

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

October 13, 2015

Nadine Gelter, President, called the regular meeting of the Board of Park Commissioners of the Anderson Township Park District (“ATPD”) to order at 6:30 pm at Park District Headquarters, 8249 Clough Pike, Cincinnati, OH 45244. Present were Board Members: Rob Herking, Dale Bartholomew, and Tom Turchiano. Angie Stocker arrived at 7:12 pm because of a work obligation.

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

GUESTS: Sheila Vilvens, Forest Hills Journal; Wayne Hermann; Chad and Mary Way; Scott and Becky Erickson; Monica Friedl; Holly Fritz; Elsa Basler; Mark Fyffe; Brad Bibus; Jean Wakefield; Lorin Smith; Moira Griesser; Nummy Ispording Oetgen; Tom Fernandez, SFA Architects; Josh Gerth, Trustee; Kelsey Harbert; Cathy DiBiagio; Joyce Gundling; and Helen Merritt.

PLEDGE OF ALLEGIANCE

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

OLD BUSINESS:

OhioCheckBook.com: Mr. Kushner reported the ATPD is officially live on the Treasurer of Ohio, Josh Mandel’s state online checkbook program, OhioCheckBook.com. The free initiative promotes transparency in government. The ATPD is one of only two special districts currently participating in the program. The other special district is the North Baltimore Public Library. Communities are able to go online and see where the money is going for the participating entities.

Clear Creek Park ~ Little Miami Scenic Trail Construction: Mr. Kushner reported the Little Miami Scenic Trail construction continues to be well under way on both sides of Clear Creek Park. The extension will connect the ATPD’s existing portion of the trail at Clear Creek to the Beechmont Levy and the Little Miami Golf Center. The ATPD has been working in cooperation with all the parties to bring this great recreational feature to fruition. The partners include, but are not limited to: Great Parks of Hamilton County, Anderson Township, and Ohio Department of Transportation. Good weather has enabled efficient progress on the project. Part of the ATPD’s agreement was to provide excess fill dirt for the project from the Clear Creek Park driving range mound. The project has significantly reduced the size of the mound and large amounts of concrete have been removed. Staff will sculpt the remaining mound. This section is one of the last remaining linkages in this important regional trail system. Soon, this trail will extend completely from the Ohio River to Lake Erie. The ATPD is proud to have contributed to this recreational feature that will greatly enhance this portion of our township for our residents. He further said the contractors may be able to get the blacktop down before winter.

Mrs. Gelter said the project looks good and the mound provides a very good view of the whole area.

Mr. Bartholomew asked if the ATPD could construct mountain bike trails on the mound.

Mr. Kushner said mountain bike trails require significantly more acreage than is available on the Clear Creek Park mound.

Clear Creek Park ~ Pickleball Courts Update: Mr. Kushner reported the pickleball courts at Clear Creek Park are officially open for play. He presented several pictures of the six pickleball courts in full use by visitors. Pickleball is an activity with great appeal to the senior population because it involves less running than tennis.

Mrs. Gelter asked if the pickleball courts would be affected by flooding.

Mr. Kushner said the 1997 flood would have been over the pickleball court fencing, but that was a 100 year flood. He said while flooding is certainly common at Clear Creek Park because it is in the floodplain, the pickleball courts will not regularly be affected.

Playground Update ~ Kellogg and Riverside Parks: Mr. Kushner reported the Kellogg Park playground is officially open for play. The total cost of the playground was \$61,000.00. The Passport to Anderson will stop at Kellogg Park on October 18th.

Mrs. Gelter said the restrooms were a significant improvement when they were added in 1988. Since Kellogg Park is in the floodplain, the restrooms were about double the cost. She said it takes a while to finish a park and the playground adds the finishing touch to Kellogg Park.

Mr. Kushner said the Riverside Park playground is getting a new play unit and swings to replace the equipment that originally came from the Nagel Park playground. The renovated playground is expected to be open by the end of the year.

Beech Acres Property Purchase and Levy: Mr. Kushner stated the Anderson Trustees announced in a public meeting on October 1st they would purchase the Beech Acres Parenting Center property and serve as the placeholder for a new high school or a park. The landowner is interested in the arrangement. The Board would need to approve assigning the ATPD's contract to the Township. The Board would also need to withdraw the levy since much confusion has been created about the purpose of the ATPD's levy.

Mrs. Gelter said members of the ATPD and the Township met with representatives of Beech Acres Parenting Center. The landowner is requiring their deadlines be met through the process. The Township has agreed to hold the land to allow the Forest Hills School District ("FHSD") to determine if the idea for a new Anderson High School at the Beech Acres property is financially, legally, or physically possible. This may be the ATPD's only avenue to at least keep the RecPlex and the surrounding land that is essential to the ATPD's indoor recreation business and park maintenance operations.

Mr. Bartholomew suggested Mr. Kushner get something in writing to the Township, requesting the continuation of the ATPD's RecPlex business. He said staff deserves to know if the recreation programs that require the RecPlex will continue.

Mr. Kushner said the rental agreement and contract with Beech Acres Parenting Center afford each entity a six-month provision of time to move out.

Mr. Herking said the schedule has always been Beech Acres Parenting Center's.

Mr. Kushner said the deadline to close on the property is March 31, 2016.

Mr. Herking stated there have been multiple meetings with lengthy and thorough discussions about the concepts for the property. The Township will serve as good stewards of the property for the community. For this reason, he believes it is in the best interest of the Board to rescind the ATPD's levy so that the Township can purchase the property for the community.

Mr. Bartholomew moved the Board rescind the ATPD's 0.7 mill, 15-year levy request to purchase Beech Acres Parenting Center's property and RecPlex, formerly approved as Resolution 2015-15, so that the Anderson Township Trustees can instead purchase the property and RecPlex for the community. Mr. Herking seconded the motion. Voting: Yes: Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (3); No: Mrs. Gelter. (1). The motion carried.

Mr. Herking moved the Board assign the contract for the Beech Acres Parenting Center property purchase to Anderson Township Government, and authorize Mr. Kushner to sign all associated documents. Mr. Turchiano seconded the motion. Voting: Yes: Mr. Herking, Mrs. Gelter, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

Public to Address the Board:

Mrs. Way said she is extremely displeased in the plan to relocate Anderson High School to the Beech Acres property. She presented a list of questions and acknowledged most of the questions should be directed to the FHSD. Her questions regarded the following: current Anderson Township Joint Financial Districts; Port Authority of Cincinnati's acquisition of a portion of the Beech Acres property; TIF funding collection and distribution; zoning and annexation liabilities; value of the existing Anderson High School property being sold to the developer for \$1.00; consequences if the developer defaults; what would remain of the current park; due diligence performed by all parties involved; why are resident taxpayers not aware of the financial information. She believes the community entities involved are doing a disservice to the community should the plan move forward.

Mrs. Gelter said many of Mrs. Way's questions have been asked by park board members over the past several months but that answers were not provided. The high school relocation concept is not the ATPD's project. The park board has expressed concerns all along from a resident perspective because if everything does not go right, the taxpayers will be on the hook. She further stated a third party should be required to evaluate the project and render an independent opinion, but the decision to do so is not up to the ATPD.

Mrs. Wakefield said it is the Trustees who need to provide answers. The park board has spent a tremendous amount of time and effort to acquire the Beech Acres property. In her opinion, the Trustees pulled the rug out from under the park board.

Mr. Bartholomew stated that by the Township Trustees purchasing the property, it will at least get into the public's hands. The Trustees have said the property will be a school and RecPlex, or a park. The Trustees still need to approve the decision to purchase the property. He said the ATPD could not in good conscience bait and switch the voters with a levy that could be for other purposes than as it was being presented. Months ago the school deal was determined by all three entities to be dead, so

the ATPD moved forward with the 25 year goal to acquire the property and the RecPlex. The park board cannot run a levy with all the confusion about what the levy is for, because it may not be parkland if the community was to pass it.

Mrs. Way said everything she has heard has been counterproductive. She said no one can answer any questions and none of it is transparent to the citizens.

Mr. Bartholomew said there is a lot of work to be done on the concept.

Mr. Herking said the Board is allowing the Trustees and the FHSD the time they need to vet their project and answer the public's questions. Tonight the Board is undoing what the ATPD did in April.

Mrs. Way said she wants a promise that the park will get the property from the Trustees.

Mrs. Gelter suggested Mrs. Way ask Trustee Gerth to keep his word to make the property a park if the high school concept is determined not to be feasible.

Trustee Gerth said his intention since day one is to see if the high school idea can be done and to keep the ATPD in the recreation business.

Mrs. Gelter said the parks are the people's business and that this community loves its parks. The property purchase certainly did not work out the way the park board wanted and it is a hard pill for her to swallow. The park board has no choice but to rely on the Township to do what they said they would do.

Mr. Hermann said he has been attending meetings and he is curious how taxpayers can spend \$103 million that requires a taxpayer vote, then immediately come up with a \$50 million plus plan that requires no say from the community at all. He is confused about the land transfers and asked if the park board was going to give away the land to the FHSD for the high school. He said he does not want to see the park be lost. He said the way the project is being managed is a shell game and that it disregards the tax payers. The community will still have debt no matter where the funding is coming from. No company or entity can guarantee anything with this kind of funding. He further stated the park board has an obligation to inform the community before it gives away any of the existing Beech Acres Park.

Mrs. Gelter said if a new high school goes on the Beech Acres property, the park board understands the park will be affected in positive and negative ways. The park board is now in the position that we must protect the existing park.

Mr. Bartholomew said the ATPD is not contributing any land to the FHSD for a new Anderson High School.

Mr. Turchiano said the ATPD is interested in 12 acres for a recreation facility on the new 36 acres.

NEW BUSINESS:

Calendar of Events: Mr. Kushner presented a calendar of upcoming activities for the Board's review.

Mrs. Gelter highlighted Make a Difference Day on October 24th at Riverside Park.

Mr. Bartholomew highlighted the many activities that are scheduled at the RecPlex. He said he needs a few more volunteers for the Veterans Day ceremony at the Anderson Center on November 11th. He is also working on the Veterans Memorial Committee which is fundraising for the memorial and will honor all branches of the military.

FUNDRAISING AND GRANT ACTIVITY:

Current Grant Projects: Mr. Kushner stated the following are active grant projects currently under construction:

Pickleball Courts ~ NatureWorks Grant: This grant is administered by the Ohio Department of Natural Resources for the construction of six courts at Clear Creek Park. The grant amount is \$66,816; the ATPD is providing a match of land, labor, and construction equipment.

Kellogg Park Playground ~ Land and Water Conservation Fund Grant: This grant is administered by the Ohio Department of Natural Resources for the construction of a playground at Kellogg Park. The matching grant amounts to \$25,742.00; the ATPD's match is in labor, construction equipment, and additional play equipment.

REQUESTS FOR APPROVAL:

Staff Changes: Mrs. Armstrong stated there are no staff changes this month.

Resolution 2015-19 ~ Hamilton County Auditor's Amounts and Rates:

Mr. Bartholomew moved the Board approve **Resolution 2015-19, Hamilton County Auditor's Amounts and Rates 2016**, accepting the Hamilton County Auditor's Amounts and Rates for 2016. Mr. Turchiano seconded the motion. Voting: Yes: Mr. Herking, Mrs. Gelter, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

Monthly Purchase Order Approval:

Mr. Bartholomew moved the Board approve the following between-meeting Purchase Orders, as presented by Mr. Jordan:

Irvine Wood Recover, Inc.	Playground mulch for Kellogg Park	\$ 6,000.00
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Mr. Herking seconded the motion. Voting: Yes: Mr. Herking, Mrs. Gelter, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

Resolution 2015-20 ~ Requesting Board of Elections Withdraw Levy Proposal from November 3, 2015 Ballot:

Mr. Bartholomew moved the Board approve **Resolution 2015-20, Requesting the Board of Elections to Withdraw the ATPD's 0.7 mill, 15-year tax levy from the November 3, 2015 ballot**. Mr. Herking seconded the motion. Voting: Yes: Mr. Herking, Mr. Bartholomew, and Mr. Turchiano. (3); No: Mrs. Gelter. (1). The motion carried.

FINANCIAL REPORTS AND AUTHORIZATION OF EXPENDITURES:

Mr. Turchiano moved the Board approve the **September, 2015 Financial Reports and Authorize the Expenditures** as presented by Mr. Jordan. Mr. Herking seconded the motion. Voting: Yes: Mr. Herking, Mrs. Gelter, 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 **September 8, 2015 Regular Meeting** as written. Mr. Herking seconded the motion. Voting: Yes: Mr. Herking, Mrs. Gelter, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

Mrs. Armstrong stated a correction was necessary for the minutes regarding the staff listed as being in attendance at the September 15, 2015 Special Meeting.

Mrs. Gelter moved the Board approve the minutes from the **September 15, 2015 Special Meeting** as amended. Mr. Turchiano seconded the motion. Voting: Yes: Mr. Herking, Mrs. Gelter, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

Public to Address the Board:

Mrs. Way said she wished to compliment the ATPD staff for providing and maintaining fabulous parks, which she visits every day.

Mrs. Gelter thanked the guests for attending the meeting.

At 7:08 pm Mr. Turchiano moved the Board adjourn into Executive Session to discuss the compensation of an employee. Mr. Bartholomew seconded the motion. Voting: Yes: Mr. Herking, Mrs. Gelter, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

The Board took a short break.

Mrs. Stocker arrived at 7:12 pm as the guests were departing the meeting.

Mr. Herking left the meeting at 7:50 pm.

At 8:05 pm Mrs. Stocker moved the Board adjourn the Executive Session and re-open the regular meeting. Mr. Turchiano seconded the motion. Voting: Yes: Mrs. Stocker, Mrs. Gelter, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

No decision was made by the Board at this time.

At 8:05 pm, there being no further business to be brought before this Board, Mrs. Stocker moved to adjourn the meeting. Mr. Turchiano seconded the motion. Voting: Yes: Mrs. Stocker, Mrs. Gelter, Mr. Bartholomew, and Mr. Turchiano. (4); No: None. The motion carried unanimously.

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

*Emily Armstrong
Board Clerk*

Dale Bartholomew

Nadine Gelter

Rob Herking

Angie Stocker

Tom Turchiano