

MINUTES
PARKS & RECREATION ADVISORY COMMITTEE
SPECIAL MEETING
Friday, September 9th, 2016
CBJ Assembly Chambers – 6 p.m.

I. Call to Order at 6:00 p.m. – C. Mertl, Chair

Present: J. Anderson; F. Dowd; B. Farrell; T. Gilmour; C. Mertl; E. Ouderkirk; T. Rutecki

Absent: O. Brudie; C. Prussing

Staff Present: Brent Fischer, FP&L Superintendent; Lauren Verrelli, Staff Liaison

Guests Present: Amy Mead, Municipal Attorney; Trinidad Contreras, Assistant Municipal Attorney

II. Agenda Changes –

T. Rutecki: I would like to add to a future meeting more extensive training on rules and procedures for the PRAC board.

III. Public Participation of Non-Agenda Items – None.

IV. Unfinished Business— Continuation of discussion from the September 6th PRAC meeting

C. Mertl: We had a reconsideration of the amended motion before us which was “The PRAC requests that the CBJ Assembly limit the use of fireworks based on dates, times, size and locations within CBJ Parks.” We go back to our discussion just before we called the vote. We have two options, we can continue our discussion and make amendments to the motion before us or we could call the vote of the motion before us.

A. Mead: A reconsideration happens in two ways, either by a motion at the time the item was voted on or a member can give notice of reconsideration which means at the next meeting, the member who gave notice must make the motion for reconsideration or withdraw it. Then the body would vote on whether to reconsider and if that motion passes, then the motion you voted on (Tuesday) is back in front of the board.

J. Anderson: I would like to move to reconsider the underlying motion before us. We're here to discuss this further and clarify our motion.

Yay: J. Anderson, T. Gilmour, B. Farrell, E. Ouderkirk, C. Mertl

Nay: F. Dowd, T. Rutecki

Reconsideration passes.

T. Gilmour: I wrote up what I would like to see fireworks based on where, when and time. For where, I came up with 7 parks that fireworks would be permissible; for when, I didn't leave it to specific dates but added permitted functions; with time, I would like to see it differentiated between seasons, 6pm-10pm September – April and 6pm-12:30am April-September. Permits must follow safety precautions which would be detailed, stay in the area permitted, clean up any and all trash created by the event, and respect any neighbors, etc. that might be affected.

J. Anderson: After hearing public testimony and consideration being given to written letters, social media, PlaceSpeak and discussion between PRAC members it's clear that compromise between both sides of

the issues must be made. As a result I drafted the following motion for your consideration—"In regards to use of fireworks on CBJ parklands the PRAC respectively recommends that CBJ allow unrestricted use of fireworks on all CBJ parklands for the date and times listed: July 3rd & 4th, no later than 1am, December 31st & January 1st, no later than 1am. Additionally, a fireworks permit system will be established to allow permittees to hold special events." I feel this would be a compromise for me for both sides.

B. Farrell: I have prepared the following potential substitution as a starting point—"The PRAC requests the CBJ Assembly prohibit aerial fireworks in CBJs parks at all times, to align with CBJ 67.01.090 (c), which currently states, "No person shall carry or discharge an air rifle, firearm or slingshot or throw stones or other missiles within the limits of any area designated in section 67.01.030, and no person shall hit a golf ball or launch other missiles within such areas other than in areas designated by the directors." The PRAC further requests that all other types of consumer (1.4G), non-aerial fireworks be limited to appropriate time periods on July 3rd, July 4th, Winter Solstice and New Year's Eve, as these are holidays traditionally celebrated with the use of fireworks in Juneau. Public comment received regarding consumer fireworks use within CBJ parks has led us to suggest this as a proactive measure to enhance the safety of all park users, and to limit noise disturbances to other park users and surrounding residential areas." The numbers, polls and comments show for the most part, that majority of the people are looking for a compromise. My motion for fireworks is more liberal than even the existing prohibition on amplified music in parks. I think it's a reasonable approach.

C. Mertl: I would prefer us not to pick and choose which parks would allow fireworks. I went and talked to American Pyrotechnics Association (APA) and unfortunately there is not clear classifications other than 1.4G (consumer) and 1.3G (display), in other words there are no classifications for the size of the boom. Maybe non-aerial fireworks could be allowed year round within parks and aerial fireworks could be allowed in parks on special occasions. I like how people have been talking about a special permit that is approved by the Director. Let's break this down and see where we have common ground. Is everyone okay with deciding if it's all parks or no parks?

T. Gilmour: No, I think it should be certain parks.

B. Farrell: We should keep it simple.

Board: All parks.

C. Mertl: Do we have general consensus to allow fireworks July 3rd & 4th and around New Years?

F. Dowd: Is there any language that states the State allows fireworks anywhere?

A. Mead: No, there is no law stating CBJ allows fireworks and there's a lack of prohibition.

T. Gilmour: I would like to add permitted functions that are approved by the Parks & Rec Director.

Board: Yes.

C. Mertl: The next issue is time, if our parks close at 10 or midnight depending on the park, I would say that park closure times sets the time with exception of New Years and 4th of July, since those are midnight events.

B. Fischer: We could repost closing times during those certain holidays in our parks stating that they will be open longer than normal park hours. We wouldn't have to redo the ordinance. Historically, they have always been allowed to stay open.

C. Mertl: For special permits, permit holders will have to abide by park closure hours.

[Discussion on times]

C. Mertl: Is there any desire to allow non-aerial fireworks year round in parks?

J. Anderson: If we're not going to do fireworks unless for special holidays days, then let's not do fireworks except on those holidays.

C. Mertl: These are the dates I specifically heard requests for: July 3rd & 4th, Solstice, Christmas, New Years, Alaska Day.

[Discussion on motion wording]

B. Farrell: Mr. Chair I would like to make a motion to amend the current motion that is on the table to read: "The PRAC recommends to the CBJ Assembly that the use of all fireworks on CBJ managed parklands are prohibited at all times with the following exceptions (1) July 3rd & July 4th (2) December 31st & January 1st, (3) and other dates permitted by the Parks & Rec Director. During these periods the use of consumer fireworks (1.4G) is allowable on all CBJ parklands consistent with park open hours."

Yay: J. Anderson, T. Gilmour, F. Dowd, B. Farrell, E. Ouderkirk, T. Rutecki, C. Mertl

Motion passes unanimously.

C. Mertl: Mr. Rutecki has added one agenda item.

T. Rutecki: You can see from tonight, we all would benefit with more parliamentary education. If the city attorney could come up with some dates the board members could get some more training. We're all in need of further education on rules and procedures.

C. Mertl: One last thing, our October meeting lands on Election Day. Options are the following Tuesday, following day or a different venue.

T. Rutecki: Following Tuesday on October 11th.

C. Mertl: Tentatively put October 11th in your schedules.

Adjournment – 7:34 p.m. *Having no other business before the board.*

Respectfully submitted by Lauren Verrelli, P&R Administrative Assistant II, 9/28/2016