized the pipes to test them, we found that the pipes weren't holding pressure so we identified another leak on the southeast side of the deep well. They were not able to send a crew to us during the week leading up to Memorial Day unfortunately but they are fixing it as I type this report. We are at their mercy when it comes to this type of repair as we do not have the expertise to attempt a repair of this nature. Hopefully they find without issue and fix it so that we can get the pool started up, balanced, and ready to open as soon as possible. I have discussed the plan for starting the Pickleball Courts at Ott's Park with Street Superintendent and it looks like they will carve out a chunk of time mid-late June to begin excavation. Once this is finished, we can schedule the remainder of the work (surfacing, sealing, painting, nets, posts, fencing, etc.) to begin and finish immediately after that. It is my hope that we can have functional courts by the end of August if all goes well. On May 22nd I met up at the Prairie Dells trail head with County Forestry Administrator Bowe to physically look at sites for the bridge that Lincoln County recently green lighted to connect our properties. We found a few good areas to potentially place a bridge and discussed bringing a representative from the bridge company to come up and inspect. We need to see what type of access they need to any of the sites to make this project feasible. Also, we rented a mini-excavator that was dropped off at the City Forest on 5/26 for our trail building volunteer Chris Schotz to begin making some trails through the Sumnicht

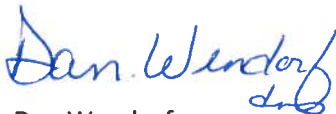
Property and connect them to our existing trails. As always a very special THANK YOU to Chris for all of his work!

Forestry: I am pretty much caught up with spring tree inspections (with a few strays coming in here and there) and the Street Department has been working on them when time allows. Of course we went from very cold and wet to hot and dry just about the time when trees were leafing out and flowering. I would recommend watering any fruit trees if we don't see any measurable precipitation over the next several days to allow them to store nutrients. If time allows this summer, I would still like to order and plant some trees to get ahead this year and do it while we have seasonal staff. We would only do this if we have time to do it. We would still plant our regular number of trees in the fall, but this might allow us to get extra trees in the ground this year.

Recreation: We've started prepping our staff for the season, as a lot of our programs begin the week of our meeting or shortly after. Our Summer Playground program is full, as well as many of our other programs. For both Starter and regular T-ball, we had so many people who wanted to sign up late; we had to create another team in each division. We're going to have to adjust how we do that next year so that we avoid the hassle it creates on our end. We have to order more shirts (that we are not sure we can always get readily) find coaches, and re-do schedules. It honestly doesn't matter when we put the deadline as we will get well over 60% of our registrations right at the deadline or shortly after, but next year we have to tighten that up so that we have a larger margin for adjusting. For some reason this year was especially crazy with late sign ups. As programs kick off, we'll make sure to keep a very close eye on everything to ensure things are going well as we always do. It will be a very busy summer season for us but one that we are always looking forward to!

Smith Center: We hosted several smaller rentals over the past several weeks in the arena and community room. We are also down to a few more fixtures with our LED light changeover for the entire building. We have also been spending some extra time deep cleaning the entire arena now that we have a bit of time to do so until there is summer ice. We have a Circus coming on June 2nd so you might not read this until it is finished. We will also be hosting the June Dairy Breakfast as always on June 11th in the arena and are hoping for the usual large turnout for this wonderful event. After the next several weeks we will have a little time to finish a few things up and get ready to put ice in for Youth Hockey's Summer Ice. It will be a fairly similar schedule as last year, where we have ice ready in early July and keep it in for a few weeks before removing it at the end of the month. We do have a very good and busy dry floor season in store for us in the Smith Center and we are looking forward to it again this season!

Respectfully Submitted,



Dan Wendorf
Parks & Recreation Director
City of Merrill