

REGULAR MEETING OF THE BOARD OF PARK COMMISSIONERS

ANDERSON TOWNSHIP PARK DISTRICT

September 9, 2010

Dale Bartholomew, President, called the regular meeting of the Board of Park Commissioners of the Anderson Township Park District to order at 6:30 pm at the Anderson Township Park District, Juilfs Park Office, 8249 Clough Pike, Cincinnati, OH 45244. Present were Board Members: Dale Bartholomew, Nadine Gelter, J. Duffy Beischel, Angie Stocker, and Josh Gerth (arrived at 6:45 pm).

Also present were: Ken Kushner, Executive Director; Emily Armstrong, Assistant Director/Board Clerk; Mike Smith, Operations Manager; and Scott Lahman, Recreation Manger.

GUESTS: Mr. Mark Schmidt, resident business owner.

PLEDGE OF ALLEGIANCE

AGENDA: Mrs. Gelter moved the Board approve the Agenda. Mr. Beischel seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Beischel, Mr. Bartholomew, Mrs. Stocker (4); No: None. The motion carried unanimously.

PUBLIC TO ADDRESS THE BOARD:

Mr. Mark Schmidt stated he owns a business on Mt. Carmel Road and is dissatisfied with the Board's decision not to give MSD an easement for the sewer project along Roundbottom Road at Riverside Park.

The following represents a condensed version of the conversation that took place between Mr. Schmidt and the ATPD Board and staff; it is not verbatim.

Mr. Schmidt's additional comments are summarized as follows:

- When he purchased the property for his business, he was told that the sewer would be coming, and now the ATPD is holding up the project.
- Minutes from ATPD Board Meetings from 2009 say the Board identified the loss of field revenue as the reason for the ATPD to hold up the sewer project; he does not believe this is a good reason to hold up the project.
- He came before the Board to offer the ATPD constructive criticism; he likes and appreciates the park district, but is displeased that one governmental entity is arguing with another public entity about basic public services.
- He believes MSD's easement request seems reasonable.
- He was approached by a private business about some excess land he had for sale; the deal-breaker was the lack of sanitary sewers.
- The ATPD's All Weather Fields facility is a publicly subsidized competitor for any sports complex that a private business might want to build on his property.
- ATPD staff is doing work and projects in the parks that the ATPD should be paying contractors to do.

The ATPD Board and Staff's comments are summarized as follows:

- The minutes do not reflect the full detail of the Board's discussions about the sewer project; the ATPD has many concerns about the effects of the project on Riverside Park

which MSD has not addressed sufficiently. In addition to loss of field rental, other concerns include:

- the impact on the ATPD's well system (which is used for field irrigation);
- how would MSD work around the ATPD's All Weather Fields facility project;
- the inability for the ATPD to re-plant trees in the permanent easement area;
- The ATPD's experience with the effects of sewer construction on the ATPD's well at Clear Creek Park was negative; MSD would not commit to restoring the well at Riverside should the sewers negatively affect the flow of water.
- Communication from the Metropolitan Sewer District (MSD) to the ATPD has been poor.
- MSD incorrectly believed the ATPD was holding out on the easement for more money.
- MSD representatives, Anderson Township officials, and ATPD staff and two board members met at Riverside Park in September, 2009. If the ATPD gave MSD the easement before field project construction, MSD would not allow the ATPD to build the fields; if the ATPD gave MSD the easement after the field project construction, MSD would not discuss how they would work around the fields.
- The ATPD wants the sewer and cannot stop the sewer. It makes more sense to the ATPD for the sewer to be on the other side of the road; the ATPD posed the question to MSD and they did not respond with sufficient information.
- Recently, the ATPD obtained correspondence from MSD to Anderson Township Government about the Dry Run sewer project which states that it looks as though the project will be moving forward on the other side of the road from Riverside Park. The ATPD provided Mr. Schmidt with a copy of this correspondence, including information about an upcoming public meeting about the sewer project.
- None of the MSD plan phases show Mr. Schmidt's property on the sewer project line.
- While the ATPD cannot stop the sewer project, the ATPD has an obligation to its tax payers to look out for the park's interest; MSD's initial easement terms significantly limited the ATPD's ability to develop the park in the future.
- The ATPD cannot provide enough natural turf athletic fields for the community; the ATPD All Weather Fields will help the ATPD meet the demand for athletic fields.
- The work ATPD staff does in-house saves the ATPD, enabling the ATPD to stretch its dollars to provide facilities for Anderson residents within its operating budget.

Mr. Schmidt stated he appreciates all the ATPD does and thanked the Board for listening.

The Board thanked Mr. Schmidt for taking his time to speak before the Board and encouraged him to call Mr. Kushner with future questions.

Mr. Schmidt left the meeting at 7 pm.

W. M. Johnson Hills Park ~ Update: Mr. Kushner reported that Mr. Jeff Stine continues to develop the engineering plans for the park entrance to the Park Core parking lot. He stated that the draft plans indicate the entrance will not be able to be located as far to the west as the ATPD has initially thought. Mr. Kushner also reported the traffic study has been completed and is being reviewed by the engineers. He further stated Ms. Jeannine Kreinbrink, Senior Archaeologist with Natural and Ethical Environmental Solutions will be conducting a site analysis of the park property, per Ohio Historical Preservation Office requirements for Clean Ohio Trails Fund and Recreational Trails Fund grant funding. Mr. Kushner stated Ms. Kreinbrink's site analysis should

commence around the middle of September and will be comprised of digs every 45 feet, for which the ATPD will disc the open areas to minimize expenses.

Riverside Park ~ All Weather Fields: Mr. Kushner reported the All Weather Fields project continues to be on schedule to be open for play by September 27th. He also reported the bids are in for the asphalt parking lots and the permeable paver parking lot, for which the ATPD was awarded a Storm Water Improvement Fund grant. Mr. Kushner stated the Access Management Plan has been approved and that the ATPD expects to receive the paperwork soon. He also reported the Motz Group will finish the field installation on Saturday, with the scoreboards and fencing work moving along on schedule for the first youth football games scheduled on October 2nd. Mr. Kushner provided a draft of the Open House event the ATPD is planning for the community at large, including a ribbon cutting ceremony by October 2nd.

Riverside Park ~ SWIF Grant: Mr. Kushner reported the need for the ATPD to re-appropriate the budget as a result of being awarded a Storm Water Improvement Fund (SWIF) grant from the Ohio Environmental Protection Agency (OEPA) for the Riverside Park Permeable Paver Parking Lot. He reported the amount of the grant awarded to the ATPD is \$150,000, which is not included in the ATPD's 2010 budgeting cycle. Mr. Kushner stated a formal request for Board approval of measures necessary for budgeting purposes will be made later in the meeting.

Riverside Park ~ Trail Extension: Mr. Kushner reported that progress on the north side of Riverside Park has been painfully slow for many years due to the hold-up on the riverbank restoration project. He stated since the completion of the riverbank restoration, the ATPD has made rapid progress in the park by adding amenities to the north side. Mr. Kushner stated an additional amenity the ATPD would like to add at this time is the extension of the paved trail throughout the park. He also reported he believes now is the right time to add the trail because the park is already disturbed by construction. He further stated trails continue to be the most highly requested amenity in the parks, and a looping trail has always been in the ATPD's long range plans for this park. He stated staff would like to add a 3,000 foot extension of paved trail through Riverside Park, connecting the existing trail to the new All Weather Fields. He also stated in order to move forward with the additional 3,000 foot trail extension, we would need to re-appropriate the budget, for which formal Board approval would be requested later in the meeting.

Riverside Park ~ Dry Run Sewer Extension, Phase II: Mr. Kushner reported it has been a while since he had an update for the Board regarding the Dry Run Sewer Extension, Phase II project near Riverside Park. He provided the Board with a copy of an August 23, 2010 correspondence from MSD to Anderson Township Government and the ATPD, in which MSD stated that it is leaning towards changing the sewer alignment to the opposite side of the road from Riverside Park.

Mr. Bartholomew stated that it appeared that MSD's easement request is likely to change, as the new alignment plans will still involve some park property.

Mr. Kushner reported to the Board that he would be attending the upcoming MSD Public Meeting on September 13th from 5:30 pm to 8:30 pm at the Anderson Center.

Greater Anderson Days 2010: Mr. Kushner provided the financial report for the 2010 Greater Anderson Days event.

Beech Acres Park ~ Cell Tower: Mr. Kushner reported that he has had no further communication with T-Mobile since submitting the signed Consent to Sublease paperwork, allowing T-Mobile to sublease Beech Acres Park cell tower space to Clear Wireless.

Records Commission: Mr. Kushner reported the ATPD Records Commission is due for an update of members which meets at least annually in an open public meeting. He stated Board approval is required for any policy revisions recommended by the Commission, and that following Board approval, policies must be approved additionally by the Auditor of State, Hamilton County Records Commission, and the Ohio Historical Society. Mr. Kushner reported the ATPD's Public Records Retention and Disposition Schedule and the Public Records Request Policy are currently posted at the ATPD front offices and on the ATPD's website.

Mr. Kushner recommended the Commission be comprised of the following positions: a Board of Park Commissioner, Executive Director, Board Clerk, Financial Officer, and Office Manager. Mr. Kushner stated to the Board that he has been previously appointed to the Commission as the Executive Director.

Records Commission Appointments:

Mr. Beischel moved the Board appoint to the ATPD's Records Commission:

- Nadine Gelter, Board of Park Commissioner
- Emily Armstrong, Board Clerk
- Brian Jordan, Financial Officer
- Sheila Fehn, Office Manager

Mr. Gerth seconded the motion. Voting: Yes: Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Stocker. (4); No: None. Mrs. Gelter abstained. The motion carried.

NEW BUSINESS:

Juilfs Park ~ Update: Mr. Kushner reported the tennis courts at Juilfs Park were resurfaced and the front steps to the office were replaced.

Laverty Park ~ Update: Mr. Kushner reported the Laverty Park parking lot was resurfaced and that the plans are still underway to resurface the existing trail. Mr. Kushner stated that staff is not satisfied with the quality of work on the recent paving job.

Mr. Smith reported he has followed up with the paving company to remedy the situation, but that the company's attempts to fix the lot has not yielded an end result that meets the ATPD's expectations.

Mr. Bartholomew suggested Mr. Smith produce a punch list for the paving company, and to follow up with the company until the ATPD is satisfied with the final product.

FUNDRAISING AND GRANT ACTIVITY:

Eagle Scout Project: Mr. Kushner provided a letter that was sent to Mr. John Kammerer, recognizing him for a job well done regarding his Eagle Scout Project at Veterans Park.

Fundraising Events: Mr. Kushner reported the 7th annual Run to Remember 5K will take place on September 11th at Beech Acres Park. He stated the event benefits the Anderson Foundation for Parks and Recreation Playground Fund and that in its six year existence, the event has raised over \$31,000. Mr. Kushner provided the bios for the 22 event honorees. He stated the Honoree Ceremony will take place at 5:45 pm at the amphitheater and that the free concert, featuring Ooh La La and the Greasers, starts with the race at 6 pm.

Mr. Lahman reported 464 participants have pre-registered for the race as of earlier this day.

Grant Requests: Mr. Kushner reported the ATPD was denied for the 2010 Land and Water Conservation Fund grant for a shelter at Kellogg Park. He stated the staff is revising the application for submission in the 2011 grant cycle.

Mr. Kushner reported the ATPD was awarded a NatureWorks grant in the full amount requested for the playground renovation project at Laverty Park. He stated the total project is \$53,542.00 for which the ATPD was awarded \$ 34,802.00, resulting in the ATPD's matching share of \$18,740.00. Mr. Kushner reported staff is planning the public input process for the project which will focus on the neighbors of Laverty Park, as well as Anderson residents at large. He stated interested residents will have an opportunity to provide feedback on various playground amenity alternatives in an Open House format this fall. Mr. Kushner stated the playground construction will take place during the fall/winter seasons, weather permitting. He also reported the NatureWorks grant is managed by the Ohio Department of Natural Resources.

REQUESTS FOR APPROVAL:

Re-Appropriation of the Budget ~ SWIF Grant:

Mrs. Gelter moved the Board re-appropriate the budget, as a result of being awarded a \$150,000.00 Storm Water Improvement Fund (SWIF) grant from the Ohio Environmental Protection Agency for the Riverside Park Permeable Paver Parking Lot, by the following means:

- Increase the appropriation in the Grants account, 1000-760-700-2013, by \$150,000;
- Increase the receipt (revenue) account for the Grants account, 1000-999-0007, by \$150,000;
- Pay for the ATPD's share with a transfer of \$80,000.00 from the Contingencies account, 1000-930-930-0000, to the Grants Project account, 1000-760-700-2013.

Mrs. Stocker seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Stocker. (5); No: None. The motion carried unanimously.

Re-Appropriation of the Budget ~ Riverside Park Trail Extension:

Mr. Gerth moved the Board re-appropriate the budget, so as to add an additional 3,000 feet of paved trail to Riverside Park for a total of \$90,000.00, by the following means:

- Transfer \$20,000.00 from the Contingencies account, 1000-930-930-0000, to the Riverside Park account, 1000-760-700-2002;
- Transfer \$70,000.00 from the Johnson Hills Park account, 1000-760-700-2010, to the Riverside Park account, 1000-760-700-2002.

Mrs. Stocker seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Stocker. (5); No: None. The motion carried unanimously.

There were no Purchase Orders to be presented at this meeting.

FINANCIAL REPORTS AND AUTHORIZATION OF EXPENDITURES:

Mrs. Stocker moved the Board approve the **August 2010 Financial Reports and Authorized the Expenditures** as presented by Mr. Kushner. Mrs. Gelter seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Stocker. (5); No: None. The motion carried unanimously.

APPROVAL OF MINUTES: Mrs. Gelter moved the Board approve the minutes of the **August 11, 2010 Regular Meeting**. Mr. Beischel seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Beischel, Mr. Bartholomew, Mrs. Stocker. (4); No: None. Mr. Gerth abstained. The motion carried.

At 7:43 pm Mrs. Gelter moved the Board adjourn into Executive Session to discuss land acquisition. Mrs. Stocker seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Stocker. (5); No: None. The motion carried unanimously.

At 8:16 pm Mr. Beischel moved the Board adjourn the Executive Session and re-open the regular meeting. Mrs. Stocker seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Stocker. (5); No: None. The motion carried unanimously.

At 8:16 pm there being no further business to be brought before this Board, Mr. Beischel moved to adjourn the meeting. Mrs. Stocker seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Beischel, Mr. Bartholomew, Mr. Gerth, Mrs. Stocker. (5); No: None. The motion carried unanimously.

Submitted by,

Emily Armstrong
Assistant Director/Board Clerk

Dale Bartholomew

J. Duffy Beischel

Nadine Gelter

Josh Gerth

Angie Stocker