

**OFFICE OF THE CITY MANAGER
DES MOINES, IOWA**

**CITY COUNCIL COMMUNICATION 96-489
NOVEMBER 18, 1996 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
MODEL AIRPLANE FLYING AT EWING PARK	◆ RESOLUTION ORDINANCE RECEIVE/FILE	DON TRIPP PARK AND RECREATION DIRECTOR

SYNOPSIS —

The following alternatives have been prepared to consider future uses of 5100 Indianola Avenue portion of Ewing Park.

1. Continue to post permitted model airplane flying with registration, but divert other department resources to begin monitoring activities.
2. Discontinue allowing model airplane flying at Ewing field.
3. Discontinue allowing model airplane flying at Ewing field, but if an alternate location isn't secured for U-control (airplanes which fly at the end of a wire) flyers by February 1, 1997, the Board will reconsider a designated U-control flying location in the Des Moines Park system.

FISCAL IMPACT —

A \$5 registration fee is currently paid by model airplane flyers to obtain a flying permit for Ewing Park. This year 17 people obtained permits, resulting in \$85 in fees collected by the City. With the discontinued use of Ewing Park as a flying location, no further fees would be collected.

RECOMMENDATION —

Staff recommends Alternative 3—discontinue allowing model airplane flying at Ewing field, but if an alternate location isn't secured for U-control flyers by February 1, 1997, the Board will reconsider a designated U-control flying location in the Des Moines Park system.

BACKGROUND —

According to City Ordinance 15-144 Power-Driven Model Airplanes, "No one shall fly, glide, or play with a power-driven model airplane in any city park except in areas clearly designated by a sign permitting such activity in a conspicuous place." The only current location of such posting in the Des Moines Parks system is in an area of Ewing Park, located at 5100 Indianola Avenue. Since at least 1986, the model airplane flying at this field has been a source of conflict, including flyer and neighbor disagreements, disputes about flying rules, differences of opinion on location of flying accessories, and others. On two occasions, the City has attempted to institute a flyer's registration program intended to accomplish three things:

- require flyers to carry liability insurance,
- communicate field rules, and
- identify flyers.

In 1986, the City Council overturned the Park and Recreation Board's flying permit program; but, when attempted again in 1994, by Roll Call No. 94-2548, the City Council approved the Board's recommendations on field rules and registration program. The registration program has been in place for the 1995 and 1996 seasons. It requires the registrant to show proof of registration with the Academy of Model Aeronautics (including liability insurance), and certifies that they agree to fly by the approved field rules and pay a \$5 processing fee. Participation in this registration is required but compliance is voluntary, as the City does not monitor the area. If there are complaints, the City attempts to contact the responsible party and check their registration. Since the registration process started, there have not been any complaints to the Park and Recreation Department concerning violations of field rules. There are 17 flyers registered for 1996. Staff has observed that there are not many more flyers than this number indicates.

At the October 21, 1996 City Council meeting, further questions about model airplane activity in Ewing Park were received and referred to the Park and Recreation Department and Board for review. On November 5, 1996, the Board reconvened the 1993-1994 user committee that helped establish field rules and registration procedures. It was noted at this meeting that the conflicts at the site were related to the use of radio control airplanes, but those who fly U-control were satisfied with the current program, and had no significant issues.

Further, it was discovered that radio control flyers have other options. Flying fields exist at three locations in metro Des Moines. These fields require similar registration and insurance proof, but are more closely monitored. There are no other designated U-control sites in the region.

Park and Recreation Board President Jerry O'Rourke offered to make contact with the Aviation Expo organization to find out if either the remote control or U-control could be accommodated at their Ankeny location. The U-control representatives seemed very open to this option.

The current posted approved use of Ewing Park for flying is not exclusive, but does allow flyers to ask other users to leave the site if they are flying airplanes. The Park and Recreation office has received flyer complaints about this site being used for other activities, but at no time has the City ever agreed to dedicate this park to a single activity.

COMMENTS :

The Ewing Park Flying Field conflicting areas have continued for 10 years. The field is near a current and growing residential area, creating a predictable conflict. The City is not charged with the responsibility to accommodate all personal hobbies. The Park and Recreation Board, through comprehensive planning, has identified those activities of which staff should be directing resources. Even so, Park and Recreation staff may be able to assist those enthusiastic with serving their sport through acquiring a viable long-term location.