



DATE: February 1, 2021

TO: Jessica Vealitzek, Chair
Operations Committee

FROM: Mike Tully
Chief Operations Officer

FOR INFORMATION ONLY: Review of neighboring homeowner's concerns about the public's use of the Fort Sheridan Forest Preserve lakefront.

STRATEGIC DIRECTION SUPPORTED: Public Access and Connections

FINANCIAL DATA: There is no financial impact.

BACKGROUND: At the October 5, 2020, Joint Committee Meeting Commissioners were informed of an email from Shari Coe, a resident of Highland Park and adjacent neighbor at Fort Sheridan, listing a number of concerns about the public use of the lakefront. Staff stated at that time the concerns will be discussed at a future Operations Committee meeting.

Ms. Coe's complaints can generally be grouped into three categories: public safety concerns; ordinance violations; and private property trespass and damage.

The public safety concerns are primarily the District's lack of enforcement of the No Swimming rule, visitors jumping off of man-made structures into the water, and the lack of social distancing and mask-wearing related to the COVID 19 pandemic.

District staff toured the preserve with Tim Lenac, Risk Management Services Supervisor with the Park District Risk Management Agency (PDRMA), the local government District's risk pool of which the District is a member. Mr. Lenac found that the District's "*No Swimming or Wading*" signs were clear and adequate. He suggested additional language stating "*No Water Entry Allowed*". Staff intends to add that language to signs at Fort Sheridan. Staff also intends to place "*Do Not Climb*" signs near the concrete and steel structures. Mr. Lenac reaffirmed that the District has no duty to actively enforce these rules, and is not liable for any injury arising out of non-intended or non-permitted use. The District has had no serious injuries or accidents reported at Fort Sheridan.

Ranger Police Officers will continue to patrol the preserve on a regular basis, and will remind those they see in the water or on the structures of the rules. However, in light of limited resources,

and in the absence of wading or climbing being coupled with other violations for which we would write a ticket (such as disorderly conduct or a refusal to comply with a request to stop wading/climbing), the District's current practice is not to write citations or respond to calls from neighbors or others about visitors violating these rules.

As for the following of COVID-19 related requirements, the District has signs posted at Fort Sheridan, as we do at all preserves, requesting that visitors practice social distancing. Again, in light of limited resources and our general experience that visitors comply with these requirements when reminded to do so, the District's current practice is not to issue citations to preserve users for not adhering to these requirements.

Ms. Coe's email also mentions littering and visitors allowing their dogs to be off leash, which are ordinance violations. Ranger Police Officers do address dogs off leash at the preserve on a regular basis, and issue citations for violations. We will continue to do so. Littering is a little harder to control. Fort Sheridan experiences heavy public use and it is inevitable that there will be some litter at the preserve. Also, Lake Michigan waves regularly deposit material along the lakeshore. Our maintenance crew visits the site daily during the busy season to keep the preserve as clean as possible. Ranger police officers do not ignore littering if they actually see it occur.

Finally, Ms. Coe mentions her concerns about preserve visitors trespassing on and even damaging her private property. Her home and other homes adjacent to the preserve are separated from the preserve by a wrought iron fence. "Private property" signs are clearly posted on the fence. Unfortunately, this may not stop all trespassers. Any trespass to Ms. Coe's property occurs, by definition, outside of District property and therefore outside of the District's primary police jurisdiction. That type of trespass is within the primary jurisdiction of the City of Highland Park Police Department. District Ranger Police officers are authorized under State law to arrest a trespasser if they personally witness the trespass.

The area of the preserve between the Coe's home and Lake Michigan has been a popular area with preserve users since we opened the preserve. Current lake conditions have made it even more so. In previous years, visitors would spread out along the lakefront to the north and south. This past year, as hikers descend the trails to the lakefront they had very little dry beach to walk upon due to the high lake levels. Public use was more concentrated at this relatively small sandy area, which is within the public preserve but is directly adjacent to the private homes.

It should also be noted that some other public beaches and most, if not all, public swimming pools were closed due to the pandemic, as well as day camps, youth sports, summer school and other activities that normally compete with a day at the beach. The Fort Sheridan lakefront has always been popular in the summer, but visitation was at record levels nearly every day in 2020.

REVIEW BY OTHERS: Executive Director, Director of Finance, Director of Public Safety, Director of Operations and Infrastructure, Manager of Human Resources and Risk, Corporate Counsel.