

City of Montgomery
Parks and Recreation Committee Minutes
October 14, 2024

Staff Present

Brian Riblet, City Manager
Tracy Henao, Asst. City Manager
Terry Donnellon, Law Director
John Crowell, Police Chief
Gary Heitkamp, Public Works Director
Connie Gaylor, Clerk of Council

Committee Members Present

Catherine Mills-Reynolds, Chair
Sasha Naiman

Committee Members Absent

Craig Margolis

The Parks and Recreation Committee of Council convened its meeting for October 14, 2024 at 3:30 p.m. with Mrs. Mills-Reynolds presiding.

New Business

Pickleball Discussion

Mrs. Mills-Reynolds explained to those in attendance that the purpose of the meeting was to provide a final discussion on the construction of pickleball courts at Weller Park and the closing of courts at Dulle and Swam Parks. She asked Mr. Riblet to provide history on the development of pickleball in Montgomery as there were many people in attendance who may not be familiar with the process up to this date.

Mr. Riblet explained that recently there has been an increase in emails regarding the construction of pickleball courts at Weller Park and the existing courts at Dulle and Swaim Parks. He provided an overview of the meetings that were held regarding pickleball as follows:

- September 12, 2022- In 2020 the Dulle Park tennis courts were converted to pickleball. Staff began receiving complaints from neighbors regarding noise and the Committee considered restricting the hours. Recreation Department staff began researching feedback on the issue and through the National Parks and Recreation website it was realized that the noise issue is not unique to Montgomery.
- March 13, 2024- The Parks and Recreation Committee met to discuss the increasing popularity of the sport and to find a solution to the high usage at Dulle Park. To address the overcrowding of the courts at Dulle Park a Swaim Park tennis court was converted to pickleball. The Committee tasked staff with finding a long term solution. Staff researched acoustical fencing that would curb the noise; however, the data and cost did not support that as a viable solution. At the same meeting, the Committee proposed to residents representing both pickleball players and neighboring property owners to restrict the hours from 8:00 a.m. to 7:00 p.m. Everyone at the meeting agreed to the restriction as a compromise until a long term solution was found.
- June 19, 2023- Staff and the Committee discussed an alternate site at Weller Park. Mr. Riblet explained at the meeting the growing number of noise complaints and that the

typical player was not able to get a court at Dulle due to the more competitive level of players who were not always accommodating to new players.

- November 13, 2023-The Chair and Vice Chair of the Parks and Recreation Commission were present to discuss their research for methods that would reduce noise levels, however there were no proven results. The Commission members recommended to keep the restricted hours. Staff reported at this meeting that complaints were also being heard from neighboring residents of Swaim Park about the noise and violation of the restricted hours. Residents were reporting negative encounters at the Dulle Park courts. Also at this time, the 2024 Budget review was in process and staff was directed by the Committee to include funding in the 2024 budget to move forward with the installation of 6 pickleball courts at Weller Park.
- July 15, 2024- A meeting of the Parks and Recreation Committee revisited the issue hearing residents both in favor and against pickleball. Mr. Riblet forwarded a notice of litigation if the issue was not resolved from neighboring property owners. Legislation to construct courts at Weller Park was introduced to City Council. Due to a growing number of enforcement issues with people violating the hours and even climbing the fences to get onto the courts signs were posted at the Dulle and Swaim courts stating that violation of the hours could result in arrest.

Mr. Riblet closed by explaining that pickleball has become a common issue that communities are dealing with differently. He stated that some communities are removing the courts all together while others are restricting hours and/or restricting days that pickleball could be played. He stated that the City is not against pickleball but has to provide it in a way that is away from homeowners.

Mrs. Mills-Reynolds explained that while it was a full vote from City Council to construct the new courts at Weller and to remove the courts at Dulle and Swaim parks that they do retain the right to look at the issue again if products changed that would remove the noise issue. She stated that the Committee decided to have this meeting to provide a forum for people to express their opinions and to understand the history leading up to the decision.

Mrs. Mills-Reynolds stated that she would open the floor to public comment and asked guests who wished to speak to state their name, address and to keep their comments under three minutes. She also asked if someone had the same opinion as another spoke to just state that they agree.

Marcia Ridley, 1039 Heritage Lake Drive, Montgomery-Ms. Ridley explained that she lives at Twin Lakes and that she understood that a new ball is being designed to make the noise quieter. She stated that she does not want to see the courts taken away and then within a year a better product be released.

Sara Kosel, 7451 Kennedy Lane, Sycamore Twp-Ms. Kosel stated that noise around parks is expected and does the City want to shut down parks because of noise. She stated that the residents who complained need to suck it up as parks are part of the community.

Patricia Ciarniello, 9910 Barnsley Court, Montgomery-Ms. Ciarniello explained that she owned a home in walking district of the park and questions the hours in general. She stated that the noise

did not bother her. She explained that she does not play but her children like to play tennis. She stated that they arrived at the park at 6:45 p.m. and were frustrated with the restricted hours. She stated that it seemed extreme to her.

Debbie Richer, 9373 Old Village Drive, Loveland-Ms. Richer stated that while she was not a resident, she does play at Dulle and has not encountered problems with people being unfriendly.

Karen Dalton, 5755 Fawn Run Dr, Mason-Ms. Dalton explained that she lives in Mason. She stated that she loves Dulle Park and the people who play there. She explained that she took her grandson to Swaim and seen the signs that stated violators would be arrested. She stated that it frightened her grandson. She added that people who used to live in Montgomery come back to play at the parks in Montgomery.

A.J.-resident of Loveland stated that he has played at Dulle for three years and that it was a gem with a perfect location. He stated that there is a community of players that will fall apart if the courts are closed.

Charlene Wirthlin, 4091 Spyglass Hill, Mason-Ms. Wirthlin stated that she has been playing since 2015 and has traveled to Dayton and all over to play. She stated this is very convenient and was like going on vacation, the park was so nice.

Kim Stoll, 8037 Monte Drive, Montgomery-Ms. Stoll explained that her house backs up to Swaim Park and she has lived there the whole time since pickleball has been added to the courts. She stated that she loves pickleball and that the noise is not annoying. She stated she felt people know what they are buying when they move next to a park. She stated she has zero issue with the noise.

Brian Bonner, resident of Wyoming-Mr. Bonner explained that although Wyoming has pickleball courts he comes to Dulle Park because of the organized open play community. He stated that he comes as he wants to play regularly. He explained that he was concerned about the sun exposure at Weller Park as there is a good amount of shade at the Dulle courts. He added there will also be a parking issue at Weller due to the various activities held there.

Mary Jo Byrnes, 7980 Schoolhouse Lane, Montgomery- Ms. Byrnes explained that on a Saturday or Sunday there are normally around 24 cars at Weller and with the addition of pickleball there would be another 10-15 cars. She stated that this would be an issue with parking there. She asked if two courts could be kept at Dulle as opposed to getting rid of all the courts. She explained that 90 percent of the players can walk to Dulle. She added that she thought the signage regarding arrest was very heavy handed and should be changed to "subject to fine."

Nancy Paul, resident of Indian Hill-Ms. Paul state that she felt closing the courts at Dulle and Swaim was giving up a valuable asset in the community.

Steve Herbold, 117007 Hinley, Forest Park-Mr. Herbold stated that he felt that people have put a lot into making the facility better and making everyone feel accepted.

Bethany Davis, 1393 Double Eagle Ct., Lebanon-Ms. Davis stated that she concurs with everything already spoken.

Lucy Gruen, 7585 Shadowhill Way, Montgomery-Ms. Gruen explained that she plays at Swaim and loves that court as it is next to the playground where she can let her children play while she plays. She stated that they can play then walk into Montgomery or Blue Ash to eat. She added that keeping the courts open encourages community and healthy lifestyle.

Sandra Anzaldua-Campos, 11049 Toddtee Ln., Montgomery-Ms. Anzaldua-Campos stated that she was upset that the courts would be removed as she felt that after moving to Montgomery, she was able to find community and meet people while playing pickleball. She explained that playing pickleball helped with her depression and was good for mental health as well as physical health.

Mark Tessel, Sycamore Township-Mr. Tessel very aggressively asked if the decision to move the courts was even up for discussion. He demanded an answer. Upon his rude behavior, he was asked to leave the meeting.

Mrs. Mills-Reynolds explained that City Council did vote to close the courts at Swaim and Dulle parks once the courts at Weller Park were finished.

Mrs. Naiman added that while it is a done deal right now that Council would be open to reconsider if better products were found to reduce the noise.

Colleen Neal, 8001 Monte, Montgomery-Ms. Neal stated to those in attendance that they would not want pickleball in their back yard. She explained that there is a difference in noise between tennis and pickleball. She explained that she had noise readings taken at different places in her yard and by her home and they all exceeded the noise ordinance. She thanked Brian Riblet, City Council, and the police for listening to her concerns.

Cindy Broderick, 9115 Whispering Hill, Indian Hill-Ms. Broderick stated that the problem is not the Weller Park courts it is the closing of the others. She stated it was a waste of money to close the courts at Swaim and Dulle parks. She added that there are over 500 people on the Dulle Group Me app and that only a small number were in attendance at the meeting.

Jonathan Beers, 8141 Traverse Ct., Montgomery-Mr. Beers explained that he understands there are different sides to this issue but that he likes compromise and asked if a couple courts could be left at Dulle which should reduce the noise.

Dave Clark, 10425 Deerfield Rd., Montgomery-Mr. Clark stated that he has lived in Montgomery since 2013 and once served on the Landmarks Commission. He explained that he lives near the new roundabout near Deerfield and Pfeiffer roads. He explained that while he does not play pickleball he knows that a majority of people like to play and changing the courts based on one to two people is not fair. He stated that he feels the City picks and chooses what is important. He stated that he does not hear the noise from pickleball in Dulle park. He added that parking at Weller Park would be a nightmare as it is already limited with the sports that are played there.

Mrs. Mills-Reynolds asked Public Works Director Gary Heitkamp to provide an update on the construction of courts at Weller Park.

Mr. Heitkamp explained that the City contracted with Prodigy Building Solutions to convert the existing pickleball courts at Weller Park to a larger surface that will hold six courts. He added that

there will be respite area that will have a shade structure. He explained that weather permitting the goal is to complete the courts within the next month or two. He emphasized that it would require warm weather to put the final court markings on the asphalt. He stated that if the weather does not permit that, temporary markings could be added until the spring when temperatures would permit the final markings. He explained that the courts at Swaim were around 120 feet from the nearest home on Monte, the courts at Dulle were 100 feet away from the nearest home on Deerfield Road, and the Dulle courts were 170 feet from the nearest home on Symphony Lane. Mr. Heitkamp stated that at Weller Park the homes were 600 feet from the courts. He added that Prodigy has installed many pickleball courts and that he and other staff members toured 12 facilities before working with Prodigy to design a top notch facility.

Mr. Donnellon explained that as the evolution of pickleball has expanded due to the popularity of the sport so had litigation across the United States. He stated that it is a question of rights of those who play and the rights of those who live next to courts. He explained that the practice of the City is to stop and study and this is a process of study. He stated that the study of technology to offer better paddles and balls as well as the best time of play would continue to be conducted. He stated that the City was fortunate to fund the construction of the new courts to offer an alternative that still provides courts to the residents and community.

Mrs. Naiman stated that it is very clear that pickleball is a beloved sport. She explained that the importance of physical and mental health benefits that pickleball provides is not lost on City Council and the Committee. She stated that this is a tough decision, and the consideration of all options were studied. She explained that discussions regarding staggering days, restricting time and changing courts were all thoroughly vetted. She explained that park noise is very different than pickleball noise. She explained that the homeowners directly affected purchased their homes prior to pickleball. Mrs. Naiman reiterated that City Council reserves the right in the future to put the courts back onto the menu of amenities at the parks if better technology is discovered and found to lower noise levels. She stated that there were no best practices developed when the courts were initially added and most importantly there was no litigation to consider. She stated that Council has to be good stewards of City funds. She explained that the Committee has valued transparency and has been so in all the meetings that have taken place. She stated that staff have investigated landscaping, soundproofing and relocation of the courts at Swaim, however there was not a viable solution that would prove prudent to expending the funds.

An audience member asked what the hours of play at the new courts at Weller would be.

Mr. Riblet replied that the hours would be unrestricted and follow the general hours of the park. He added that the courts would not be lit consistent with all the parks.

Mrs. Mills-Reynolds thanked all that came to the meeting for sharing their concerns and opinions.

Minutes

Mrs. Naiman moved to approve the minutes from July 15, 2024. Mrs. Mills-Reynolds seconded. The Committee unanimously agreed.

Other Business

There was no other business for discussion.

Adjournment

Mrs. Naiman moved for adjournment. Mrs. Mills-Reynolds seconded. The Committee unanimously agreed. The meeting was adjourned at 4:35 p.m.


Chair