

**Carmel/Clay Board of Parks and Recreation  
Tuesday, August 11, 2015, 6:00 p.m.  
Monon Community Center**

**Members Present:** James Engledow, Wendy Franklin, Kathie Freed, James Garretson, Joshua Kirsh, Jenn Kristunas, Linus Rude, Rich Taylor

**Member Absent:** Richard Leirer

**Others Present:** Mark Westermeier, Director; Michael Klitzing, Chief Operating Officer (COO); 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 Mr. Kirsh to call the roll. Mr. Kirsh stated that there was a quorum, at which time Board President Engledow called the meeting to order at 6:01 p.m. followed by the Pledge of Allegiance.

**Public Comments**

There were no public comments.

**Staff Reports**

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

The balance of the Park Impact Fee is quite healthy right now due to the economic development in the community which directly affects this fund. In fact, this is the largest year ever in Park Impact Fee collections, even surpassing last year. The good news, part of this money will be to support the development of West Park.

The recent good weather has made a great impact on revenue at the MCC. Although season pass sales dropped about 25% this year, day pass sales were up significantly and monthly memberships bumped up slightly. The increase in day passes may also be a reflection of the marketing campaign focusing on day passes.

**Committee Reports**

There were no Committee Reports.

**Action Items**

**Minutes – July 14, 2015 Park Board Meeting**

Mr. Kirsh made a motion to approve the minutes, seconded by Ms. Kristunas, and unanimously passed 8 – 0.

**Consolidated Financial Report for June 2015**

Ms. Kristunas made a motion to acknowledge receipt of the Consolidated Financial Report for July 2015, seconded by Ms. Franklin, and unanimously passed 8 - 0.

**CCPR P&L Statements for June 2015**

Ms. Kristunas made a motion to acknowledge receipt of the CCPR P&L Statements for June, seconded by Mr. Kirsh, and unanimously passed 8 – 0.

**CCPR P&L Statements for June 2015**

Ms. Kristunas made a motion to acknowledge receipt of the CCPR P&L Statements for July, seconded by Mr. Kirsh, and unanimously passed 8 – 0.

**Claim Sheet August 11, 2015**

Ms. Kristunas made a motion to approve the Claim Sheet as presented, seconded by Mr. Kirsh. Director Westermeier and COO Klitzing addressed questions raised by Mr. Garretson regarding specific claims. He also requested a report addressing concessions cost and revenue for the summer. Director Westermeier responded to Mr. Rude that a total of 300 kits were ordered from Poo Prints with 250 for initial memberships and an additional 50 to be used as needed when memberships change. Ms. Freed asked about the refund report. COO Klitzing replied that the number of refunds was fairly normal. Director Westermeier added that the total of refunds was a small percentage based upon the overall amount of revenue collected and the number of customers served. COO Klitzing continued that the State Board of Accounts requires that the refund report be itemized. After a brief discussion, COO Klitzing stated he would review the refunds on the P&L Statements to check for accurate posting. Board President Engledow called for the vote and the motion was unanimously passed 8 – 0.

**Clay Township Claim Sheet August 11, 2015**

Ms. Kristunas made a motion to approve the Clay Township Claim Sheet as presented, seconded by Mr. Kirsh. Mr. Garretson asked about the high dollar amount for tables and benches and was reassured that this cost is normal. The claims for Gibraltar Construction are for construction costs for the dog park and north campus. Mr. Rude was advised that the replacement windows were needed for the Park Maintenance Office since the existing windows could not be secured. Board President Engledow called for the vote and the motion was unanimously passed 8 – 0.

**Monetary Gifts, Grants, Partnerships, and Sponsorships for July 2015 – Audrey Kostrzewa**

Ms. Kostrzewa requested that the Board accept the monetary gifts through partnerships, sponsorships, and donations received in July. A motion was made by Mr. Kirsh to accept all as presented, seconded by Ms. Kristunas, and unanimously passed 8 – 0.

**Consideration of Bids for Central Park West Commons – Phase 1 – REBID – Michael Klitzing**

COO Klitzing reviewed that documentation provided to the Park Board Members summarizing the four bids received ranging from \$3,485,000 from Patterson Horth to \$3,680,000 from MacDougal Pierce Construction. The Schneider Corporation reviewed the bids and determined that Patterson Horth submitted the most responsive and responsible bid, as well as the lowest. Staff recommends that the Board award the contract to Patterson Horth in the amount of \$3,485,000.

*Mr. Krish made a motion to award the contract to Patterson Horth in the amount of \$3,485,000.00 as the lowest responsive and responsible bidder and seconded by Mr. Taylor. Discussion followed regarding the original estimate, first round of bids, possible inflationary factors within the current bids, and changes to construction specifications addressing relocation of dirt, which will now stay onsite and benefit the neighbors on the north by providing screening the parking lot will not be visible.*

The Department is very concerned about completion of the playground prior to the next Waterpark season and has included escalating liquidated damages within the provisions of the contract as related to the substantial completion date expected by the end of April. Mr. Garretson asked about the dollar amount for the liquidated damages. COO Klitzing stated that staff worked with the Park Board Attorney to determine the specific amounts and tied them directly to revenue and respective dates.

Mr. Rude asked about the Department's history with Patterson Horth. COO Klitzing said that this company was the general contractor for the Wilfong Pavilion in Founders Park and is a reputable vendor.

After a brief discussion, Mr. Kirsh rescinded his previous motion (noted above in italics).

Ms. Kristunas made a motion to accept and approve the bid from Patterson Horth, Inc. in the amount of \$3,485,000.00 for the Central Park West Commons – Phase I – REBID Project and authorize The Schneider Corporation, the Park Board Director, the COO and the Park Board Attorney to take all action necessary to complete the contracting process including the initiation of a letter of intent authorizing the spending of administrative funds to be incurred during the finalization of the contract and approve the President or Vice President of the Park Board to sign a contract with the Bidder upon completion of the Park Board Attorney's review. The motion was seconded by Mr. Taylor and unanimously passed 8 – 0.

Ms. Kristunas made a motion to delegate to the Director and the COO the authority to determine, in conjunction with the Engineer and the Owner's Representative, whether it is in the best interest of the Board and the Park Department to add or change an item or items in the contract with Patterson Horth, Inc. and to approve each such change order up to an amount not to exceed his purchasing authority and in accordance with applicable Indiana law regarding change orders, with a report to the Park Board and a request for ratification at a subsequent Park Board meeting. The motion was seconded by Mr. Kirsh. At the request of Board President Engledow, the Park Board Attorney reviewed Director Westermeier and COO Klitzing's spending authority of \$25,000.00. The motion was unanimously passed 8 – 0.

**Consideration of Matters regarding Central Park Dog Park – Mark Westermeier**  
Director Westermeier stated he had nothing.

### **Attorney's Report**

#### **Tort Claims**

Ms. Grisham reported that one new tort claim had been filed. A nine-year old ESE Outdoor Explorers camper was injured while playing with others in the woods located east of the dog park. A tree that was partially leaning fell the rest of the way and pinned the camper who was taken to the hospital and treated for sustained injuries. Damages in the tort claim have not been specified, and the incident is under investigation.

#### **General**

With regard to acquisitions, Ms. Grisham stated that the Department is expecting the second appraisal for the Matilda Haverstick Family property soon.

### **Director's Report**

Director Westermeier said that his report was included in the packet. He also stated that Reith Riley withdrew from the Monon repave project. The Department will have to go back out to bid and has notified the city that we will not do so until the legal paperwork for the detour is properly done. Discussion followed.

### **Information Items**

#### **School Board – Kathie Freed**

Ms. Freed announced that school started today and reminded everyone to drive safety.

**Plan Commission – Joshua Kirsh**

Mr. Kirsh reported that the small sustainable project (along Smokey Row off of US 31) really is not sustainable. Also, recently a PUD requested an additional entrance onto Shelbourne Road; however, it was denied in order to preserve a grove of very old oak trees.

**Parks Foundation – Wendy Franklin**

Ms. Franklin stated that the Foundation will meet August 27, 2015; however, she is unable to attend.

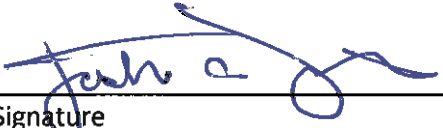
**Park Board Comments/Discussion**

There were no comments or discussion.

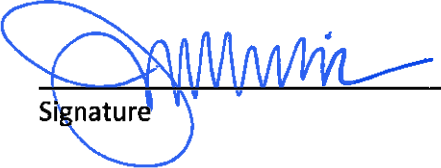
**Adjournment**

There being no further business, Mr. Kirsh made a motion to adjourn, seconded by Ms. Kristunas, and unanimously passed 8 – 0. The meeting was adjourned at 6:47 p.m.

Approved,

  
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Signature

9-8-15  
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Date

  
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Signature

8 Sept 2015  
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Date