

AN ORDINANCE REGULATING THE USE OF WESSELMAN PARK

Whereas, the Common Council of Evansville, Indiana, as the legislative body of the City, has the power to adopt and amend ordinances relating to the administration of City government;

Whereas, the City administration, interim Parks Director, Division of Parks and Recreation, and the Board of Park Commissioners (collectively, the "Parks Board") have proposed a new 24-court pickleball facility at Wesselman Park, which is owned and operated by the City of Evansville;

Whereas, the first phase of the project is estimated to cost \$1.5 million, which the Parks Board states will be funded through a public-private partnership;

Whereas, the Parks Board has worked closely with the Evansville Pickleball Outdoor Courts (EPOC) to ensure a future for pickleball in the Evansville community;

Whereas, pickleball is one of the fastest-growing sports in the United States, the Common Council of Evansville, Indiana ("City Council") remains supportive of new and innovative ways for City parks to cater to this growing constituency;

Whereas, despite City Council's support for pickleball options generally, there remains significant and substantial concerns regarding the Parks Board's choice for locating the proposed new facility;

Whereas, the Parks Board proposes to locate of the new pickleball facility in an open meadow near existing tennis courts at Wesselman Park (hereinafter, "Wesselman Meadow");

Whereas, although City Council has approved certain financing and funding for Parks Board plans, City Council has not yet approved nor voted on the location of any pickleball facility;

Whereas, City Council has heard and received substantial input from Evansville residents who use the Wesselman Meadow, including by people walking, jogging, biking, and enjoying nature, in, next to, and around Wesselman Meadow, as well as residents living near Wesselman Park;

Whereas, near Wesselman Park is Wesselman Woods, a National Natural Landmark that features 200 acres of virgin bottomland hardwood forest and is home to more than 300 species of wildflowers, 150 species of birds, and many mammals;

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*Anna Widnowski*  
CITY CLERK

Whereas, the Wesselman Meadow is surrounded on three sides by woodland habitat, including Wesselman Woods, and therefore viewed by many City Council constituents as a uniquely quiet, serene, and peaceful area within the center of Evansville;

Whereas, placing pickleball courts at the Wesselman Meadow may destroy the quiet of Wesselman Meadow as well as disturb people and wildlife in the surrounding Wesselman Park, Wesselman Woods, and residential areas;

Whereas, the mission of the Parks Board is to create quality of life opportunities by providing safe environments and affordable programs, and to enhance fun, fitness, and education for residents of all ages in our community;

Whereas, the Parks Board can best achieve its mission by preserving Wesselman Meadow in its current state and finding an alternative site for the pickleball courts; and

Whereas, the Evansville Common Council deems it necessary and proper to adopt rules and regulations relating to use of certain Wesselman Park space.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Evansville, Indiana as follows:

Section 1.      Regulation of Wesselman Park. Notwithstanding any other rule, code, ordinance, or provision of local law, the City of Evansville, Indiana, including its Board of Park Commissioners and Department of Parks & Recreation, shall be prohibited from developing, constructing, selling, or leasing (including but not limited to the construction or development of pickleball courts) in the area of Wesselman Park depicted in the red boundary in the attached Exhibit A, without the express prior consent of the Common Council of Evansville, Indiana. Such consent must be expressed via a duly passed and adopted ordinance or resolution following the passage and adoption of this Ordinance G-2023-05.

Section 2.      Effective Date. This ordinance shall be in full force and effect on the day of its final passage and adoption.

Exhibit A



Passed and adopted by the Common Council of the City of Evansville, Indiana, on the \_\_\_\_ day of \_\_\_\_\_, 2023, and signed by the President of the Common Council and attested by the City Clerk.

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Zac Heronemus, President  
Common Council of Evansville, Indiana

I attest to the passage and adoption of the foregoing by the Common Council of the City of Evansville, Indiana, on the above date and that the same, having been presented to me, was delivered to the Mayor of said City, the \_\_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_\_ o'clock \_\_\_\_m. for the Mayor's consideration and action thereon.

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Laura Windhorst, City Clerk  
City of Evansville, Indiana

Having examined the foregoing ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said ordinance and return the same to the City Clerk this \_\_\_\_ day of \_\_\_\_\_, 2023.

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Lloyd Winnecke, Mayor  
City of Evansville, Indiana