

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

OCTOBER 2, 2015

Nadine Gelter, President, called the emergency meeting of the Board of Park Commissioners of the Anderson Township Park District (“ATPD”) to order at 1:00 pm at Park District Headquarters, 8249 Clough Pike, Cincinnati, OH 45244. Present were Board Members: Dale Bartholomew and Tom Turchiano. Angie Stocker was on speakerphone during the meeting.

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; Lori Fyffe, Administrative Assistant; Scott Lahman, Business Specialist; Allison Cottrill, Marketing Specialist; Recreation Supervisors, Lorin Smith and Monica Friedl.

GUESTS: Vicky Earhart, Anderson Township; Joyce Gundling, Stephen McGhee, Dee Stone, Jennifer Gonzales, Kathleen Wagoner, Maria Kelley, Tom Fernandez, Kim Wolke, Helen Merritt, and Scott Dorsten.

PLEDGE OF ALLEGIANCE

AGENDA: Mr. Turchiano moved the Board approve the Agenda as amended. Mr. Bartholomew seconded the motion. Voting: Yes: Mr. Bartholomew, Mrs. Gelter, and Mr. Turchiano. (3); No: None. The motion carried unanimously.

Beech Acres Property Purchase and Levy:

Mrs. Gelter stated she was not afforded the opportunity to present the full statement she had prepared for the joint meeting with the Forest Hills School District Board of Education and Anderson Township Trustees on October 1, 2015 at the Anderson Center. She read the full statement on behalf of the Board of Park Commissioners:

Over a year ago, the ATPD began the process to purchase the township’s only public indoor recreation facility, a building we have leased for over two decades. Last fall, we met with this Anderson Township Trustee board to request assistance to obtain the building, so we could continue our growing indoor recreation business, and, more importantly, to hold this heritage property for our community’s future residents. Among other things, this park board was told, “the ask was too great” and there simply weren’t enough unreserved funds to help us in this important endeavor.

On faith, we continued in the property bid process, and the property owners awarded us and agreed to continue negotiations with conditions. Those conditions and various timelines were met by this park board, and in July we entered into a contract with Beech Acres Parenting Center (“BAPC”) to purchase the RecPlex and the surrounding 36.71 acres of land. The contract stipulates the ATPD would run a levy to procure the funds to purchase.

Earlier this year, the park board was approached by both Anderson Township and the FHSD boards to discuss the possibility and feasibility of building a new Anderson High School (“AHS”) on this property, along with an expanded RecPlex. After weeks and months of meetings and discussions, representatives from all three boards and administrative staff from all three entities met a final time on August 18, 2015. It was determined and agreed to by all three entities that it was not possible to move forward due to various hurdles, the largest of which were financial and legal as described by

both Anderson Township and FHSD. On August 25, 2015 a press release was agreed to and published by all three entities stating it was not possible at this time to go forward with this idea.

The park board began to hear from various folks in the community that they knew the project was completely possible and the only hold-up was the park board. We determined that most of their information was coming from the master developer and other contractors involved in the project. We, as a board and residents as well, take this type of discussion seriously. No one from this group believed that Anderson Township and the FHSD had agreed to not go forward. They did not even believe us about the described press release in August.

On September 15, 2015, this park board issued a public statement:

- If the levy is successful and we buy the property we will forgo major changes until the FHSD and Anderson Township fully vet the new AHS plan;*
- If it is feasible (described as a win-win-win) for all three entities, then a new AHS could be built on this property;*
- The ATPD would require an agreed-upon mechanism (i.e., referendum vote, professional survey or other means) in order to ascertain the will of the residents for this property (park, school, combination of both).*

It's really quite simple. It is the ATPD's long time relationship with the property owners that has created this opportunity for the community now. It is the surest and most direct method available today to secure this land for public use for tomorrow.

It is the future of the entire community which is at stake. It should be and is the entire community's decision. Will you join us and support the community as we determine our own destiny?

Mrs. Gelter said what she heard from the FHSD Board members at the previous day's meeting is that the FHSD wants the ATPD to provide the FHSD with the Beech Acres property with no ATPD conditions, and that the FHSD does not believe the FHSD and the ATPD can co-exist on the property, or that the FHSD does not want to co-exist on the property. She stated the park board has called an emergency meeting today to: Discuss if the ATPD should rescind the offer to the FHSD since they appear to have declined the ATPD's offer; Consider what effect Trustee Jackson's announcement may have on the ATPD's levy results since Anderson Township would simply purchase the property for the community and serve as a placeholder until the school concept is determined to be viable or not; Determine the ATPD's message for marketing informational materials going out tomorrow. She is concerned about the community's confusion about the ATPD's levy. She does not want the ATPD to partake in a bait and switch on the community with the levy purpose. The levy purpose is to purchase the property as parkland and renovate the RecPlex. It is not to buy the property for the FHSD, nor to build a new RecPlex there or somewhere else. She supported working through the possibilities with the FHSD towards a win-win-win, but in her opinion, what she heard yesterday was only a win for the FHSD while they are no further along figuring out if their plan works than they were in March.

A lengthy discussion ensued among the park board including: The ATPD is under contract with the Beech Acres Parenting Center; The landowner said in a meeting three weeks ago that they will talk to the ATPD after the November 3, 2015 election; The FHSD said they cannot afford the time required for the Township's zoning process, nor for the landowner's time required to vacate the property; The

FHSD said they do not have a developer, yet by the end of the meeting, all entities were required to meet with FHSD's developer who was in attendance at the meeting.

Mr. Kushner stated in his opinion the park board got railroaded because the Anderson Township Trustees said last fall they did not have the money to purchase the property, and now just 30 days before the election, they suddenly have it. The Trustees know the ATPD does not have the funds to buy anything back from them, should the school concept not work. Yesterday was the first time a member of the FHSD Board said the ATPD might get to stay in the RecPlex, but the ATPD still does not know what it might get, or not. He said the FHSD has said up until yesterday's meeting that there is no room on the 36.71 acres for the ATPD.

Mr. Bartholomew apologized for committing the ATPD to another meeting with the landowner and the Trustees. He told Mrs. Earhart he would issue a statement explaining that he misspoke and that the ATPD will not be meeting with the landowner again until after the election. The ATPD should have asked the FHSD and the Trustees to support the ATPD's levy at yesterday's meeting. He commended the park staff for building the ATPD on its operating levy over the past 23 years. However, there is no possibility of the ATPD affording the Beech Acres property on its operating levy, of which the Anderson Township Trustees are well aware. The ATPD now needs to make sure the community knows the only way for the ATPD to purchase the property for the community is through the upcoming park levy.

Mr. Bartholomew asked Mrs. Earhart where the Township is in determining whether the \$20 million dollar contribution is viable.

Mrs. Earhart said the matter was just brought up yesterday and she has not analyzed it. She does not know how the Township will repay it. There is some confusion regarding the Township's use of TIF.

Mrs. Gelter said she wants to meet next week with the full Board. She does not want the ATPD to go to Beech Acres Parenting Center to ask them to sell to the Township. If the levy fails, then the ATPD should go with the Township to talk to the landowner. She does not want the ATPD to renege on the contract with Beech Acres just weeks before the election.

Mr. Turchiano said he does not believe the ATPD should take any offer off the table and that in his opinion, things could still be worked out. Yesterday was a working session. He does not know if the Trustees can do what Mr. Jackson offered or if it is feasible. The ATPD should still pursue the levy while the FHSD vets their idea. The community will decide on November 3rd. He wants to see a diagram from the developer.

Mrs. Stocker said the FHSD seems averse to discussing co-existence. They would not answer how many acres they need or if 36 acres is even enough for the school. The ATPD ideally needs 10 acres with a minimum of 8 acres. If the FHSD has the school as being on 50 acres, then maybe things are still possible. If they are still talking about taking out the amphitheater, then she does not believe we can partner.

Mr. Turchiano asked Mr. Kushner to provide the developer with the ATPD's property lines.

Mr. Kushner asked Mr. Fernandez of SFA Architects if he is working for the FHSD or if he has been contracted by the FHSD.

Mr. Fernandez responded that he is not working for the FHSD.

Public to Address the Board:

Mr. Dorsten said if the ATPD does not yield on needing 10 acres, then the ATPD is the block for the project.

Ms. Wagoner said she had a different take on the meeting from yesterday and that she must have been at a different meeting. The ATPD could put a rec facility on another property since the ATPD would need to come back for another levy anyway.

Mrs. Kelley asked how the scenario is different if the RecPlex is at Veterans Park.

Mr. Bartholomew said the Beech Acres property contains much of the required infrastructure, which Veterans Park does not have.

Ms. Gonzales asked if the ATPD doesn't share with the FHSD, what would happen with the other buildings on the property.

Mrs. Gelter said the ATPD would explore all the options, including continuing to lease the space in the cottages. The RecPlex is the ATPD's only indoor recreational space, which is why the Board is so concerned about acquiring it. Thousands of people use the RecPlex and a community of our size deserves access to more public indoor recreational space. When the ATPD ran a recreational survey in March, people asked for more than the ATPD could even do, and referenced facilities like the Blue Ash and Mason recreation centers. The level of the ATPD's levy would only allow us to renovate what we have, we could not build new at this time.

Mr. McGhee confirmed the step ahead is to buy the land. Option one is to co-exist on the property with the FHSD. Option two, if co-existence is not possible, would be a plan for the school to give the ATPD a structure or land with incremental funding.

A brief discussion took place regarding funding alternatives.

Ms. Gonzales asked if the existing Anderson High School property would be available for the ATPD to purchase for a community center.

Mr. Bartholomew said the existing Anderson High School property would not be available as it is needed for development in order to generate the TIF funding that is supposed to pay for the new school. The ATPD would not want to invest in property it does not own.

Mrs. Gelter said the arrangement for the property on Forest Road and the Beech Acres property is that neither the ATPD nor the FHSD will own it, as the developer would own it all.

Mr. Kushner said the ATPD invested in the Beech Acres RecPlex which is why we want it so badly. The ATPD partnered with Beech Acres Parenting Center on the gym floor because there is no other option for a building besides in the Ancor area. There is much excitement in Anderson Township because there are 13 projects going on. There is a lot of work to be done on the school idea and none of it is for the ATPD to do. There have only been two chances for the community to acquire the Beech Acres property. We acquired the first piece of Beech Acres in 1997 and now in 2015, the other

piece is available to the ATPD. The ATPD operates on 10-year levies that expire. It's rare the ATPD runs a capital levy and the Board takes running levies very seriously. The situation at hand for the ATPD is that we are damned if we do and damned if we don't. It is unfortunate other entities have put us in this situation. A viable community should not want to cannibalize one entity for the sake of another.

Mr. Fernandez said Anderson High School currently resides on 49 acres and without the buses and administrative offices, 31.1 acres are used for the school. He asked Mr. Kushner for his records on the property lines and apologized for the difference in his plans. He welcomes the opportunity to work with the Board. In conversations with Mr. Turchiano and Mr. Herking, the ATPD would get \$2 million to renovate the RecPlex. He is not working for the FHSD, he is part of the development team that is proposing this idea.

Mrs. Gelter said in the August proposal, Mr. Fernandez was willing to give the ATPD property at Ayer and Sherwood elementary schools. She asked how Mr. Fernandez could be negotiating for the FHSD if he is not working for the FHSD.

Mr. Fernandez said he was describing the entire package as far as he knows.

Mrs. Kelley asked what the plans are for the RecPlex.

Mrs. Gelter said the renovations would include HVAC, electrical, and plumbing upgrades, ADA accessible restrooms, and modernizing the mechanical components of the building.

Mr. Kushner said the doors need to be replaced and the roof needs to be repaired, all while continuing our recreation business and hopefully, adding to it eventually. The estimate to renovate is a standard renovation figure of between \$180-\$212 per square foot. He said 36 acres is not much, considering how much the ATPD typically puts in the parks like Beech Acres and Juilfs parks. The Mercy Healthplex sits on 20 acres.

Ms. Merritt said she is a resident and Mrs. Gelter's sister. If the park levy does not pass, neither the parks nor the schools might get the property and it could be sold to anyone for anything.

Mr. Kushner said the landowner will ultimately decide what becomes of their property.

Mr. Dorsten said we have enough parkland and the need is for a proper school for the children.

Mr. Bartholomew said the levy is on the ballot November 3, 2015 and the ATPD will work out the details. The FHSD said they needed more time and we have offered to give them more time.

Mrs. Gelter said the land acquisition is only part of the equation for the new school. They still do not have all the answers. As a resident, she would not want to see anyone move forward with anything that would bankrupt the community. We must trust the Anderson Township Trustees to make the right decisions for the whole community. Passage of the levy is the sure way to get the property for the community.

Mrs. Kelley said if the levy does not pass, it will not be sold to the ATPD.

Mrs. Gelter said the landowner has turned down the FHSD three times. The community needs to be a part of these decisions, not 13 people in a room behind closed doors without any opportunity for public input. She is happy to have been invited to the meeting by the Anderson Township Trustees and she is happy that people have taken an interest in this community issue. Whether or not the school thing happens, she hopes people will continue to stay involved. Residents need to have a say so in what happens in their community.

Mr. Fernandez asked about the ATPD's assigned task from yesterday's meeting to meet with the landowner, accompanied by the Anderson Township Trustees. He welcomed the opportunity to sit down with all the entities to further discuss the Anderson 2020 plan, which he is proposing to the community.

Mr. Bartholomew said he misspoke and Beech Acres Parenting Center has already answered this question. He said he will send an email to Mrs. Earhart, for her to distribute to the Anderson Township Trustees.

Mrs. Stocker said the concept will require whatever space the school needs plus and an additional seven to ten acres for the ATPD.

Mrs. Earhart said all three entities will be meeting in the near future with the developer to discuss their needs. She stated all three entities should be present at any further meetings and discussions on this concept, at least at the staff level.

The Board thanked the guests for attending the meeting.

At 2:13 pm, there being no further business to be brought before this Board, Mr. Bartholomew moved to adjourn the meeting. Mrs. Gelter seconded the motion. Voting: Yes: Mr. Bartholomew, Mrs. Gelter, and Mr. Turchiano. (3); No: None. The motion carried unanimously.

I hereby certify that the foregoing are the minutes of the October 2, 2015 emergency 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

Tom Turchiano