

**Village of North Hudson
Park Board Meeting
Thursday, January 5, 2017, 6:30 p.m.
Village Hall, 400 7th Street North
Hudson, WI 54016**

Call to Order: roll call

Chair Colleen O'Brien-Berglund called the meeting to order at 6:30 p.m. Answering the call were members John Helgeson, Mona Houston, and Michelle Ortner. A quorum was present and the meeting was duly noticed. It was noted that Doug Ernie, Howard Novotny, and Todd Wolf were absent. Also in attendance were Interim Public Works Director Patrick Moos, and Recording Secretary Anne-Marie McDonald.

Approval of minutes from November 3, 2016 Park Board Meeting

Motion (Helgeson/Houston) to approve the minutes of November 3, 2016 meeting as written.

Motion carried.

Comments from the floor

None

Superintendent's Report

Moos reported that trees were planted this past fall at Woodcrest Park (3) and Chief Jansen Park (4). The ice rink surface is improving and it was flooded again today.

Glen Oaks Park – Digger and Sandbox

O'Brien-Berglund asked Moos to research and get pricing for a new digger, sand, and a sandbox to be installed in Glen Oaks Park and report at the February Park Board meeting.

Ferry Landing Beach

O'Brien-Berglund shared her research regarding the Ferry Landing Beach:

1. The Wisconsin DNR stated that the village can designate a swim beach without a boat landing. Proper application and permit with the DNR are required.
2. If boat launch fees are to be collected, residency requirements (village, state, etc.), price, and monitoring plan must be determined.
3. For swim areas, there is no maximum distance. Swim buoys only are allowed – no cables or ropes to define the swim area. The proposed swim area must be approved by the DNR and open to the public. A waterway marker application must be submitted with the GPS coordinates of the swim area.
4. The DNR doesn't have to approve an ordinance for an area for which current law exists.
5. An application must be submitted to the DNR for approval, and the plan must be signed by multiple DNR representatives.

6. The village may create an ordinance which prohibits boats from anchoring or beaching away from the boat launch. If creation of a swim area is done to avoid the ordinance process, the application will not be signed.
7. Ability to collect fees for use of the boat launch is based on who owns the boat launch and whether state money was used to build or maintain the launch (no state money has been used at Ferry Landing Beach).
8. North Hudson Police Chief Mark Richert communicated to O'Brien-Berglund that the police force was unable to monitor the beach area last summer due to staff shortage. Richert is aware of the issues at Ferry Landing Beach which have been brought to the village's attention by residents. The village doesn't have jurisdiction of the area on the water past the beach.
9. Richert provided the following recommendations regarding a new ordinance: prohibit watercraft from landing on the beach south of the pedestrian mall; designate a swimming area with appropriate signage and buoys; prohibit gas containers in Ferry Landing Park.
10. Richert supports local uses, but he doesn't believe it is reasonable to tie a person's address to safety concerns. He asked whether there is a cost-benefit to charging for use of the boat launch versus the cost of enforcing the fee and park ordinances.

O'Brien-Berglund asked the board to think about what they want at Ferry Landing Beach:

- Whether to designate a swimming beach and prohibit boats from landing in the swim area

Ortner asked whether the village can allow boats to use the boat launch and prohibit jet skis. O'Brien-Berglund thought it would be difficult to do. Houston asked how that would be enforced. Houston recalled that the DNR representative who attended a previous Park Board meeting said that prohibiting one type of watercraft from use is considered discrimination and can't be done.

Resident Kevin Ustad, of 659 Galahad Road N., asked whether the village can limit the number of boats which use the launch and beach area simultaneously. Houston questioned again how this type of ordinance would be enforced.

Houston suggested the board should check with the DNR whether a designated swim area with buoys can be established and retain the boat launch. This would leave very little space for watercraft to park. Ortner agreed, and described where private properties start north and south of the park area. O'Brien-Berglund recalled that both the DNR representative and St. Croix County Sheriff's deputy told the board at a previous meeting that if the village doesn't designate a swimming area, the personal watercraft (PWC) operators will merely park a little further south on the beach. If the PWC operators park on private property, that is an enforceable offense. In addition to the feasibility of the ordinance, Ortner suggested that the associated costs to implement a new ordinance be investigated, as well as any size restrictions that must be adhered to for the swimming area. Houston would like to retain the boat launch if possible.

O'Brien-Berglund cited the part of the state ordinance regarding placement of slow/no-wake markers: A slow/no-wake zone may be designated on a river with appropriate markers or buoys, provided a waterway marker application is submitted and supported by the local governing body.

Ortner asked whether the DNR Conservation Officer Sickman can check out regulations for a swimming area. O'Brien-Berglund stated that designated swimming areas have no maximum areas, and must be marked with swim buoys only, no cables or ropes.

O'Brien-Berglund asked for verification of what the board is looking for: Define a designated swimming area and retain the informal boat launch currently in the park. Houston and Ortner agreed those are the items the park board is asking about. O'Brien-Berglund believes the bulk of the issues with PWC parking on the beach are operators who are not village residents.

O'Brien-Berglund asked whether the board wants to investigate defining a slow/no-wake zone to reduce the amount of noise coming from PWCs on the river. Helgeson and Ortner thought that wouldn't help the noise problem, because the PWCs can still go fast and jump boat wakes beyond the no-wake zone. Ustad stated that the noise issues come more from the number of PWC operating in the area at one time, and that those operators dominate the beach area when they are there. Ortner wondered whether the combination of increased police patrols at the beach, designation of a swim area, and prohibition against parking watercraft on the beach would reduce the issues currently being reported.

Resident Dan Martinez, of 716 Monroe Street N., asked what boat operators should do under a new ordinance when they return to the boat launch from the river and have to retrieve their vehicles. Leaving boats at the launch for a few minutes is okay; the new ordinance would prohibit parking boats and other craft on the swimming beach. Moos clarified that if a boat is not parked in the designated swimming area, there is no violation against the proposed ordinance.

Ustad explained that boats on the river will come close to the Ferry Landing Beach area when they see PWCs parked on the beach, then create a wake for the PWC operators to jump. Boats on the river are catering to the PWC operators in the beach area. Ortner stated that the PWC operators have gas cans sitting on the beach when their crafts are parked on the beach.

O'Brien-Berglund summarized the possible steps to be taken with a new ordinance:

- Define a designated swimming area, including what size is allowable
- Boats may use the boat launch area only – no parking of watercraft in swimming area
- Investigate the creation of a slow/no-wake zone
- Prohibit gas cans from being placed in the swimming area

O'Brien-Berglund stated that there is currently an ordinance against the consumption of alcoholic beverages on the beach.

Ustad asked whether anyone knows how many complaints had been reported by North Hudson residents. The board members don't have an exact number of complaints which were filed. Helgeson noted that the police department had a greatly reduced staff last summer, so patrols of the park were limited. In addition, the Wisconsin DNR and St. Croix County Sheriff's water patrol doesn't have resources to patrol the area very often. There were residents who didn't file a complaint for fear of retribution. Houston reminded the group that the DNR and county sheriff's deputy can issue citations based on clear video of the infraction with craft registration number.

Ustad asked whether the park board wants to define the launch as an official boat launch. The preference would be to leave it as an unofficial boat launch, rather than have to make improvements to an officially designated boat launch and charge a fee for its use to recover improvement costs.

Ortner theorized that creating the ordinance and posting signs on the beach will deter the PWC operators from continuing the same behaviors, as well as sending a message that the village is aware of what the PWC operators are doing on the beach and adjacent river area.

Helgeson asked O'Brien-Berglund whether this issue has been presented to the full village board and village attorney. O'Brien-Berglund stated that the village board and village attorney are aware of the situation and waiting for a recommended ordinance to be submitted by the park board. O'Brien-Berglund passed along that DNR officer Sickman thought that increased village police patrols and increased DNR and county water patrols on the weekends may also help to decrease the issues currently taking place. The village police chief can't create an ordinance, but if one is developed, the police department has more to work with regarding enforcement.

Moos asked for clarification on the designated beach area with buoys (similar to Brown's Beach). Designating the swimming area will eliminate PWC parking on shore. The ordinance would not change anything other than defining a swim beach area. Ortner suggested that the southern border of the beach area must be adjacent to private property to eliminate the PWC operators from simply moving a bit further south to park their crafts. The northern border of the swimming area would be just south of the boat launch. Ustad believes that if the PWC operators interfere with the fisherpersons, the fisherpersons will feel comfortable taking photos of those committing infractions.

Ustad asked whether a designated swimming beach requires certain devices or lifeguard. Ortner and O'Brien-Berglund stated that Brown's Beach is a designated swimming beach; there is no lifeguard on duty and it is a "swim at your own risk" beach. Ustad speculated whether newer regulations might require the beach area to have an AED or other lifesaving device available. Helgeson stated that when the North Hudson beaches had lifeguards, there was a phone installed at the beach until all lifeguards had cell phones of their own. Ustad asked whether Prescott or areas of the Kinnickinnic River are having similar issues. Houston recalled that the board asked the DNR representative whether other areas had similar problems, and he said there weren't any issues. Helgeson said that Troy Township restricts its beach area/park to residents only, and parts of the Kinnickinnic are adjacent to the state park, so that is a different jurisdiction. O'Brien-Berglund said that the PWC operators like Ferry Landing Beach because it is more hidden compared to other beaches in the area.

O'Brien-Berglund will check on the items discussed tonight to learn about the village's options. The process will hopefully create an ordinance which will make the village, fisherpersons, and swimmers happy. The park board cannot designate a swimming beach with the sole purpose of avoiding the creation of an ordinance – the village board may not approve that approach, so the park board must come up with something more. Houston suggested O'Brien-Berglund investigate the costs involved with creating the new ordinance. O'Brien-Berglund would like to have more concrete information for next month's

meeting so the process can move forward and the village will have an ordinance in place by the spring boating season.

Future Agenda Items

Ferry Landing Beach; Glen Oaks Park digger and sandbox.

Ortner was asked by residents of Cherry Circle N. whether the trees which were removed along the path between Cherry Circle and Galahad Road will be replaced. Moos stated that he had also been contacted by residents; the DNR is doing soil testing of the property where a paint shop used to be located. The property owner intends to either plant trees or place another barrier around the entire property. Per Ortner, residents on the back side of Cherry say the entire area is wide open and awful-looking. Moos stated that he is willing to speak with concerned residents – they can contact the village hall for the owner’s contact information. Helgeson asked whether the property will need to be excavated out – it will be. Moos will send the property owner’s contact information to Ortner.

Moos asked whether he can request sand to be installed or replaced in the parks this spring. O’Brien-Berglund asked that Moos gather cost information for what he needs. Moos would also like to put down some grass seed, as well. O’Brien-Berglund asked Moos to contact her with any other agenda items he would like to discuss at future meetings.

Adjournment

Motion (Helgeson/Houston) to adjourn. O’Brien-Berglund declared the meeting adjourned at 7:15 p.m.

Respectfully submitted by,

Anne-Marie McDonald
Recording Secretary