

Public Safety & Transportation Committee Meeting Minutes, 6/7/11, City Hall Conference Room

Present: Ron Adam, Daryn Hamilton, Michael Halley, Jeff Clawson, John Revolinski, Derik Wulfekuhle, Carl Chandler, Pam Craff, John Morrissey, Dave Thomas, Scott Vaughan, Mike Keller, Lacey Jacobs, Frank Wintroub, approximately 63 others

Points of discussion

Ron Adam summarized the Safety Committee's recommendations regarding the public beach at Bonniefield Lake: to close the beach until certain liability and safety concerns could be addressed. The Safety Committee (representatives from the Park & Rec, Waterworks, Wastewater, Police and Fire departments) heard from Waterworks dept staff who witness people illegally diving off the dock on a daily basis. They were also concerned with the liability issues of Park & Rec lifeguards testing swimmers who want to swim outside of the roped area were a swimmer to have an accident. The city currently doesn't have the equipment necessary to manage a crisis situation at the lake. The city closed the beach temporarily due to the danger of people illegally using the dock until these issues could be resolved by the city council.

Administrator Jeff Clawson researched swimming policies of other Iowan communities and compiled a list of recommendations for the committee:

- Open the lake to swimming with no advanced testing required. All swimming would be with no lifeguards on duty and swimming at your own risk. All advanced testing would be completely eliminated.
- Install buoys and ropes to confine swimming for those not interested in swimming in open water.
- Remove the dock to eliminate diving from the dock.

Frank Wintroub spoke on behalf of "Friends of the Beach." He supported Clawson's recommendations, adding that his research shows that the liability issues of open swimming don't put the city at risk. Scott Thomas spoke on behalf of the Safety Committee and expressed concerns about city legal expenses were a drowning victim's family to sue the city. He also stated that the city doesn't currently have a water emergency team. Waterworks superintendent Carl Chandler explained that the dock should be moved because the rip rap along the edge of the lake in that area cannot be removed without undermining the structural integrity of the lake edge.

City Attorney John Morrissey spoke on the issue of liability were someone to be injured or drown while swimming in the lake. The victim's family might sue the city, so to maximize safety and minimize exposure to lawsuits he suggested that any underwater hazards be roped off with signage warning swimmers. He also spoke on the possibility of keeping some emergency equipment on hand. Keeping swimmers away from all hazards would help negate the lack of regular enforcement at the lake. The following recommendations were added based on Morrissey's legal advice:

- Rope off and post signs for all underwater hazards, possibly add safety equipment, designate open swimming area.

Ken Daley spoke on behalf of MUM concerning safe access for boats. Adams assured him that the committee will take up that issue as soon as these other immediate concerns are resolved by the council. The Park & Rec dept explained that it doesn't have the equipment needed to set up the buoys, so a volunteer group will need to manage that.

Clawson told the committee that he had worked with the DOT to change the speed limits on Main St. based on a traffic study. Committee recommends modifying the proposed ordinance to 30 mph from Burlington to Buchanan St.

Recommendations/Actions

- Committee will recommend that the full council adopt administrator Clawson's recommendations for the public beach at Bonniefield Lake.