

**SOUTH BEND BOARD OF PARK COMMISSIONERS
REGULAR MEETING
DECEMBER 12, 2016**

The Board of Park Commissioners of the City of South Bend, Indiana met on Monday, December 12, 2016 at the O'Brien Administration & Recreation Center, 321 E. Walter St., South Bend, Indiana for its regular meeting. Notice of the date, time and place of the meeting were duly given as required by law.

Park Board members present were as follows:

Mr. Mark Neal, President
Ms. Aimee Buccellato
Mr. Dan Farrell

Park Board members absent were as follows:

Ms. Consuella Hopkins

Staff members present: Aaron Perri, Director of Parks; Eva Ennis, Operations Coordinator; Paula Garis, Special Events Supervisor; Michael Schmidt, Assistant City Attorney; Susan O'Connor, Director of Recreation; Amy Roush, Administrative Assistant Supervisor; John Martinez, Maintenance Superintendent

I. The meeting was called to order by Board President Mark Neal at 5:00 p.m.

II. Approval of Minutes of the November 21, 2016 Regular Board Meeting

Motion to approve the minutes of the regular board meeting held on November 21, 2016 by Dan Farrell, supported by Aimee Buccellato, motion carried.

III. Approval of the Consent Agenda

Motion to approve the consent agenda by Aimee Buccellato, supported by Dan Farrell, motion carried.

IV. Interviewing of Interested Citizens

Request for citizen input on items not listed on the December 12, 2016 Park Board Meeting agenda. There were no citizen comments.

V. Report by Organizations

A. Potawatomi Zoo

Marcy Dean will be providing a year-end update at the January meeting.

B. Botanical Society

There was no one in attendance to give an update on the Botanical Society.

C. South Bend Cubs

There was no one in attendance to give an update on the South Bend Cubs.

VI. Unfinished Business

1. Update on Elbel Special Advisory Committee Recommendations

Aaron Perri reported that this will be the last monthly update on the Elbel Special Advisory Committee recommendations, but any updates will be on the agenda as needed. The Ecological Advocacy Committee met for the first time in November. Terri Hebert is the chair of the committee. The department is still working out details with First Tee of Michiana to partner with operating Studebaker in the spring.

VII. New Business

1. Request to Advertise Maintenance Service Contract for Bowman and City Cemetery

John Martinez made a request to advertise receiving bids for Bowman and City Cemetery maintenance service. Advertisements would go out the week of 12/23 and 12/30.

Motion to approve request to advertise the maintenance service contract for Bowman and City Cemetery by Dan Farrell, supported by Aimee Buccellato, motion carried.

2. South Bend Cubs Stadium Expansion

Aaron Perri shared that the South Bend Cubs have requested to add 200 seats to the outfield at Four Winds Field. Any stadium improvements must be approved by the Park Board, but the investment will be privately funded by the South Bend Cubs. All improvements will become property of the City of South Bend. John Martinez said he met with Joe Hart prior to this regarding the improvements and is satisfied with the proposal.

Motion to approve the request to expand the stadium based on the documents provided by Dan Farrell, supported by Aimee Buccellato, motion carried.

Mark Neal requested an update from Joe Hart in February or March.

3. Weather Amnesty and Cancellation of Events

Susan O'Connor reviewed the Weather Amnesty policy and Cancellation of Events policy that need Park Board approval. The Weather Amnesty policy is new for the department and the Cancellation of Events policy existed previously but needed updated.

Motion to approve the Weather Amnesty policy and Cancellation of Events policy by Dan Farrell, supported by Aimee Buccellato, motion carried.

4. 2017 Meeting Dates

Aaron Perri noted that Park Board meetings are typically held third Monday of the month at 5:00 pm with exception to the January meeting which will be moved to the third Tuesday due to Martin Luther King Jr. Day.

Motion to approve the South Bend Parks Board Commissioner meetings for 2017, supported by Aimee Buccellato, motion carried.

5. Hydroelectricity Ground Lease

Michael Schmidt noted that at last meeting the Park Board took action to advertise that the board intends to enter into ground lease regarding a hydroelectricity project at Seitz Park. The Park Board will consider a ground lease to allow Notre Dame to access to Seitz Park to construct a structure for hydroelectricity.

Tim Sexton of Notre Dame opened for questions from the Park Board regarding the ground lease.

Paul Kempf reviewed the specs of the project noting it will be a 2.5 megawatt hydro plant with 10 small turbines, channel intersects intake to allow water to flow underground.

Mark Neal asked if other universities have embarked on projects similar to this or if this project is unique to Notre Dame. Paul Kempf replied that he is unaware of any similar projects.

Dan Farrell asked how much power the project will provide the university. Paul Kempf replied that 7-10 percent of the campus' energy will be harnessed from the hydro project. Notre Dame plans to couple various strategies that will make a significant impact on university's energy usage.

Dan Farrell asked if both entities will be acquiring permits for the project. Michael Schmidt replied that the expectation of the ground lease is that Notre Dame will be responsible for meeting requirements for operation.

Dan Farrell asked for clarification on Section 8 which discusses priority of water. He asked if all city projects have priority of water before water goes to the hydro project. Paul Kempf replied that all flows of water for the city are established prior to the hydro project.

Dan Farrell asked if Notre Dame can assign the lease to someone else. Michael Schmidt replied that Notre Dame has ability to assign the lease to a party related to ND without City consent, but if it assigned to any other entity it must be approved for the City. The purpose and contents of the agreement must remain the same if it is assigned to another party.

Aimee Buccellato noted that there is no specific language about the design of the ingress/egress facility and asked how the City of South Bend and Notre Dame will work together on this. Paul Kempf replied that the two entities have already been meeting monthly about this project, and he anticipates that the meetings will continue.

Mark Neal asked if the project affects timeline of the Riverfront Parks and Trails plan. Aaron Perri replied that the construction of this project fits well in the timeline for RPT planning and Seitz Park redesign.

Aimee Buccellato noted that the agreement is not explicit about standards of care and maintenance of the area where Notre Dame accesses the hydroelectricity equipment. Michael Schmidt replied that if Notre Dame makes improvements above ground or below ground it is their requirement to maintain, but if the City makes improvements above ground it is the City's responsibility to maintain. Michael Schmidt added that once substantial completion of the

hydroelectric facility occurs and the City receives the money to reconstruct Seitz Park, the park becomes the City's responsibility to put back together.

Aimee Buccellato- asked if it is clear in the language of the agreement about what will happen if Notre Dame decides to abandon the project after it is completed. Michael Schmidt replied that all equipment is underground. The language in the agreement requires Notre Dame to either remove equipment or give the title over to the Parks Department if the department decides it wants to run it.

Dan Farrell asked why the \$1 million amount to reconstruct Seitz Park was decided on and if that was the appropriate amount. Aaron Perri replied that it would cost \$400,000 to replace park as is, but \$1 million would give an additional \$600,000 to make additional improvements to the park.

Michael Schmidt disclosed that Aimee Buccellato is employed by the University of Notre Dame and asked Aimee Buccellato the following questions to confirm there is not a conflict of interest.

- Did you have any involvement in negotiating this lease on behalf of Notre Dame?
- Were you asked or consulted to partake in this project by Notre Dame?
- Do you have any pecuniary interest in this project?
- Is there any reason you feel you have a conflict of interest between your role at the University and park board membership that would prevent you from voting on either the ground lease or the maintenance agreement of this project.

Aimee Buccellato responded no to all the questions and it was determined that she does not have a conflict of interest in regards to this project and its associated agreements.

Terese Dorau explained that the City has been holding the FERC exemption in hopes of establishing our own renewable resource. After the City reviewed several options, it could not find a feasible use of tax payer dollars, so this partnership allows the City to share its commitment to sustainability.

Motion to approve the hydroelectricity project ground lease by Dan Farrell, supported by Aimee Buccellato, motion carried.

Motion to approve the restoration and maintenance agreement with Notre Dame by Aimee Buccellato, supported by Dan Farrell, motion carried.

6. Golf Equipment Purchase from Wilson Outdoor Solutions

TJ Mannen explained that he found substantial savings from purchasing used golf equipment from Wilson Outdoor Solutions. Michael Schmidt explained that state code does not contemplate purchasing used equipment. Because there is substantial savings for used equipment, this equipment is going through a unique purchasing process which requires board approval.

Motion to approve the purchase of golf equipment from Wilson Outdoor Solutions by Dan Farrell, supported by Aimee Buccellato, motion carried.

VIII. Business by Director Aaron Perri

Aaron Perri gave the following updates:

- Ron O' Connor will present year-end financial report at the next meeting.
- VPA expects to have 14 new hires to announce next month.
- Saved \$12,000 per year and 30% on service calls just in HVAC last year.
- The department is working with the Boy Scouts to adopt Fredrickson Park and utilize it for their programs. Aaron Perri will begin discussing this with the surrounding neighborhoods soon.
- The Riverfront Parks and Trails process is at the stage of looking at design concepts. Smith Group JJR will present designs to public in February or early March.
- The department is extending its contract with Edge Adventure to do engineering to put zip lines along the East Race.
- Staff has been working on goal setting for the next year. Aaron Perri will combine staff's goals to create some overarching goals for the department.
- Gibson Insurance is creating a TULIP (tenant user liability insurance program) for the department to offer users of parks an affordable insurance option. The policy will come to the board next month.

IX. Report from Susan O'Connor

Susan O'Connor highlighted staff member Jillian Rucker, Program Coordinator at Martin Luther King Center. She also gave the following updates:

- Year to date attendance at department programs is 356,208
- Downtown for the holidays attendance: 1,800 at Tree Lighting and all Santa programs were full
- River City Basketball ended December 10
- Staff is working on a temporary ice skating experience to host two or three days this winter at Charles Black Center and Martin Luther King Center.

X. Report by Facilities and Grounds Superintendent John Martinez

John Martinez gave the following updates:

- Facilities and Grounds is wrapping up year-end projects and setting goals for next year.
- Regular maintenance routines for snow removal.

Mark Neal noted that the next meeting is scheduled for Tuesday, January 17, 2017.

No other questions or comments from the Board, meeting adjourned a 6:30 p.m. by President Mark Neal.

The next regular meeting will be held Tuesday, January 17, 2017 at 5:00 p.m. in the Boardroom of the O'Brien Administration Center.

Respectfully Submitted,

Eva Ennis
Executive Secretary