

**Carmel/Clay Board of Parks and Recreation
Tuesday, September 12, 2017, 6:00 p.m.
Monon Community Center**

Member(s) Present: Katie Browning, James Engledow, James Garretson, Jenn Kristunas, Nick Plopper, Linus Rude, Rich Taylor

Member(s) Absent: Wendy Franklin, Joshua Kirsh

Others Present: Mark Westermeier, Director; Michael Klitzing, Chief Operating Officer (COO Klitzing); Audrey Kostrzewa, Business Services Director; Debra Grisham, Park Board Attorney;

Roll Call, Call to Order & Pledge of Allegiance

Board President Engledow welcomed everyone to the Park Board Meeting and asked Ms. Browning to call the roll. After Ms. Browning stated there was a quorum, Board President Engledow called the meeting to order at 6:02 p.m. followed by the Pledge of Allegiance.

Public Comments

There were no public comments.

Staff Reports

COO Klitzing stated that the standard reports were included in the Board packet.

The Department hosted a public input meeting last Thursday (*September 7, 2017*) for the Inlow Park playground. Although there was only one individual in attendance, this person had very favorable comments. The Department will present the plan at its next meeting for review, approval, and authorization to go out to bid. Also, after a regular inspection of the existing playground equipment, staff found structural issues with one of the three pods. The middle pod of playground equipment was removed due to safety concerns.

COO Klitzing announced on September 26th through 28th, the 2017 NRPA (National Recreation and Park Association) Annual Conference will be hosted in New Orleans. Director Westermeier and Kurtis Baumgartner, MCC Director, will present *Leading Change: Innovation from the Inside Out*. Shauna Lewallen, Recreation Services Manager, will present on CAPRA accreditation. On behalf of NRPA and in his role as incoming Chair of the Conference Program Committee, COO Klitzing will present *How to Successfully Submit a Winning Proposal for Selection by the Committee*. Discussion followed.

Finance Committee Report

There was no report.

Minutes

August 8, 2017 Park Board Meeting

Ms. Browning made a motion to approve the minutes, seconded by Mr. Rude. Mr. Garretson asked about information regarding the profit margin on concessions. COO Klitzing said he would follow up with the requested information. Discussion followed. Board President Engledow called for the vote and the motion was unanimously passed 7 – 0.

August 22, 2017 Park Board Meeting

Ms. Browning made a motion to approve the minutes, seconded by Mr. Rude, and unanimously passed 7 – 0.

August 22, 2017 Park Board Executive Session

Ms. Browning made a motion to approve the minutes, seconded by Mr. Rude, and unanimously passed 7 – 0.

Financial Reports

Consolidated Financial Report for July 2017

Ms. Kristunas made a motion to acknowledge receipt of the Consolidated Financial Report for July 2017, seconded by Mr. Taylor, and unanimously passed 7 – 0.

CCPR P&L Statements for August 2017

Ms. Kristunas made a motion to acknowledge receipt of the P&L Statements for August 2017, seconded by Mr. Taylor, and unanimously passed 7 – 0.

Claims

Claim Sheet September 12, 2017

Ms. Kristunas made a motion to approve the Claim Sheet as presented, seconded by Mr. Garretson. Mr. Garretson asked about the payment to Bose McKinney & Evans. COO Klitzing said that this expense was for outside legal counsel on a personnel issue. Mr. Garretson inquired if the Department has ever investigated alternative sources of energy. Director Westermeier responded and discussion followed. Board President Engledow called for the vote and the motion was unanimously passed 7 – 0.

Clay Township Claim Sheet September 12, 2017

Ms. Kristunas made a motion to approve the Clay Township Claim Sheet as presented, seconded by Mr. Garretson, and unanimously passed 7 – 0.

Monetary Gifts, Grants, Partnerships, and Sponsorships for August 2017 – Audrey Kostrzewa

Ms. Kostrzewa presented the following: \$1,796.00 from the Department's partnership with Kona Ice and applied toward scholarships; \$30.00 from a local resident for Flowing Well; and \$160.80 from the Hamilton County Iron & Metal LLC. A motion was made by Mr. Taylor, seconded by Ms. Kristunas, and unanimously passed 7 – 0.

New Business

Consideration of Authority regarding Court Ordered Mediation in Cause No. 29D03-1605-CT-004530 – Debra Grisham

Ms. Grisham stated that this is an action item required because Judge Hughes, who is presiding over this cause, has ordered mediation to occur on October 23rd and the alternative dispute resolution rules and the open door law give us the guidelines necessary for presenting representatives at that mediation consistent with those guidelines. One of the things required as a board is to approve representatives with the authority requisite to carry out the strategic plan of the Park Board with respect to this particular case.

Mr. Taylor made a motion to authorize Mark Westermeier, Director of the Park Department and Debra Grisham, the Park Board Attorney, to represent the Carmel/Clay Board of Parks and Recreation at the Mediation in Cause No. 29D03-1605-CT-004530 with the authority to negotiate a settlement consistent with the Park Board's litigation strategy as discussed in its duly noticed Executive Session on August 22, 2017 and present a report and recommendation if any, for approval, at a subsequent Park Board meeting. The motion was seconded by Ms. Kristunas and unanimously passed 7 – 0.

Mr. Taylor made a motion to appoint Park Board Member Nicholas Plopper to serve as an authorized representative of the Park Board at the Mediation Hearing in the event that either the Director or the Park Board attorney is unable to represent the Park Board, seconded by Ms. Kristunas, and unanimously passed 7 – 0.

Consideration of Tree Removal Services for the Monon Greenway – Michael Klitzing

COO Klitzing provided information relative to the necessary removal of 78 hazardous trees along the Monon Greenway. The trees were identified during a routine inspection. A lengthy discussion followed.

Ms. Kristunas made a motion to accept the quote from Ping's Tree Service and authorize the Chief Operating Officer to execute a purchase order in the amount of \$37,724 for tree removal services along the Monon Greenway, seconded by Mr. Rude, and unanimously passed 7 – 0.

Old Business

Consideration of Amendment to Professional Services Agreement with DB Engineering for Central Park Drive West Enhancement Project – Michael Klitzing

COO Klitzing provided background on the project and detailed the need for additional professional services for construction management to insure work is completed to specifications and our satisfaction.

Mr. Garretson made a motion to approve a First Amendment to the Professional Services Agreement with DB Engineering for the Central Park Drive West Enhancement Project for construction administration and oversight in an amount not to exceed \$159,700 and authorize the Director or Chief Operating Officer to execute the same, seconded by Ms. Kristunas.

Mr. Plopper voiced his concern about the amount being spent on the administrative and management costs. Discussion followed. Additional questions were addressed regarding lighting of the road.

Board President Engledow called for the vote and the motion was unanimously passed 7 – 0.

At this time, Ms. Grisham asked that before closing the action items that Board President Engledow allow her to add one statement for the record with regard to the authorization given for the mediation.

The action taken tonight is an attempt to follow the Public Access Counselor advisory opinion 17-FC-60, applicable caselaw in *Baker v. Town of Middlebury* 753 N.E. 2d 67 (Ind. App. 2001) and the Mediation Court Order as amended from time to time.

Attorney's Report

Ms. Grisham said that there was a hearing today on the summary judgement motion that was filed in the lawsuit referenced earlier in the meeting. Discussion followed.

Director's Report

Director Westermeier stated his report was included in the Board packet.

At this time, COO Klitzing provided concessions information to Mr. Garretson. Discussion followed regarding cost recovery and the possibility of adding a machine concessions area in the building.

Ms. Browning asked about video surveillance. Director Westermeier stated he would provide information to her later.

Board President Engledow asked how staff felt about the waterpark season. Director Westermeier said lessons are learned every year, but this year's list is short. The new entrance accomplished everything that was envisioned. Signage will be re-evaluated and updated. Basically, issues were minimal as compared to previous years.

Mr. Rude asked about interaction with regards to the announcement made by the City about the Midtown Project and the Monon expansion as it relates to our contract to maintain the Monon Trail. Director Westermeier said it is unknown at this time.

Information Items

School Board – Ms. Browning said that yesterday the School Board heard about the science evaluation, which is one of many periodical evaluations take place. Science classes are gearing away from worksheets and moving to more hands-on activities.

Committees are forming right now to move forward on the elementary education evaluations. This year-long project will include everything including, but not limited to, curriculum and the length of the school day.

Park Board Comments / Discussion


Mr. Taylor requested clarification from Ms. Grisham on motion to strike as it relates to mediation.


Board President Engledow announced that tomorrow night the northern lighters^g are supposed to be at their absolute peak!

Adjournment

There being no further business, a motion was made by Mr. Rude, seconded by Ms. Kristunas, and without objection, Board President Engledow adjourned the meeting at 6:55 p.m.

Approved,



Signature


Signature

10/10/17

Date
10/10/17

Date