

**CHAPTER XLIV  
PARK BOARD**

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**44.01 PURPOSE.** In June of 1998 the Village of Elkhart Lake (“Village”) purchased real estate from the Elkhart Lake-Glenbeulah Athletic Association (“Athletic Association”) for the purpose of the development and construction of an athletic park located in the Village. The official name of the Athletic park is hereby designated **ELGAA PARK** (“Park”). The purpose of this ordinance is to create a park board consisting of representatives of the Village and the Athletic Association, which will have the authority to oversee the planning and use of the Park.

**44.02 PARK BOARD.** A park board is hereby created consisting of six members, three of whom shall be appointed by the Village Board and three of whom shall be appointed by the Athletic Association. The Park Board may consist of Village Board members or residents of the Village of Elkhart Lake at large. The Athletic Association appointees shall have an equal voice on all matters coming within the jurisdiction of the park board. Members shall be appointed for a three year term commencing on May 1<sup>st</sup> of each year with the first time appointments to be staggered, one, two, and three years for the Village and Athletic Association.

**44.03 ORGANIZATION.** The park board shall have the authority to establish rules governing its meetings and to elect a chairperson. Meetings shall be governed by and subject to the rules contained in Roberts Rules of Order, Newly Revised. A vice chair person shall be elected who shall act as chairperson in the absence of the appointed chair. The park board shall maintain a correct record of its proceedings and shall meet at such times as it may determine. Meetings of the park board will be open to the public and all records shall be kept on file with the Village Clerk and open to inspection by the public at all reasonable hours. Regular meetings shall be held monthly. An agenda for each meeting shall be prepared by the chairperson to reflect matters of concern regarding the Park as expressed by the Village Board or citizens of the Village. The agenda shall constitute notice under the Open Meeting Law. Pursuant to the Open Meeting Law, no action shall be taken unless noticed in the agenda.

**44.04 DUTIES OF THE PARK BOARD.** The Park Board shall:

- (1) Consider the future plans and goals for the use of the Park and make recommendations to the Village Board regarding specific uses and policies affecting the Park that will further these plans and goals.
- (2) Establish rules and regulations for the use of the Park
- (3) Provide recommendations to the Village Board regarding necessary capital improvements to the Park.

- (4) Oversee the implementation of the master plan created for the Park.
- (5) To the extent authorized by law, the park board shall exercise all powers within its jurisdiction of this ordinance and Chapter 27 of the Wisconsin Statutes, as amended.

**44.05 ATHLETIC ASSOCIATION.** The Village Board acknowledges that in its agreement with the Athletic Association for the acquisition of the Park, the Athletic Association reserved the exclusive right to determine admission fees, concessions and concession pricing, or any other fund-raising methods at the Park. The Village Board also acknowledges that, to the extent authorized by law, the Athletic Association reserved the right to administer the day-to-day operations of the Park. The park board shall exercise its jurisdiction consistent with the powers reserved by the Athletic Association. Notwithstanding the preceding, the Athletic Association shall comply with all relevant public access and non-discrimination rules, regulations and laws established by the United States, the State of Wisconsin and the Village.

**44.06 RECEIPTS.** To the extent authorized by law, for as long as the Athletic Association maintains itself as a nonprofit organization it will have the exclusive right to provide concessions at the Park, whether by event admissions, rentals, food and beverage concessions, or any other legal means (together "Park Commission"). The net profits of the Park Concessions shall be used for maintenance and development of the Park or the development of other athletic programs within the Elkhart Lake-Glenbeulah School District. Park concessions shall not be used for the maintenance or development of non-Park facilities or parks.

**44.07 ANNUAL REPORT.** The park board shall provide to the Village Board an annual report describing in reasonable detail receipts and disbursements, the level of activities within the Park, a summary of maintenance and improvement projects, and other significant events. The annual report shall be forwarded to the Village Clerk for presentation to the Village Board on or before March 1<sup>st</sup> of each year.

**44.08 VILLAGE JURISDICTION.** Notwithstanding anything to the contrary contained in this ordinance, the Village reserves all rights available to it under law relating to the ownership and control of the Park, including, without limitation, the expenditure of public monies for the Park and the enforcement of laws relating to the use of the Park