

## President's hoop dreams dashed by board

Written by Carol Pomeday  
Wednesday, 13 July 2011 17:53

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### **Howells effort to change law to allow basketball in streets rejected by trustees concerned about safety**

Basketball hoops that overhang the street, inviting children to play in the roadway, is either an accident waiting to happen or the logical solution to a sloping driveway, depending on your point of view.

The issue was hotly debated by Village of Belgium officials Monday when Village President Richard Howells proposed deleting basketball hoops from the ordinance that prohibits play structures to be placed in public rights of way.

"What I'm told is that somebody got mad because kids didn't move out of the way fast enough," Howells said.

However, those who endorse the ordinance said it's a safety issue.

"If a basketball hoop is overhanging the street, it's there because kids are meant to play in the street," Trustee Vickie Boehnlein said.

Howells' motion failed 4-2 with John Hise supporting the change, but trustees Clem Gottsacker, Jeff Thiel, Jason Acevedo and Boehnlein opposed.

The ordinance was adopted three years ago and has resulted in fewer basketball hoops overhanging streets, Boehnlein said.

Village Marshal Brad Schrap said he's issued warnings to residents with illegal basketball hoops, but some that were moved reappeared when the weather got warm.

"I haven't issued any citations," he said.

"If I were you, I would be writing lots of citations," Acevedo said.

However, Village Atty. Gerald Antoine noted the village doesn't make any money on citations. It costs more for him to prosecute the offender than the \$25 fine.

"You have to remember, \$25 is only the fine. There are also court costs, which can bring it \$175. That's a hefty price for residents," Antoine said.

"I prefer warnings to citations. We don't want to be punitive. We want them to comply with the ordinance."

However, the ban was viewed as overly cautious by Hise, who said he played in his street while growing up.

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"I never did," Acevedo said. "My father would have killed me if I did."

Resident Kenneth Kumar said as long as parents are aware of the danger, the village should stay out of it.

"What happens if a kid gets injured or killed? How would we feel then?" Boehnlein asked. "It's unsafe to play in streets."

Anderson added, "I'm one of those who has a flat drive, so my basketball hoop can be in my driveway. I can understand how people who don't have a flat driveway feel, but it's still a safety issue."

Two residents who sat through much of the meeting left before the basketball hoops issue was discussed because of other commitments, Schrap said. They supported allowing the hoops to stay.

Schrap said he drove through the village in spring and issued warnings to residents whose basketball hoops were in public right-of-ways. He said he will continue to issue warnings, but hopes he doesn't have to give citations.

Boehnlein suggested he include the cost of the fine with court costs when he sends warning letters.

### Marshal wants raise or help

In a related matter, Schrap asked the board to hire a deputy marshal or increase his pay to reflect that he's doing two people's jobs.

Schrap, who is paid \$3,000 a year, said he's been putting in between 15 and 20 hours a week since Scott Brinkman resigned as marshal three months ago and he was promoted from deputy marshal to marshal.

"Then the village decided not to hire a deputy marshal, but it's a lot of work for one person, especially during the busy times," Schrap said.

The busiest times are enforcing winter parking restrictions and dog licenses, he said.

Dog and basketball hoop complaints are giving him the most headaches now, he said.

Schrap recommended the deputy marshal job be open to nonresidents since it's been difficult to find a qualified resident who wants the job. The village ordinance requires the marshal and deputy marshal be village residents.

Thiel said he would oppose changing the ordinance since it's important for the marshal to respond quickly to complaints.

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Schrap's compensation and the deputy marshal position were referred to the Public Safety Committee.