

BILL NO. : 3 OF 2021  
INTRODUCED: MARCH 9, 2021  
BY: PRESIDENT MATTHEW T SHORRAW  
ENACTED: APRIL 13, 2021  
ORDINANCE NO: 1233

CITY OF MONESSEN

MONESSEN RECREATION BOARD ORDINANCE  
AMENDMENT

ORDINANCE 1233

AN ORDINANCE OF THE CITY OF MONESSEN, WESTMORELAND COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE 15 OF 1971 (ORDINANCE 708); AMENDING ORDINANCE 3 OF 2018 (ORDINANCE 1207); ESTABLISHING DUTIES, PROCEDURES, AND A PURPOSE FOR A RECREATION BOARD BY AND FOR THE CITY OF MONESSEN; PROVIDING TERMS; REGULATING MEMBERSHIP; REPEALING INCONSISTENT ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, it is crucial to have an entity to effectively plan, implement, and execute recreational activities throughout the City of Monessen, in order to improve the quality of life for residents of all ages, especially our youth, and to provide for the general public good, and;

**WHEREAS**, the Mayor and Council of the City of Monessen are desirous in amending Ordinance 15 of 1971 (Ordinance 708), and;

**WHEREAS**, the Mayor and Council of the City of Monessen are desirous in amending Ordinance 3 of 2018 (Ordinance 1207), and;

**WHEREAS**, the Pennsylvania Third Class City Code, §13705 authorizes the Council of the City of Monessen to establish a Recreation Board and provide provisions and rules regulating membership, and;

**WHEREAS**, the Mayor and Council of the City of Monessen are desirous providing the Monessen Recreation Board, with distinct powers, duties, and procedures, to provide safe and equitable recreation for residents of all ages.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Council of the City of Monessen and it is hereby ordained and enacted as follows:

**Section 1 of Ordinance number 15 of 1971 is hereby amended to read as follows:**

**Section 1. Monessen Recreation Board Created.**

The Monessen Recreation Board ("Board") is hereby created, by and for the City of Monessen, Westmoreland County, Commonwealth of Pennsylvania, following the laws and procedures in the Pennsylvania Third Class City Code §13705.

**Section 2 of Ordinance number 15 of 1971 is hereby amended to read as follows:**

**Section 2. Purpose, Duties, and Intent.**

1. The purpose, duties, and intent of the Monessen Recreation Board shall be to provide high-quality, diverse and accessible programs, services, and facilities that enhance the quality of life for all ages, cultures, and abilities. The board shall aim to both inspire and enrich our Mon Valley culture by engaging the perspectives and voices of our community without bias, of the diverse area in which we live.
2. The purpose, duties, and intent shall also be to provide and aid other organizations in providing equitable, diverse, constructive, and educational recreational programming for residents of all ages, backgrounds, and abilities, within the City of Monessen. Said programming includes, but is not limited to programming at the Monessen Civic Center, Monessen Parks, and the various city-owned sports facilities, or other appropriate venues within the City of Monessen. Programming shall not be limited to sporting activities and shall include but is not limited to programming that is beneficial for the well-being of youth and their mental, emotional, and physical development; programming that aids in the mobility of the elderly and any other programmed suitable for people of all ages and abilities.
3. The Recreation Board shall not discriminate on the basis of race, color, religious creed, ancestry, age, sex, national origin, sexual orientation, gender identity or expression, genetic information, handicap or disability, the use of a guide or support animal, or military status, in any of its activities or operations.
4. The programs of the board shall respond to and meet the diverse needs and interests of the entire community of Monessen.

**Section 3 of Ordinance number 15 of 1971 is hereby amended to read as follows:**

**Section 3. Appointment Procedures, Membership Requirements, Terms.**

1. **Appointment Procedures.** To be considered for appointment, prospective appointees shall:
  - a. Submit a letter of intent to Mayor and Council, and;
  - b. Complete a Board, Authority, and Commission Appointment Application form, and meet the requirements for appointment, as laid out in Resolution 11 of 2020, and;
  - c. Have the necessary and required Child Abuse Clearances and State Police Criminal Record Checks, as laid out by the Commonwealth of Pennsylvania.
  
2. **Terms.** The Monessen Recreation Board shall consist of seven (7) members, who are current residents of the City of Monessen.
  - a. As per Third Class City Code § 13705 (d), the members of the Monessen Recreation Board shall be appointed by the Mayor with the approval of council.
  - b. Each member shall serve five-year terms. The terms of said members shall be staggered in the following manner: Year 1: Two expirations; Year 2: One (1) expiration; Year 3: Two (2) expirations; Year 4: One (1) expiration; Year 5: One (1) expiration.. This cycle shall repeat in this manner and order. Said terms shall begin and end on the first Monday of January.
  
3. **Vacancy.**
  - a. A vacancy on the board, other than by expiration of term, shall be for the unexpired term, and shall be filled in the same manner as the original appointment.
  
4. **Child Abuse Clearances, Criminal Record Checks Required.**
  - a. As a condition of appointment and participation, all board members must maintain updated child abuse clearances and Pennsylvania State Police Criminal Record Checks, and any other mandatory clearances as required by the Commonwealth of Pennsylvania, during the entire duration of their term. Such clearances and information shall be kept on file at Monessen City Hall.
  
5. **Youth Members.**
  - a. The Monessen Recreation Board shall have two (2) non-voting youth members. The two (2) youth members shall be a junior or senior in the Monessen School District, and shall have all the rights, duties and responsibilities as all appointed board members, with the exception of their ability to vote on matters of the board. The youth members may advise the board on decisions, and shall be included in all business of the board.
  - b. The youth members shall be appointed by recommendation of a faculty, staff, or administrator at Monessen High School, and shall, upon recommendation, submit an application for appointment, as well as a letter of interest, before being considered for appointment. Monessen City Council shall make the appointment by a majority vote.

- c. Youth members shall serve for 1-year terms. If the student graduates before their term has expired, they may remain on the board, so long as the remainder of their term does not exceed six (6) months.

**Section 4 of Ordinance 15 of 1971 is hereby amended as follows:**

**Section 4. Appropriations and Expenditures for Recreation Board.**

1. Appropriations and Expenditures. Mayor and City Council may appropriate funds for the expenses incurred by the Monessen Recreation Board. Appropriations may be expended for such expenses incurred for recreational programming, as may from time to time be required and as shall be within the limit of funds appropriated to the Monessen Recreation Board. The whole or part of any funds so appropriated in any year may be placed in a conservation fund allowed to accumulate from year to year or be expended in any year. Mayor and Council must approve any and all expenditures of the Board. The City of Monessen may also continue to pay certain utility bills and other fees related to the general maintenance and upkeep of the Monessen Civic Center, located at 861 Donner Avenue. All invoices for the Recreation Fund should be submitted to City Hall either directly, when possible, or delivered by a Recreation Board member, if for an expenditure, which generates an on-the-spot invoice, such as a repair job, or other necessary item.
2. Additional Funding. The Board may seek funding for specific programs and projects pursued by the Monessen Recreation Board, based on their powers and duties, on behalf of the City of Monessen, with the approval of the Mayor and City Council. Sources of funding may include, but are not limited to grants and other forms of financial assistance from county, state, and federal agencies. The Recreation Board may also make a written request to Mayor and City Council for Civic Center facility improvements and upkeep, as needed.

**Section 5 of Ordinance 15 of 1971 is hereby amended as follows:**

**Section 5. Board Meetings**

1. Regularly scheduled Monessen Recreation Board meetings shall be subject to the provisions of 65 Pa.C.S Ch. 7 (relating to open meetings). Such meetings shall be advertised, and open to the public, at an accessible location.

**Section 6 of Ordinance 15 of 1971, is hereby amended as follows:**

**Section 6. Reports to City Council.**

1. The Monessen Recreation Board shall submit detailed monthly activity reports and all financial/treasurer's reports to Monessen City Council, for the purposes of transparency, and sharing said information with the general public. Such information shall include a record of names of those who rented facilities, proof of payment for rental, and any other pertinent information. Such report shall be signed by the Recreation Board Treasurer and Secretary, and shall be submitted to the City Treasurer's Office, along with receipts and payments. These reports may be the same weekly reports provided to the City Treasurer's officer, as related to Civic Center Rentals.
2. All supporting documentation for each deposit should also be submitted to the City Treasurer's Office and retained with the standardized form (*Section 10.3*) for intermittent comparison to the rents collected each month.
3. The Monessen Recreation Board shall also submit a yearly activity report and to Monessen City Council in January of each year, reflecting all of the previous years' activity. The City Treasurer's office shall supply a yearly financial statement that is reconciled with Recreation Board record keeping.

#### **Section 7. Monessen Recreation Board Officers.**

1. The Monessen Recreation Board shall select officers among its membership. The following officer positions shall exist:
  - a. President
  - b. Vice President
  - c. Secretary
  - d. Treasurer
  - e. Historian

The Officers of the Monessen Recreation Board shall serve 1-year terms in their officer positions. No member of the Monessen Recreation Board shall hold more than two consecutive 1-year terms in an officer position, during their 5-year appointed tenure on the Recreation Board.

2. The Monessen Recreation Board shall establish bylaws based on Robert's Rules of Order. Such bylaws shall not conflict with any provisions of this Resolution or any governing ordinance. In the instance where bylaws conflict, this ordinance supersedes said bylaws.

#### **Section 8. Compensation.**

1. The members of the recreation board shall serve without pay.

#### **Section 9. Liaisons to the Monessen Recreation Board.**

1. The Monessen City Council may appoint a member of Council to serve as a non-voting liaison to the Monessen Recreation Board.
2. The Monessen School Board may, in writing, request that a Monessen School Board member be considered for appointment as a non-voting liaison to the Monessen Recreation Board. Such request should be sent to Mayor and City Council. City Council shall decide to accept or deny the appointment based on a majority vote of City Council.

#### **Section 10. Civic Center Rentals.**

1. The facilities at the Monessen Civic Center at 861 Donner Avenue may be rented out or leased for events or office space. Said space may be rented for either temporary or extended durations of time. Such rentals or leases must be conducted by administering a lease/rental agreement drafted and administered by the City of Monessen, and attached to this Ordinance as Exhibit "A". In the case of a temporary/event rental, the agreement shall be conducted through the Treasurer and Secretary of the Recreation Board, and submitted to the City Treasurer's Office. In the case of an extended lease for Office space or a similar agreement, such agreement(s) shall be approved by a majority vote of City Council. Any organization renting the Monessen Civic Center, shall provide a copy of proof of liability insurance to the City of Monessen, upon rental of the facility.
2. The Monessen Civic Center gym facilities may also be rented out gym for events, both public and private, as well as league games and other appropriate functions. The City may, from time to time, schedule its own sponsored events at the Civic Center.
3. The Secretary and Treasurer of the Recreation Board shall manage rentals at the Monessen Civic Center. The Secretary and Treasurer shall maintain a standardized document that is accessible by both the Recreation Board, as well as the City of Monessen Treasurer's Office. This is to ensure that money collected for rentals, agrees with line items listed in the standardized document. The standardized form shall be established by the Treasurer's Office in order to demonstrate the level of detail required from Recreation Board.
4. All Recreation Board monies, receipts, and an accompanying report signed by the Recreation Board Treasurer and Secretary shall be submitted to the City Treasurer's Office not less than once per week. If no receipts have been collected, the Treasurer shall indicate, in writing, to the City Treasurer, signifying such.

5. Rental Fees for the Monessen Civic Center shall be as follows:
  - a. Resident: \$30 per hour
  - b. Non-Resident: \$35 per hour
  - c. All-Day Gym Rental: \$300 per day
  - d. Special Event: Determined by the Recreation Board and/or City Council, based upon the scope, type, and duration of event.
  - e. At the time of the adoption of this Ordinance, all existing written agreements for league games and other facility usage remain in full force and effect until their respective expirations.
  - f. Items (a) through (c) and any other fees incurred shall be included in the City of Monessen's approved annual fee schedule.
  - g. Rental fees may be waived for special events, by the organizers giving written request to the City, for approval. In the event that a request made involved an event that occurs before a scheduled Council Meeting, either the City Administrator, or the Director of Parks and Public Places and the Recreation Board Liaison, if one exists may issue approval in writing to the organizers.

**Section 11. Civic Center Building.**

1. The Civic Center Building located at 861 Donner Avenue, as well as any and all future buildings with the same purpose, shall be owned by the City of Monessen. Such building or buildings shall remain a public building, and remain available for public use, for a reasonable duration of time, per day, and/or week.
2. The City of Monessen and one (1) designated Recreation Board Member, and any permanent tenants are solely allowed to have or hold a key or access code for entry to the Civic Center building. No other persons or entities shall have such free access. Visitors to the Monessen Civic Center must be supervised at all times.
3. Only law enforcement personnel shall have any and all access to cameras on the interior of exterior of the Monessen Civic Center Building, for security purposes.
4. The Recreation Board may decide to provide an 'Open Gym' day or days, at their discretion, and may do so, only if a least one Recreation Board member or City Official is present to supervise the facilities during the time of open gym. The board may decide to have an open gym day to provide members of the community an additional recreational opportunity.

5. Events held at the Civic Center shall not extend beyond 10 pm, unless written consent from the City has been received.

**Section 10. Severability.**

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall be severable and shall not affect or impair any of the remaining provisions, sections, sentences, clauses, or parts of this Ordinance; it being the intent of the City of Monessen that the remainder of the Ordinance shall be and shall remain in full force and effect.

**Section 11. Repealer.**

All ordinances, including, without limitation or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.


**Section 12. Effective Date.**

This Ordinance shall come into effect immediately upon enactment.

**ORDAINED AND ENACTED** this 13<sup>th</sup> day of April, 2021, by the Council of the City of Monessen, in lawful session duly assembled.

ATTEST:

  
Cheryl Gordon  
City Clerk

  
Matthew T. Shorraw  
Mayor and President of Council





**MONESSEN CIVIC CENTER RENTAL/USAGE AGREEMENT  
EXHIBIT "A" -RESOLUTION 5 OF 2021/ORD. 1233**

**FEES:** Resident: \$30 per hour; Non-Resident: \$35 per hour  
All-Day Gym Rental: \$300 per day;  
Special Event: Determined by the Recreation Board and/or City Council, based upon  
the scope, type, and duration of event.

DATE OF APPLICATION: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

EMAIL: \_\_\_\_\_

ACTIVITY: \_\_\_\_\_

DATE AND TIME REQUESTED: \_\_\_\_\_

DURATION OF TIME REQUESTED: \_\_\_\_\_

By signing this form, I agree to the terms and conditions set forth by the City of Monessen for the purposes of using the Monessen Civic Center at 861 Donner Ave. The undersigned agrees to release and hold the City of Monessen, the Monessen Recreation Board, and its officers, agents, and employees harmless from any and all liability, claims, costs and Attorney's fees and expenses in case it shall be necessary to file and action, arising out of the use of the property referred to above, which is for bodily injury; illness or death, or for property damage, including loss of use and caused in whole or in part by negligent acts of omissions or that of a subcontractor, or that of anyone employed by them or for whose acts contractor or subcontractor may be liable. I understand that this hold harmless agreement also requires that the City of Monessen and Monessen Recreation Board is indemnified from any losses or damages resulting from the acts of omissions from any guest, participant, visitor, or other person attending the event herein referred to. The Monessen Civic Center shall be closed after 10pm.

SIGNATURE OF RESPONSIBLE ADULT: \_\_\_\_\_

DATE: \_\_\_\_\_

Office Initials \_\_\_\_\_