

# **REGULAR MEETING OF THE BOARD OF PARK COMMISSIONERS ANDERSON TOWNSHIP PARK DISTRICT**

**January 13, 2015**

Dale Bartholomew, President, called the regular meeting of the Board of Park Commissioners of the Anderson Township Park District (“ATPD”) to order at 6:31 pm at Park District Headquarters, 8249 Clough Pike, Cincinnati, OH 45244. Present were Board Members: Nadine Gelter, Rob Herking, and Tom Turchiano.

Also present were: Ken Kushner, Executive Director; Emily Armstrong, Assistant Director/Board Clerk; Brian Jordan, Financial Officer; Jessica Fall, Recreation Manager; Mike Smith, Operations Manager; and Sheila Fehn, Office Manager.

**GUESTS:** Bob Drake, resident; Sheila Vilvens, Enquirer Media.

## **PLEDGE OF ALLEGIANCE**

**AGENDA:** Mr. Turchiano moved the Board approve the Agenda as presented. Mrs. Gelter seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

**Public to Address the Board:** No one wished to address the Board at this time.

## **OLD BUSINESS:**

**W. M. Johnson Hills Park:** Mr. Kushner stated the ATPD is going on 15 years of ownership with W. M. Johnson Hills Park (“JHP”). The last JHP report to the Board was in April of 2012. Staff revisited the adopted master plan following the December, 2014 Board Meeting, and identified the need to better explain to the community what the plan represents, what the ATPD’s priorities are for development, and the ATPD’s current time frame.

Mr. Kushner presented the following JHP master plan status report and stated it will be posted on the ATPD’s website, pending the Board’s suggestions:

The JHP master plan was developed with community input, featuring an emphasis on active recreation in a passive setting. The ATPD hired one of the most innovative, and well-respected firms in the Cincinnati area, Human Nature, to develop a plan to meet the recreational needs of the community, while incorporating a nature-based design. In conjunction with the neighbors of JHP and the community, this plan was established as a guide to develop the park. The initial plan was developed in 2001, and was subsequently revised in 2009.

The overall plan will take many years to accomplish and like most other ATPD parks, it will be accomplished in phases. There is room for the plan to evolve pending available funding, community needs, use patterns, permit processes, etc. A priority for the Board of Park Commissioners is to make decisions that allow future Boards to meet the needs of the community. Their intent is to refrain from making promises which tie the hands of future Boards regarding what they can or cannot do for the community.

The vision for JHP has always been of a different flavor than the other ATPD parks. It was purposefully acquired to round out the ATPD’s offerings to the community. The plan to include facilities and activities that complement the natural gifts of the property is a priority for park development. Athletic fields scheduled for sports leagues are not currently represented on the

master plan. The playground that will eventually be constructed will have a nature-based theme or tie into the history of the property. While JHP is not intended to be a nature preserve, the trails and open space are features the ATPD envisions as priorities in the master plan.

**Time Line of W. M. Johnson Hills Park:**

**1998:** Mrs. Marian Barbour Johnson approached the ATPD about creating a legacy in honor of her late husband, William McNeilan Johnson (“Mac”). The ATPD and the Hamilton County Park District (“HCPD”) paid Mrs. Johnson \$1,125,000 (ATPD \$625,000; HCPD \$500,000). This purchase enabled Mrs. Johnson to live out her life on her property.

One restriction on the property was included in the deed: the property must remain a park in perpetuity. Mrs. Johnson personally requested the following of the ATPD: Include Mac’s name in the name of the park and recognize the headwaters of the Dry Run Creek.

**1999:** August 12<sup>th</sup>, Marian Johnson passed away. Upon her death, Mrs. Johnson’s estate conveyed 45 acres to the HCPD; 80.599 acres to ATPD; and her house and the surrounding 10.376 acres to the ATPD (the Daughters of the American Revolution had the right of first refusal).

**2000:** The property officially became public park property in June. The existing private horse stable business continued, and a family continued to rent the house off Crooked Stick.

**2007:** W. M. Johnson Hills Park opened to the public with limited use, including no dogs, because of the private horse stable operation. The ATPD dedicated an Operations staff member to the park.

**2009:** A second public planning process was conducted. While most of the interest came from surrounding neighbors and people associated with the private horse stable operation, people with varying interests participated in the process.

**2010:** The private horse stable operation moved out, enabling the public to fully access the park, including the pastures. Unsafe structures were removed and areas of the park were cleaned up, including the removal of fencing and debris.

**2014:** The last of Mrs. Johnson’s renters moved out in March.

Every year since the property became the responsibility of the ATPD, improvements have been made, including the construction of an extensive network of trails and the purchase of an adjacent property. The most significant changes occurred as of 2010, once the private horse stable operation vacated the property.

The ATPD has hosted an array of programs, clean-up events, and rentals at JHP every year since 2000. From 2000-2006, the house served as the offices for the ATPD Ranger Department and Planning Director.

The Board of Park Commissioners has established the following priorities for JHP, as represented in the adopted Master Plan. Major improvements will require significant funding which is not currently secured. Minor improvements will be accomplished as park visitation dictates and volunteer efforts and funding are available.

**Major Improvement Plan ~ Phase I:**

Upon the acquisition of significant funding, the infrastructure phase would include: electric service upgrade; water service upgrade; create a new vehicular access/entrance and driveway to the park on Bridle Road to meet line of sight and safety recommendations by engineers (Hamilton County, etc.) (The existing gravel road will continue to serve the two private residences, per an easement agreement.); develop a main parking area in the park core; and install flushable restrooms in the park core: Install a septic system or hook up to sanitary sewers if/when they become available. Establish the park core paved trails. Establish a parking area off Crooked Stick.

**Minor Improvements ~ 2015/2016:**

Continue to promote the installation of sidewalks to connect the surrounding neighborhoods with the park. Abandon the trail by the homes along Crooked Stick and re-establish the trail further into the park. Install gravel beds for future paved trail connections. Continue to work with donors for the installation of an off-leash dog field area. Continue to work with the disc golf volunteer group on the design and installation of a disc golf course. Continue to make improvements as park use dictates including, but not limited to: park benches; picnic tables; family swings; trail enhancements; signage; removal of structures, debris, and invasive species.

Mr. Kushner stated the ATPD has submitted grant applications to construct paved trails at JHP. He said trail grants are typically awarded to projects that promote connectivity. Currently, sidewalks do not connect the surrounding neighborhoods to the park, resulting in a less favorable application.

Mr. Kushner stated the ATPD has done a lot of work to get JHP to where it is today, and is fortunate to have benefitted from the many Eagle Scout projects which have improved the park.

Mr. Kushner presented an example of a nature-based playground feature and a list of programs that have taken place at JHP over the years. He said the camping area has a broad interpretation with people who are interested in JHP. The ATPD has successfully hosted groups for overnight camping for the past few years. The camping the ATPD envisions is programmed and is not a free for all.

Mr. Bartholomew thanked Mr. Kushner for the update on JHP and stated he did not realize the ATPD has had so many programs at this park.

Mrs. Gelter stated that JHP is a great place for nature programs.

Mr. Kushner stated the ATPD's programs help get people out into nature so they learn why they should care about it.

Mr. Turchiano asked if there is a timeline for the sidewalks to connect JHP with the surrounding neighborhoods.

Mr. Kushner said Anderson Township government is working on the connectivity of sidewalks. During the planning process, residents from Williams Creek Drive asked if a bridge could be built over Little Dry Run so they could more safely access JHP. He said people want to be able to walk to the park.

Staff plans to make an annual JHP address to the Board to keep the community apprised of the park development status.

**NEW BUSINESS:**

Calendar of Events: Mr. Kushner presented a Calendar of Events of upcoming activities for review by the Board.

2014 Field User Residency Report: Mr. Kushner presented the 2014 Field User Residency Report for the Board's Review. He said staff has tracked residency percentages for years to see who the ATPD is serving. A discount is applied by residency as many of the leagues have borders that go beyond Anderson Township.

Mr. Turchiano asked if the special event numbers include just participants or if spectators are included.

Mr. Kushner said the numbers only include participants, and that a significant volume of use is generated by spectators. Younger players bring more spectators to our facilities. Mr. Kushner stated on a typical Saturday during the fall or spring season at Clear Creek Park, approximately 6,000 – 7,000 people come through the park.

2014 Facility Comparison Report: Mr. Kushner presented the 2014 Facility Comparison Report for the Board's review.

A brief discussion took place regarding the increased scheduling on the All Weather Fields at Riverside Park; if the ATPD charges itself for time used on the fields; and if the revenue is covering the bond payment.

Mr. Smith said the Recreation Department time is accounted for and that the time allotted to the Rec Department is not time that is in high demand.

Mr. Kushner said the purpose for the All Weather Fields was to accomplish many things for the ATPD, and not based solely on generating revenue. The two synthetic fields enable the ATPD to meet the community's demand for year-round use, to serve groups our grass fields could not support (football), and to extend the life and improve the quality of the ATPD's grass fields. The play on the All Weather Fields is consistent regardless of weather conditions and constant as the carrying capacity is relatively limitless, unlike natural grass fields. Excessive snow and ice can prevent play on the All Weather Fields, as we experienced last winter.

Board Member Terms List and Organization Chart: Mr. Kushner presented a current Board member Terms List and Organization Chart for the Board's review.

**FUNDRAISING AND GRANT ACTIVITY:**

Mr. Kushner reported the Juilfs Foundation recently contributed an additional \$10,000 to the water play phase of the playground. The total amount donated in the past three years for the playground project on behalf of the Juilfs Foundation is now \$30,000. He said the Juilfs Foundation has been very generous to the community through the Anderson Township Park District since our beginning.

Mr. Bartholomew said Mr. Juilfs has truly benefited the community with his contributions.

Mrs. Gelter said she saw the ATPD was recently awarded the NatureWorks grant for the Juilfs Park Playground Water Play Project.

Mr. Kushner said he usually waits for the contracts to arrive before he considers a grant officially awarded. He said 2015 is going to be a busy year with grant projects including the playground water play area and the Pickleball Courts at Clear Creek Park.

**REQUESTS FOR APPROVAL:**

**Staff Changes:** Mr. Bartholomew asked Mr. Smith if he had any openings for full time staff.

Mr. Smith said he is evaluating his options with assignable staff at this point in time.

Mrs. Gelter moved the Board approve staff's recommendation to **promote** the following people on their actual dates of promotion: Assignable Operations Staff I to Operations Staff II, **Steven Fisher, Stanley Morganthal, and Roger Reineke**; and to accept the **resignation** of **John von Wahlde**, full time Operations Specialist, effective Friday, December 19, 2014.

Mr. Turchiano seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

**Monthly Purchase Order Approval:** Mr. Turchiano moved the Board approve the following between-meeting Purchase Orders:

<i>Humana</i>	<i>Health Insurance</i>	\$ 9,500.00
<i>Dinsmore &amp; Shohl, LLP</i>	<i>2014 Legal Services</i>	\$ 8,946.00

Mr. Herking seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

**Final Approval of 2015 Budget:** Mr. Herking moved the Board approve the final 2015 Budget as presented by Mr. Jordan.

Mr. Turchiano seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

**Resolution 2015-01 ~ Annual Appropriations:**

Mrs. Gelter moved the Board approve **Resolution 2015-01, the Annual Appropriations Resolution.**

Mr. Turchiano seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

**Resolution 2015-02 ~ Annual Certificate of Resources:**

Mr. Herking moved the **Board approve Resolution 2015-02, approving the final revenues for 2014 and the expenditures available for 2015** as presented.

Mrs. Gelter seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

**Resolution 2015-03 ~ Internet Auction:**

Mr. Turchiano moved the **Board approve Resolution 2015-03, expressing intent to sell personal property by internet auction**, for the purpose of selling personal property that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired.

Mr. Herking seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

**Annual Purchase Order Approval:** Mrs. Gelter moved the Board approve the following Annual Purchase Orders:

Duke Energy, Park Wide Gas & Electric	\$ 85,000.00
Greater Cincinnati Water Works, Water & Sewer	\$ 27,000.00
Hylant Group, Liability Insurance	\$ 48,000.00
Beech Acres Parenting Center, RecPlex	\$ 63,987.72
Hamilton County Sheriff's Department	\$ 94,000.00
Wex Bank, Marathon Fleet Fuel	\$ 74,500.00
Humana, Health Insurance	\$132,000.00
Fifth Third Bank Leasing, Equipment Lease (2014)	\$ 64,635.71
PNC Bank, 2010 Bond Fund	\$232,057.03
Fifth Third Bank, 2011 Bond	\$ 62,172.53
Dinsmore & Shohl LLP, Legal Services	\$ 9,000.00

Mr. Herking seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

**FINANCIAL REPORTS AND AUTHORIZATION OF EXPENDITURES:**

Mr. Herking moved the Board approve the **December, 2014 Financial Reports and Authorize the Expenditures** as presented by Mr. Jordan.

Mr. Turchiano seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

**APPROVAL OF MINUTES:**

Mrs. Gelter moved the Board approve the minutes from the **November 18, 2014 Regular Meeting** as written. Mr. Herking seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

Mr. Herking moved the Board approve the minutes from the **December 9, 2014 Regular Meeting** as written. Mrs. Gelter seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

Mrs. Gelter moved the Board approve the minutes from the **December 29, 2014 Special Meeting** as written. Mr. Herking seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

**Public to Address the Board:** Mr. Drake thanked the ATPD staff for going above and beyond to fulfill a recent public records request he made. He has a great deal of respect for the ATPD and Board. He stated at length, that in his opinion, the ATPD's public planning process survey is flawed, that the data is invalid, and that no one wants what the ATPD has planned for JHP. He offered his services to conduct a survey for the ATPD, which in his opinion, would be statistically valid.

Mr. Bartholomew declined Mr. Drake's offer. He said, in his opinion, Mr. Drake is not capable of conducting an unbiased survey. He does not believe there is any reason to devote additional staff time to conduct another survey regarding the adopted JHP master plan.

Mr. Herking stated that it is Mr. Drake's opinion that the ATPD surveys are invalid, and that Mr. Drake offers no evidence to support his claim. Mr. Drake promised to present to the Board a petition signed by hundreds of people opposed to the JHP adopted master plan, yet the Board has received no such petition. Mr. Drake continually makes statements at Board meetings, opposing the

JHP plans, but has yet to provide any evidence of his claims. Mr. Drake's opinion that nothing should happen at JHP is on a polar end of the JHP planning spectrum, and the ATPD has no intention to please people who are on polar ends of the spectrum. The Board's goal is to continue with the plan that appeals to the majority of people who are in the middle of the spectrum. Mr. Herking further said if Mr. Drake would like to provide an analysis of the ATPD's survey process prior to a meeting, he would be willing to look at it.

Mrs. Gelter said human beings participated in the public input survey process through many meetings and conversations. She gave more weight and consideration of the opinions of those who participated in the various public meetings throughout the planning process. Mr. Drake's opinion that the input of real people is somehow not valid does not sit well with her. The Board has informed Mr. Drake multiple times about the ATPD's status with the project. Mr. Drake chooses to ignore the Board's message, or has decided that he does not care, so he is attacking the ATPD's survey in order to discount the opinions of other people with whom he does not agree. She does not appreciate Mr. Drake attacking the ATPD's surveys because he believes his opinion is somehow more important than the opinions of others. She is perturbed by Mr. Drake's attitude to preclude other people from using the park because he does not care for the way they would like to use the park. She further stated if the Board listened to the loudest people in the beginning of the process, no one would be able to use JHP.

Mr. Smith said he was involved with all of the planning efforts for JHP as an employee of the ATPD who spends the majority of his time out in the parks. He personally talked with hundreds of people throughout the process and said the feedback he received directly from park visitors about the JHP plans was overwhelmingly positive. People were excited about the plans. The ATPD consistently encouraged public input in any form that people would give it. The ATPD's planning process was transparent. Lisa Wakeland from the Forest Hills Journal ran articles about the JHP plans almost on a weekly basis. The information was promoted on the ATPD's website, at events, and at open houses. The ATPD spent more time on the JHP planning process than on any other park plan during his 20+ years of services at the ATPD. Mr. Smith further stated the ATPD's JHP plans are not radical and that they are typical elements one would see in many community park designs.

Mr. Kushner stated he spent a lot of time with neighbors and at public meetings discussing the JHP plans. Mr. Drake has repeatedly stated the ATPD does a good job. Mr. Kushner asked Mr. Drake to let the ATPD do its job. The ATPD is comprised of professional staff dedicated to designing and managing community parks. Staff witnesses how people use the Anderson Parks. Staff talks to a lot of people in the community and strives to meet the needs for as much of the community as possible. Mr. Kushner stated Human Nature is the best company to incorporate nature into the park's design. Mr. Kushner stated most of the community will be excited about the end result for JHP.

Mr. Turchiano stated if the ATPD should decide to conduct another survey process for JHP, the ATPD would not select Mr. Drake for the task, and would choose a market research firm that would be unbiased.

Ms. Vilvens asked for more information about the Internet Auction.

Mr. Kushner stated the Internet Auction enables the ATPD to sell property that is no longer needed for public use, is obsolete, or is unfit for the use for which it was acquired.

Mrs. Armstrong said she would send Ms. Vilvens the resolution.

At 7:43 pm Mrs. Gelter moved the Board adjourn into Executive Session to discuss land acquisition. Mr. Turchiano seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

At 8:15 pm Mr. Herking moved the Board adjourn the Executive Session and re-open the regular meeting. Mrs. Gelter seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

No decision was made by the Board at this time.

At 8:16 pm, there being no further business to be brought before this Board, Mrs. Gelter moved to adjourn the meeting. Mr. Turchiano seconded the motion. Voting: Yes: Mrs. Gelter, Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

*I hereby certify that the foregoing are the minutes of the January 13, 2015 meeting of the Board of Park Commissioners, which minutes reflect the essence of the meeting and are not verbatim.*

*Emily Armstrong  
Board Clerk*

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Dale Bartholomew

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Nadine Gelter

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Rob Herking

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Tom Turchiano