



**PARKS & RECREATION COMMISSION  
Minutes  
March 8, 2022  
Parks and Recreation Commission**

**Commission Present:** Traverse, Johnson, Lantieri, Hurley and Duke

**Staff Present:** Wight and Putzier

The meeting was convened at 5:33 p.m. by Traverse

**Approval of Agenda**

Motion to approve the agenda as amended to add Approval of Special Use Permit by Stone Circle at Oakledge as item XI and move Adjournment to item XII, by Lantieri, second by Hurley, motion carried.

**Approval of Consent Agenda**

Traverse asked to waive the reading of the consent agenda and motions into the record for approval.

Approval of consent agenda by Hurley, second by Duke, motion carried.

**Camping in Parks Proposed Ordinance Change**

Travers introduces Councilor Joe Magee and Councilor Gene Bergman to the meeting and stated how Roach and Lacey had been to the commission previously to discuss this issue and Magee has put before the Council an Ordinance request and the matter touches on parks and the commission has asked to speak to all on the proposed change. Traverse explained that the commission does not have a role in approving but is gathering information and putting out informationally to the public. After today the ordinance will come before revitalization committee and send back to full council.

Magee thanked for inviting and having public conversation with the idea of coming up with further engagement with commission. Gave some background, feel a way forward from seeing bad handling of displacement of people and unfavorable handling and what was exposed was ways that the current policy is failing the folks it is meant to protect, as well as staff, highlighted the policy was never accepted by City Council and campers did not have the chance to challenge. Primary goal is to provide protections under the law and remove the ambiguity for campers and staff, policy won't just allow for camping in all parks, it does allow to prohibit in some parks as long as specifically posted and ordinance does keep the regulation by the parks department, reaffirms housing as a human right, takes people approach for dignity and respect that all people deserve, decriminalized camping, borrows from Montpelier that decriminalizing and a set of procedures to address the campsite if staff has to help to relocate and defines the circumstances and offers camper opportunity to correct and prevent removal, outlines a clearer notice of removal and the process to appeal, after removal would store items for 90 days with full documentation of what is stored.

Bergman stated the impetus for doing was the Sears Lane situation was not enforceable and did not follow, the policy itself came as a result of the settlement of a lawsuit, the 8<sup>th</sup> amendment prohibits from barring people from camping anywhere, good case law around the country and groups like ACLU has sued regarding and have policy but was not enforceable and very unconscionable. If it were enforceable it has significant problems and one of the important things to do is make sure problems



were corrected and other items needed were incorporated. One of the problems with Sears Lane was with some certain campers and collective punishment for the few misbehaved. New policy allows to mitigate and it will allow the people that are not in conflict to remain unaffected. Park commission does not have many appeals, some other Boards and Commissions do. Trying to bring that process into the framework, spoke with advocates as well as homelessness and felt the property storage process was very lacking in the policy and worked to address that piece. Why doing while as a certain point brought port-o-pots and dumpsters, nothing the city did that could have in this policy. Rather than get into the details felt to get into questions around the policy and the ordinance. Said some misconception as to how the ordinance was previously, with 3 days too short to deal with but tried to set out the process and timeline to be realistic and reasonable and the details with appeal process and standards to follow to make as fair as possible to all parties.

Lantieri said very thorough, felt the way the timeline changed felt very significant from 3-14 days was a huge improvement. Asked if the purpose of the policy to determine how the department can justify creating posting or the prevention and Magee said if ordinance passes will not have to post every area right away but will be able to continue to make decisions as go and outline if don't post an area and the circumstance arises will have the opportunity to be remedied and to outline and could lead to relocation and outside prohibited areas. Lantieri asked if a place could be posted without having special circumstances and was told yes.

Hurley thanked and said the highly sensitive areas is what she is having a hard time understanding how it would work and if a map would be available and how it would be determined what would not be a highly sensitive area in the parks. The determining of the actual geography is what she is concerned with. Bergman said there might not be a single park that does not have a highly sensitive area and if posted sufficiently that is a piece of the ordinance and to afford people to find camp might be defeated in most parks. Stated that to be clear most of the specifics came from Montpelier's rules.

Wight said that really concerned about how written with 30 day notice with multiple tents going up in parks and worked last year and able to post, work within reasonable times, if someone needed extra day or two, really concerned with 30 days and setting up for a lot of challenges. Concerned with sufficiently posted, particularly with Leddy Park and all the different ways to go in and out of the park and how to have sufficient signage, worried about kids walking to parks and if allowing tents in spaces for extended times about people to play. Also if we want to allow we should allow a designated site sanction in the campground. Felt policy using was very humane and could use a few changes but not comfortable with the current ordinance.

Traverse said he appreciated coming and continue to work with others moving forward and he heard from a number of folks around this topic and briefly mentioned others thoughts and his own; asked if open to some places being prohibited without being posted, such as cemeteries for example, if do not do in ordinance and list all places are prohibited then would be a lot of signs and have the unintended impression that not welcoming, other items are in the definition of camping, folks putting up a tent for the night, or lean-to's or more mobile or moveable and other structure. The definition as to what is a sensitive area and how it is described and the proposal mirrors a lot of Montpelier but uses "substantially" often and would like to get better clarification of intent and finally there may just be some areas that do need that criteria that are just not appropriate and in Montpelier it says 24 hours but the Burlington proposal says it allows for a 30 day window and would like to focus on that question also between 24 hours in Montpelier versus 30 days in Burlington.



Magee said they are not expecting the Parks Department to come up with a solution but to pursue solutions to make brief and have options for folks who are houseless that are not sleeping outside but important to acknowledge that will sometimes have people that need to seek shelter and can be sought someplace safely in a space that has a no barrier and how to balance with making parks safe and accessible to all.

**Public Forum (Time Certain 6:00 PM)**

Public Forum was opened at 6:05pm

Don Meals, Conservation Board member said he had not heard about the proposed ordinance and wanted to be notified about this ordinance prior to and has significance expertise and need to bring into the discussion soon. As Burlington resident has concerns about addressing needs of people suffering and staff but did not hear about residents that are not in need or staff being involved in the process, also heard some casual mention of sleeping for a night, and the words of the ordinance allow more than a night but more continuous, and third not enough mention about the clean water and sanitation for right to housing, port-o-lets and dumpster will not give adequate housing. Rather start with pilot program in one or two programs to be designated in smaller area.

Gail Rafferty, lives near Smalley park and commented that Smalley had ongoing encampments last summer and one might say although small, in this ordinance it will be posted and two signs went up that indicated no camping, experience is that even though prohibited had several weeks of camping and people were given quite a bit of time and left but came back. Referenced the last speaker, saying odd as created an elaborate and long amount of time someone can stay. Seems 30 is for people who are breaking the rules and others will have full summer of camping, water came from her faucet outdoor. Does not understand when someone does not abide. Also point out as resident close to park, not all that tent in park are homeless it could be youth, someone attending a concert, friends visiting a college or tourists. Smalley park neighbors are concerned.

Ian Roos, wanted to know how the parks will be posted and important to take into account, might incur large costs to maintain, some get torn down or defaced, also consider many in urban reserve are quite a few tents that have been abandoned and how that process will go forth, if left possessions for long stretches, all winter for example and how it will be handled.

Joel Baird said that he recognizes and respects the intentions of the ordinance and the systemic problem around housing, feels needs to go back to drawing board but misplaced, needs to go further upstream and toward some type of dignity, some not able to make decisions for themselves and keep healthy. Said that Sears Lane was a nightmare for some and utopia for others, needed to be reexamined, need to talk to people before they feel entitled, before camping on public land, concerned that Parks Dept. can't afford to send people out in a timely fashion and Howard Center can't reach everyone that needs it. Felt it was wishful thinking it will work with people who can't afford to hop in a van and go out to Waterbury reservoir and need to show more respect and understanding to those who camp in our parks, is not giving these people dignity.

Matt Viens, St. Paul Street, felt others made some good points, concerned about the change in policy, although some parks will be posted, in effect will be sending the message you can camp wherever you want. Explained Burlington has a Code Enforcement department and can't effectively enforce and stuck

Commented [JP1]:



without sufficient staff and would unintentionally create more work and not a message that he feels should be send. Also agree does not deal with root cause of the issue.

Dave Conger, felt like blanket opening, City will be looking at easier way to do this, also a neighbor of Smalley and has had issues with camping in parks, also concerned with costs and appreciates the thought to improve homeless but parks and rec is not the ones to take on.

Cory asked is this the right thing to put on Parks and Recreation, believes facilities, sanitation, someplace to be during the day, felt could use NB or a place that is designated for that specific use. Feels the city has a lot of not in this place and needs more yes with regulations and teeth to enforce. Need to have basic needs fulfilled with more strategic plan in place.

Seeing nobody further from the public, Public Forum was closed at 6:41 pm

#### **Leddy Fee Parking History**

Wight stated she spoke on this subject about a year or so ago and was coming back around to see if in favor of charging a gate fee at Leddy, mainly to control gate more and second to try and get more revenue within the department. It would be easier with new system in place, would not need parking attendant with hut, currently use park mobile with kiosk, makes easier. Reason moved originally as it was not paying for person at the gate. Attendants utilizing programming would obtain a code to use when registering and would not have to pay. Will capture those vehicles accessing the bike path and beach. If you walk or bike it would be free as with all other parks.

Duke feels very appropriate to charge fees at the Leddy location as is with other parks. Also asked since the bond did not pass what the department will have to make up and Wight said she did not currently know but should know soon.

Lantieri also agree that the fee seemed appropriate.

#### **Forming Interview Team for Student Commissioners**

Traverse explained that the commission had put into place adding one possibly two student commissioners and would like to put together an interviewing team. Traverse asked if any of the commissioners would be interested in being on the committee and Hurley asked if it would involve looking at applications and Wight said yes it would not be too much work. Hurley agreed to be on the committee and Lantieri said he would be interested as well and asked what the outreach would be. Wight said they would utilize Front Porch Forum, Burlington High School and Rice Memorial High School.

#### **Commission Terms and Board Continuity**

Traverse said received letter of resignation from Andrea Todd, appreciated her participation on the commission and what she brought to the commission, congratulated her joining Rock Point Board and wished her well. Traverse announced it would be his last meeting as he was elected to the City Council and would have his first meeting April 1<sup>st</sup>.

Wight explained that terms were coming up for two of the commissioners, and losing Traverse and Todd would be a total of four and that would be a huge loss in continuity. Asked if others would be applying to renew their terms. Terms that are up are Duke and Lantieri and they both said that they would be reapplying for their seats, which would make only Traverse and Todd spaces with vacancy.



Wight also thanked Traverse for his work as Chair and efficient great work with the commission.

**Standing Item:**

**Report from Commission on Volunteer Hours**

Traverse had one additional hour, Duke had 2 additional hours and Lantieri had ½ hour additional.

**Report on PACC Dog Force**

Duke said not too much to report but said still information gathering but a lot about rules and regulations and trying to come to the point of what trying to do. Wight, Farrell, O'Daniel going to look at what was done previously.

**Report on Parks Foundation**

Wight said in process or supporting FRAME, had couple of meetings and more discussion, also supporting Red Stone Cottage.

**Director's Items**

Wight said selected Rec Manager but not sure if notified there manager yet, so holding off on name, Paul Morris is leaving grounds and going to DPW, did not want to be a Manager any longer, he will be missed, started MOU's and charting and graphs for workers, bids are due March 15<sup>th</sup> for Red Stone Cottage, hoping for at least 3, gardens are almost full, some money in bond for water systems, irrigating Starr Farm fields, next will be expansion of water systems in the gardens, Leddy internal kickoff soon, bike path downtown, looks like closed for 45 days in spring, had some work that did not get accepted and needs to be fixed, kudos to Rogers for working on recreation grants, allowed to expand summer programming. Thanked staff for sending great updates and Diana for agreeing to take over the Annual Report that will be more fluid moving forward.

Hurley asked if Winterville was cancelled again and Wight said it did get cancelled the Friday before, Kids Day is back on and being discussed as to what it will look like.

Traverse said he was sad to see Morris leaving and also stated Morris ran a great Green Up day last year and hoped it would be carried on in the coming year. Asked why the Urban Park Ranger was posted again and if it was the pay, or if they took other positions and Wight said it took too long to get through the interview process and the staff left out some experience and the importance of the park experience necessary for the Lead.

**Commissioner's Items**

Lantieri asked if the special meeting was recorded and Wight said the Media Factory was present and they will have the taping available and it will be posted. Duke said it was very interesting.

**Special Use Permit for Stone Circle at Oakledge**

Wight said she got a call from David and they come each year to Oakledge and do a maintenance day and saw an advertisement for an event that was having a bonfire happening. Wight reached out to the contact and worked out and let them know that they needed a permit for the event and wanted to recognize when they do them they do not charge and is always open to the public and felt it would be good to waive the fee for permit as it is for free and if doing larger would charge. Requestors will sign off with O'Daniel.



Motion to approve Special Use Permit fees for Circle of Peace, and waive the fee, acknowledging different season changes by Traverse, second by Hurley, motion carried.

**Adjournment**

Motion to adjourn at 7:30pm

DR