



North Canton City Hall, 145 North Main Street, North Canton, Ohio 44720
330/499-3986

March 1, 2002

Mayor Tom Rice
City of North Canton
145 North Main Street
North Canton, OH 44720

Dear Mayor Rice:

I am writing this letter on behalf of the residents in the neighborhoods surrounding Dogwood Park to request that the city reconsider placing the proposed skateboard park in the Dogwood Park tennis courts.

I have personally talked with nearly every homeowner on Dogwood Avenue as well as homeowners nearby on 10th, 7th, 6th, and 5th streets. Nearly every resident related to me the problems they deal with in the summer with the increased automobile traffic. Many cited problems with the parking near the swimming pool in the summer. During the school year, the residents deal with the Hoover High school traffic that must travel through these neighborhoods to get to the high school. This is due to the fact that there is no access to the high school from the north.

Mr. Carl Goodin, a resident who spoke before city council on February 11 against the taking of the Dogwood Park tennis courts, has also talked with a good number of residents in his immediate neighborhood on Sutton Avenue, Woodside Avenue, Randall Circle to name a few streets and he also has found widespread opposition to locating the skateboard park in the Dogwood Park tennis courts.

Mr. Carl Goodin and I circulated a petition against the Dogwood Park location and with minimal effort have collected 142 signatures. A copy of the petition signatures is attached herein. I reported this to City Council on February 19. The signatures that were collected were from adult residents who were homeowners, taxpayers and probably voters. More could have been collected but given that there was nearly total opposition to the planned location of the

skateboard park in Dogwood Park it was quite clear that there was little need to continue seeking additional support.

The 600 signatures that the Superintendent of Parks and Recreation turned in to City Council on February 25 amounted to amusing theatrics. The signatures were from children as the petitions were circulated in the middle school and high school. The Dogwood Park neighborhood residents would not be amused or impressed with the signatures that were turned in by the Superintendent of Parks and Recreation on that night. I am sure you recognize the difference between the adult signatures on the petition opposing the Dogwood Park location and the children's signatures on the petition in favor of North Canton having a skateboard park. The petition in favor of a skateboard park was simply that! It merely asked schoolchildren to sign if they were in favor of a skateboard park. The petition did not deal with the REAL issue of locating the skateboard park in Dogwood Park's tennis courts. And, I want to make it clear that the signers of the petition opposing the Dogwood Park location were not against a skateboard park for the City of North Canton. I was not opposed to a skateboard park for the city. I voted to approve the funding for the proposed skateboard facility.

It is unfortunate, though, that the legislation requesting the appropriation of the funds for the skateboard park was put through as an emergency and that the rule requiring three readings before the public was suspended. Given that plans for the skateboard park had been underway for three years, I do not understand why the request for legislation did not proceed in the normal manner and go through three readings before city council. Why was the legislation requesting the funding for the skateboard park not read three times before city council? Did this legislation really need to be funded on an emergency basis? Was there an immediate threat to the safety and welfare of the citizens of North Canton?

No one was really served by passing the skateboard legislation on an emergency basis and suspending the required three readings. By rushing the funding request for the skateboard park through City Council, everyone was shortchanged. City Council members did not have time to research the issue and most importantly, the citizens of North Canton did not get a chance to participate in the process of government. By the time the public became aware of the request to fund the skateboard park, the legislation had been voted on and passed. At this point the citizens felt that it was too late to provide any input on the issue. I do not feel that this is the way City Council should handle the public's business. Expediting legislation should only be done when there is a true threat to the safety and welfare of the citizens of North Canton.

There are a number of reasons why the Dogwood Park tennis courts are not a good location for the proposed skateboard park:

- ✓ Dogwood Park has a very high number of recreational activities concentrated in a small area. These include the swimming pool, ball fields with little league and organized baseball, softball and tee ball events, picnic facilities, playground facilities, rental hall with attendant family and business gatherings, basketball and tennis courts.

Along with all of the traffic that these functions bring to Dogwood Park, there is the added traffic generated by the emergency squad and the traffic that comes with Hoover High School. There is simply a lot of traffic that is concentrated in and around a very small city park.

- ✓ The schools use the lighted tennis courts during times of simultaneous tournaments. The city's recommendation that residents can utilize the tennis courts has some limitations as the schools utilize their own courts for a number of activities. These activities are noted in an attached letter from the Superintendent of the North Canton City Schools. Specifically, the girls use the courts in the fall and the boys use the courts in the spring. The physical education classes use the courts in the fall and spring. In addition, the high school tennis courts are not lighted.
- ✓ The Dogwood tennis courts are used by city residents and have been a popular location in the city for tennis for a long time. The fact that they are lighted allows for evening play.
- ✓ It is not right to eliminate one recreational facility that is used and enjoyed by older citizens of the city in favor of another recreational facility dedicated for a high-risk activity for a younger age group.

In addition to the opposition to the Dogwood Park location by the residents, I have some concerns regarding the operation of the skateboard park. I understand that if the city does not supervise the skateboard park the city will not be liable for injuries, but I do think this lack of supervision offers little comfort for parents of children who might be injured while skateboarding in the city's skateboard park. Attached is an e-mail from a commercial skateboard park operator that describes just a few of the issues that arise without supervision of children. These include: mixing inexperienced and advanced skateboarders, vandalism and destruction of property, a lack of enforcement of safety rules and the use of safety equipment. The operator states "Do be prepared for complaints about injuries like broken bones and cuts that require stitches." I also have attached a copy of a waiver that this operator has all skateboarders sign when using this skateboard facility.

In the last few weeks, I have had a chance to visit four outdoor municipal skateboard parks and one indoor commercial skateboard facility. The four outdoor municipal skateboard parks were in Canton, Akron, Cuyahoga Falls and Independence. My trip to Independence was interesting in that I learned that they have closed their skateboard park after three years. Their Recreation Director, Ed Kostyack, told me that there were problems with noise and vandalism and that at present there were no plans to rebuild the skateboard park. He said that if they did rebuild that they would locate the new skateboard park a good distance away from residences. All four of the municipal skateboard parks I visited did not provide supervision.

The commercial skateboard park that I visited is an indoor facility located in Green named JOES SKATEPARK. It is a supervised facility that provides training and has a pro shop for equipment repairs and sales. It also sells safety equipment, which is required to be worn.

JOES SKATEPARK has a web site and can be found at <http://www.joesskatepark.com>. This is the only commercial facility I am aware of that is nearby.

In spite of the fact that municipalities are protected from liability, I am attaching literature from The Hartford Loss Control Department (<http://www.thehartford.com/corporate/losscontrol/SBA/TIPS.htm>) as well as from the Washington Cities Insurance Authority (<http://www.mrsc.org/planning/sktdocs.htm>) who recommend that cities limit their liability exposure by transferring the risk to a Third Party.

There is great concern from the residents in the neighborhoods surrounding Dogwood Park to putting the skateboard park in Dogwood Park. There is alarm and dismay that the users of one of the city's most treasured tennis courts could lose the use of their tennis courts. And finally there are a wide range of operational and liability issues concerning an unsupervised skateboard park operated by a municipality. Given all of these issues concerning the proposed use of the Dogwood Park tennis courts for an unsupervised skateboard park, I would like to propose that the City of North Canton subsidize passes to any commercial skateboard facility in the area for North Canton residents who want to pursue skateboarding. This would give the city time to assess the true level of interests that exists in the city for skateboarding and come up with a new proposal for a skateboard park site. Data could be collected on injuries suffered by city residents using a supervised skateboard park under this arrangement with a commercial operator. This will allow the city more time to study how North Canton should proceed in building a city owned skateboard park and alleviate the concerns of the neighborhood residents of Dogwood Park and save the much enjoyed tennis courts at Dogwood Park.

Mayor Rice, I am sure you will balance all of what I have presented on behalf of the residents in the neighborhoods near Dogwood Park and do what is right.

Sincerely,



Chuck Osborne
Councilman at-Large

cc:

City Council
Director of Administration
Dogwood Park Neighborhood Residents

Attachments:

Petition Signatures opposing the Dogwood Park Location
Letter from Superintendent of North Canton City Schools
E-mail from co-owner of Joes Skate Park in Green
Waiver of liability used by Joes Skateboard Park
Technical Information Paper from The Hartford Loss Control Department
Information from the Washington Cities Insurance Authority