



TOWN OF PALM BEACH

Office of the Town Clerk

MINUTES OF THE SEAVIEW PARK COMMISSION MEETING HELD

OCTOBER 28, 1992

I. CALL TO ORDER: A meeting of the Seaview Park Commission was called to order by the Acting Chairman, Mr. Myers at 1:05 PM on October 28, 1992, in the Recreation Center. Commission members in attendance were Acting Chairman Myers, Mrs. McIntyre, Mr Ochstein, Mr. Lubow, Mrs Clarke-Royal and Mrs. Leidy. Staff members in attendance were; Mr. Bitzer, Tennis Pro Hay, Ms. Reedy and for a portion of the meeting Miss Rockwell. Chairman Broberg did not attend the meeting.

II. APPROVAL OF AGENDA: Mrs. Clarke-Royal made a motion to approve the agenda as printed. Seconded by Mr. Ochstein. Mr. Bitzer said he wished to postpone item number two under new business to a later date. Agenda was approved as amended.

III. APPROVAL OF JUNE 14, 1992 MINUTES: Mr. Ochstein moved to approve the June 14, 1992 minutes. The motion was seconded and approved.

IV. OLD BUSINESS:

1. Town Council Approval of Loan Extension Request and Tennis Pro Shop Fundraising Status Report.

Mr. Bitzer said at the Town Council meeting of September 8, 1992, the Town Council agreed to extend the period for repayment of the loan which was borrowed to construct the Tennis Pro Shop to April 8, 1993. Mr. Heeke, Council President, expressed appreciation to the Seaview Park Commission for their efforts in securing funds to erect the Tennis Pro Shop.

Mr. Lubow asked if that meant the plaque with the names of those who donate \$1,000 or more would have to be postponed until 1993? Mr. Myers said the Palm Beach Tennis Association has agreed to pay the balance of the loan as of November 11, 1992, and that date will be the cut off date for anyone wishing to have their name placed on the plaque. The Tennis Association has requested that they be acknowledged for their donation to repay the loan, and it was suggested that the Palm Beach Tennis Association be named on the plaque. The members of the Commission agreed.

Mr. Lubow made a motion that November 5, 1992 be the cut off date for donations and to be eligible to have names added to the plaque. Mr. Bitzer suggested that the Commission allow themselves a specific amount of time to collect further donations to pay for the Pro Shop, and the Tennis Association would then pick up the remainder of the loan. Mr. Lubow amended his motion to move the deadline date to November 10, 1992. Seconded by Mrs. McIntyre, motion carried.

V. NEW BUSINESS:

1. After School Youth Program - Proposed Late Pick Up Fee.

Mr. Bitzer said Staff members had suggested a new fee classification for people who are late in picking up children who participate in the after school programs. Mr. Bitzer said other municipalities have this fee which ranges from \$1.00 per minute to \$5.00 for every 15 minutes they are late. The Staff recommends a fee of \$5.00 for every 15 minutes they are late. He said the fee would help offset the expense of an employee having to stay late to supervise the children.

Mr. Bitzer said there would be warnings issued before the fee is actually put into effect. Mrs. Leidy asked if this fee would be charged for, say 12 or 13 year olds, or would it just be for 5 or 6 year olds? Mr. Bitzer said the fee was intended for all children enrolled in the program. However, we could certainly review the appropriateness of this type of after school program for older children.

Mrs. Leidy suggested there should be an age limit set for children who may not leave the facility until they are picked up by a parent, and that older children with a parents written permission be allowed to stay late.

Miss Rockwell said according to the Town's Risk Manager, if a child is enrolled in an after school program whether its 6th grade and up or below 6th grade, a staff person must be on the property with the person which is enrolled in the program. She said they couldn't lock up and say to a 12 or 13 year you are on your own. She said according to the Risk Manager the facility is responsible for that person or persons.

Mrs. Leidy asked what if the older children who want to leave the facility has written permission from their parents to do so? Miss Rockwell said that was fine but the parents must sign them out.

Mr. Ochstein made a motion to adopt a Resolution to establish a late fee for participants in the After School Programs. Seconded by Mr. Lubow, motion carried.

Mrs. Leidy said she would like to have an option that if a parent knows they are going to be late picking up their child, the

parent could send a letter releasing the Recreation Center from responsibility for that child. Mr. Bitzer said he would discuss this matter further with the Towns Risk Manager.

VI. ANY OTHER MATTERS:

Mr. Lubow distributed three proposed tennis rule changes. He said the rules which now exist are out of date and he proposed to change rule number 4, 10 and 11.

He said basically the change would be a time change. The changes would be the starting time from 8 AM to 7:30 AM, and booking time for doubles play from one hour to one and one half hours. Mr. Lubow said by moving the single play to 7:30 AM, and having the doubles games from 8:30 AM to 10:00 AM would reduce the demand for courts. He said this does not mean that a person cannot book a court for singles from 9:00 AM to 10:00 AM if a court is available.

He referred to paragraph 11 which refers to booking of the courts. He said they added the phrase "and shall be open to any residents of the Town".

Motion was made by Mr. Lubow to change item 4, 10 and 11 of the tennis rules. Seconded by Mr. Ochstein.

Mrs. McIntyre said she would like to see the words "prime" and "basically" stricken from paragraph 10.

Mr. Bitzer said he appreciated their suggestions. However, he said he only received the proposed changes today, and he felt that sometimes small changes can create major problems unless they are well thought out and fully reviewed. Mr. Bitzer said he felt Staff needed more time to review these proposed changes.

Mr. Bitzer said the proposed 7:30 AM starting time might be a problem. He said he would need to review this suggestion further. Mr. Lubow said there were people out there now who were playing at 7:00 or 7:30 AM. Mr. Bitzer said he felt that there were other factors that should be looked into before making any changes to the rules.

Mr. Bitzer said that only one or two courts may be ready this early and that maintenance and other staffing schedules would need to be considered. He said there are other groups and individuals to consider, and before implementing changes, he wanted to be sure all residents who will be affected by any rule change, would have the opportunity to review and comment on those changes. He said other residents may also have suggestions regarding tennis court scheduling.

Mr. Bitzer said he would like to take the changes which have been proposed, post them and then discuss the pro's and con's and come up with a schedule which will be fair to everyone. Mr. Lubow said the Women's Teams are agreeable to the proposed changes. He

said there were 16 women on the "A" Team and none of them are members of the Seaview Park Recreation Center, and do not support any of the Recreation Centers programs. Mr. Lubow said he would like to hear any complaints or recommendations with regards to the time change. Mr. Bitzer said he thought the ladies who play on the teams and other residents who utilize the courts should have an opportunity to speak for themselves.

Mr. Myers said he did not feel it was appropriate to make changes until those changes have been made available to other people who might be interested. He said he felt it would be more appropriate to post the proposed changes for a month so people can have input, and the proposed changes should also be circulated to the team captains.

Mr. Bitzer said that the tennis facility is not a club and that we do not have memberships. He said there were different ways in which the non-permit holders pay for court time. He said the person who is paying a team fee is paying for every hour of playing time. Mr. Bitzer said if the non-permit holder plays 15 times they have paid \$150.00, and an annual permit holder pays \$170.00 for the entire year. Therefore, he said that he felt that the individual paying a team fee or hourly rate rather than purchasing an annual permit, what was formerly referred to as a membership, was certainly paying their fair share.

Mr. Ochstein said he did not see a problem in changing the time from one hour to one and one half hours for doubles. Mr. Bitzer said that there may very well not be a problem. However, he said that a long time resident couple had told him that if singles play was restricted to these suggested hours, they would cancel their permits.

Mrs. McIntyre said she thought that under the Robert's Rules of Order, if you change a written rule, you generally have two hearings and it is voted on at the second hearing. She also said she had no objection to posting the proposed rule changes and asking for comments. Mrs. McIntyre said she didn't see a problem with implementing the changes on a temporary basis.

Mr. Lubow said he didn't see any problem in trying the one and one half hour playing time on a temporary basis. He said there is always two or three courts ready at 7:30 AM. Mr. Hay said he knew for a fact that some of the ladies can't play at 7:30 AM, but want to play at 9:00 AM or 10:00 AM. Mr. Bitzer said the Staff would need additional time to review the proposed changes before they are implemented, even on a temporary basis. Mr. Myers said he didn't feel it was appropriate to make major changes in the rules until it has had wider notification and more people have input.

Mr. Lubow said they might receive more input by trying the time difference on a temporary basis. Mrs. Leidy said this would be a trial period and maybe by the next meeting they will have an idea if this will work or not. Mr. Myers said maybe they should extend the

doubles time to an hour and a half, and leave everything else as it is.

Motion was made by Mrs. McIntyre that the doubles time be changed from one hour to one and a half hour on a trial basis, and the time change be posted as a trial, and invite comments from interested parties.

Mr. Bitzer said the motion should be very specific, and asked if they were saying that someone who is at the Recreation Center from 7:30 to 8:30AM could only play singles? Mrs. McIntyre said the wording in the rule should be changed to read "preference" will be given to singles.

Mr. Ochstein asked if the motion was that the doubles time be changed from one hour to one and a half hour on a trial basis, and the proposed changes in the rules be posted to be reviewed?

Mr. Bitzer asked if the members of the Commission were going to invite, and consider other resident suggestions prior to recommending changes? Mr. Myers said all suggestions should be reviewed. Mr. Bitzer asked Mr. Hay if he saw a problem with the time change? Mr. Hay said he has not had time to read the proposed changes. Mr. Hay said once before he had made a time change, and one resident was very upset that a time change had been made without consulting anyone.

Mr. Bitzer suggested that other residents should have an opportunity for input on the time change. Mrs. Leidy said by posting the proposed time change they were inviting comments from other residents. Mrs. Leidy asked what if they waited until the next meeting and then implement the time change, and get an incredible amount of feed back, then what happens?

Mrs. McIntyre said they could post the notice and wait two weeks before they implement the changes on a trial basis. Then in two weeks, after considering the comments, the plan will be reassessed. Mr. Lubow said he felt they would receive only positive comments, and they only wished to implement the change on a trial basis.

Mr. Myers suggested they post the proposed changes, wait for comments, and then put together an entire program at the next Commission meeting, and when all the changes are in place they could try them for a month.

Mrs. Leidy said by that time they would be in the heart of the season. Mr. Bitzer said they didn't have to wait until the next meeting, they could call a special meeting.

Mrs. McIntyre reminded the members of the commission that she had a motion on the floor.

Mr. Lubow suggested that Mrs. Leidy should make the motion.

Mrs. Leidy made a motion that they post the changes and notify all the players, that in two weeks the doubles play time will change from one hour to one and a half hours on a trial basis, and invite comments.

Mrs. McIntyre said the motion should be that the changes will be posted for two weeks and if it is allowed by the Town, then play will begin at 7:30 AM. This will be on a trial basis and at the next Commission meeting all comments will be reviewed.

Motion was seconded by Mr. Ochstein.

Ms. Reedy reminded the Commission that Mr. Lubow had a motion on the floor which had not been acted upon.

Mr. Lubow withdrew his motion. Mrs. McIntyre also withdrew her motion.

Mr. Bitzer said he wanted to be sure he understood the motion with regards to staff implementation? He asked if someone has booked a court for a 9:00 AM singles game the next day, and if the following day someone calls for doubles, then is the Commission recommending that, on a trial basis, the doubles have preference, and the singles players be bumped even though the singles player made a reservation before the doubles player? Mr. Ochstein said that was in the rules. Mr. Lubow said there are always courts available. Mr. Bitzer said theoretically the doubles could take every court. Mr. Lubow said theoretically yes, but theoretically, doubles could take all of the courts now under rule number 11.

Mr. Bitzer said Mr. Lubow's interpretation of that portion of rule #11 was incorrect. He said the intent of that rule is that organized programs shall take "precedence" over individuals, however, the groups schedule must first be approved by the Recreation Department. Mr. Bitzer said that does not mean that organized groups always take precedence over every one else. Mr. Bitzer said they do give precedence to organized groups over open play when the organized group must play at a specific time. An example of this is the women's team tennis program.

Mrs. Leidy asked Mr. Bitzer if his concern was that doubles groups will take over the entire time of the tennis courts? Mr. Bitzer said that was one of his concerns, and that rule #11 was not designed to withstand a legal type of scrutiny. However, it would appear that staff will need to more clearly define this rule.

Mrs. Leidy asked what if they post all of the proposed revisions and then hold a special meeting in two weeks. She said they could post the suggestions and get all the feed back then meet again in two weeks.

Mr. Bitzer said he thought that was a good idea because there were other suggestions and factors to be considered. Mrs. McIntyre said any suggestions should be specific. She said just saying we

have had suggestions from other parties or individuals is not enough.

Mr. Myers said he wished to clarify things. He said first of all there was a motion on the table which should be withdrawn in order to proceed with Mrs. Leidy suggestions. He said as he understands, the suggestion is that the proposed changes in the rules will be posted, comments and suggestions will be invited, and then have a special meeting in two weeks. After these steps have been taken the date of the special meeting will be posted in order that interested parties may attend the meeting. He said comments should be presented in writing.

Mr. Lubow said two weeks will be November the 11th.

Mrs. Leidy made a motion that all the changes be posted and the Seaview Park Commission meet again in two weeks in order to review and invite comments from the public and from all teams in order for the Commission to make the appropriate changes.

Mr. Myers said the special meeting date should be posted with the proposed changes.

Motion was seconded by Mr. Lubow.

Mr. Ochstein said he had one more comment. He said he had belonged to several different tennis clubs, and all of them gave preference to the doubles players.

Mr. Bitzer said that years ago they did have one and a half hour blocks of time. However, there were a lot of complaints from people who couldn't get on the courts, and that's when they went to the hour blocks of time. Mr. Bitzer said staff would distribute the old rules to all the permit holders along with the proposed changes with a cover letter informing the tennis players of the scheduled Commission meetings..

Mr. Lubow asked that the letter state that the recommendation of 7:30 AM to 8:30 AM for singles, does not mean that single courts will not be available from 8:00 AM to 9:00 AM, and 9:00 AM to 10:00 AM.

Mrs. McIntyre said they wanted the changes in the wording of the proposed changes which Mr. Myers had suggested to be distributed.

Motion carried.

Mr. Lubow made a motion that November 11, be the cut off date for names to be added to the plaque. Seconded, motion carried.

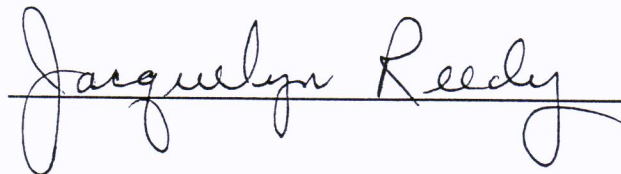
Mr. Myers said he would like to see something done about the fire ants on the playing fields. Mr. Bitzer said he would contact the Public Works Department after the meeting.

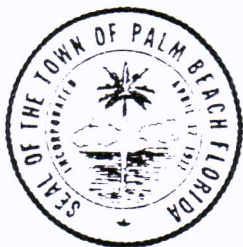
Mr. Hay said the statement was made that the rules were discussed 18 months ago. He said they had worked very hard last year in trying to resolve problems involving the morning mixed doubles and the ladies teams. He felt at that time they had decided that in the fall they would review all the other court booking procedures.

Mr. Hay said he had some proposals and questions for the Seaview Park Commission on possible changes in court bookings and allotments for the newly lighted courts. He said there were a lot of people on the courts after 5:00 PM, and with the new lighting he would like more time allotted for the kids. Mr. Hay said he felt that a lot of people would agree with the one and one half hour playing time because several people have already suggested it. He said he also has heard from the singles players about court time. Mr. Hay said he knew people wished to have input in these decisions and it has nothing to do with the morning mixed doubles scheduling requests.

Mr. Lubow said they were determined that these proposed changes will be implemented. Mr. Bitzer said he hoped that with the cooperation of the Seaview Park Commission, the Staff, and all the groups involved, we can come to some type of compromise and consensus which will be acceptable to everyone.

VII. ADJOURNMENT: There being no further business the meeting was adjourned.

A handwritten signature in cursive script, reading "Jacquelyn Reedy", is written over a single horizontal line.



TOWN OF PALM BEACH

Office of Mayor and Town Council

MAYOR YVELYNE DE MARCELLUS MARIX

COUNCIL

BERNARD A. HEEKE, PRESIDENT
M. WILLIAM WEINBERG, PRESIDENT PRO-TEM
NANCY S. DOUTHIT
PAUL R. ILYINSKY
HERMINE L. WIENER

October 13, 1992

Peter S. Broberg, Esquire
223 Peruvian Avenue
Palm Beach, Florida 33480

Re: Seaview Park Tennis Shop - Loan Extension Request

Dear Peter:

At the September 8, 1992 Town Council meeting, the Mayor and Town Council considered the Seaview Park Commission's request to extend the repayment period for the Town's loan to construct the Seaview Park Tennis facility.

On behalf of the Mayor and Town Council, I am pleased to inform you that we have authorized extending your loan period to April 8, 1993.

Please convey our appreciation to all the Seaview Park Commission Members for their continued efforts and success in securing donations to repay this loan for this important building.

RECEIVED

OCT 14 1992

TOWN OF PALM BEACH
RECREATION DEPT.

Cordially,

Bernard A. Heeke
Town Council President

BAH:cc

cc: Mayor and Town Council
Robert J. Doney, Town Manager
Russell E. Bitzer, Director of Recreation