

SOUTH BEND BOARD OF PARK COMMISSIONERS
REGULAR MEETING
MAY 20, 2019

The Board of Park Commissioners of the City of South Bend, Indiana met on Monday, May 20, 2019, 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
Mr. Dan Farrell
Ms. Consuella Hopkins

Park Board members absent were as follows:

Ms. Aimee Buccellato

VPA staff members present: Aaron Perri, Executive Director; Eva Ennis, Operations Coordinator; John Martinez, Facilities & Ground Director; Kara Wood, Events Director; Jonathan Jones, Recreation Director; Annie Gawkowski, Chief Development Officer;

Other city representatives present: Clara McDaniels, Assistant City Attorney; David Relos, Property Development Manager; Jo Broden, Common Council Member

I. Call to Order

President Mark Neal called the meeting to order at 5:10 pm.

II. Approval of Minutes

Motion to approve the minutes of last regular meeting on April 15, 2019 by Dan Farrell, supported by Consuella Hopkins, motion carried.

III. Consent Agenda

Motion to approve the consent agenda by Consuella Hopkins, supported by Dan Farrell, motion carried.

1. Right Now Outreach

Rachel Ross explained that she would like to host an outreach in the park with a mission of loving the community. The event will include face painters, giveaways, etc. She is working with Counter Culture Youth to perform pieces at the Chris Wilson Pavilion during the event. Consuella Hopkins asked how many participants are expected. Rachel Ross replied that the event is open to community, and they are expecting 150 people.

Kara Wood noted that she is still waiting to get receipt of insurance and that the VPA team discussed the use of bounce houses and cannot approve them because it will require staking in the park which is against the rules. All other details of the application were acceptable.

Motion to approve the Right Now Outreach pending the insurance receipt and discussion around the bounce houses by Dan Farrell, supported by Consuella Hopkins, motion carried.

2. For the Culture

Lisa Kowalski from Dickenson Fine Arts Academy shared that For the Culture is an event promoting local business, art and musicians. It will run from 12:00 -7:00 pm at Pinhook Park. They expect 100-200 guests. Carlton Reeves added that the goal is to promote diversity and support local talents. Up and coming entrepreneurs and local businesses will be vendors. Dan Farrell asked if the event will include alcohol. Lisa Kowalski replied that they would like to have alcohol in the building if they can get all the required permits.

Mark Neal asked what the plans were for obtaining volunteers. Lisa Kowalski replied that they will recruit volunteers through school connections.

Consuella Hopkins asked if there will be a fee for vendor space. Lisa Kowalski replied that they will charge \$50 fee for space to offset cost of event and to help reach long-term business goal.

Kara Wood added that the application still needs proof of insurance, ATC permit, and fees paid.

Motion to approve the For the Culture at Pinhook pending the necessary documents are received by Dan Farrell, supported by Consuella Hopkins, motion carried.

V. Interviewing of Interested Citizens

Mark Neal opened the floor for citizen comments. There were none.

VI. New Business

1. MOU between BPC and LaSalle Council

John Cary from the LaSalle Council introduced board member Brad Beutter and legal counsel for the LaSalle Council, Stephen Studer. The LaSalle Council would like to create a program as an outreach to communities around South Bend that would provide STEM programming around Fredrickson Park. Aaron Perri explained that the agreement is for access and use of property at Fredrickson Park between the City of South Bend and LaSalle Council. The agreement is not designed to offer exclusivity at Fredrickson Park to the LaSalle Council, but the park would remain open to the public. The projects may be designed, implemented, and paid for by the Boy Scouts but the property remains public. Every project will need to be vetted through the City's regular capital improvements process. Extra cautions were taken into consideration with the agreement because the site was a previous landfill and has certain requirements because of that.

Dan Farrell asked how members of the public access these programs. John Cary replied that the structures would not be permanent but because the park will be open to the public, residents can access the structures at any time. He also asked if there is extra liability to the City with having those structures out in the park. Clara McDaniels replied that it depends of whether the improvements are temporary or permanent. All projects must be approved by the City before installation. General liability insurance is in place for the park. The agreement also includes a supervision that if there is damage to the park, the Boy Scouts would responsible for damages. Stephen Studer added that because of the sensitivity to the clay cap at the park, the agreement includes several protections and the LaSalle Council is sensitive to the special needs there.

Clara McDaniels noted that a plat of land north of the park that is not owned by the Park Board but is city-owned so that is not included in the scope of this MOU. The City and the LaSalle Council are negotiating what will happen with that piece of property but a decision has not been reached.

Consuella Hopkins asked about timeline for implementing the projects. John Cary replied that the STEM Program is already in place, but the LaSalle Council is fundraising for the infrastructure improvements.

Dan Farrell asked what is planned for Fredrickson Park as part of My South Bend Parks & Trails. Aaron Perri replied that only trails and passive plantings are planned for the park.

Dan Farrell asked if there have been any communications with surrounding neighborhoods. John Cary replied there have not been formal communications yet, but the Council has talked to the president of the neighborhood association. They are interested in engaging all residents around the area.

Jo Broden commented that she is not concerned with the plans being presented and see those as a potential benefit to the community, but she requested that the board look at the agreement more closely related to liability, especially in relation to the cap being breached. She expressed concern that the agreement is not strong enough to cover liability at the level of protection necessary. She added that the per incident liability of \$100,000 seems low. She also recommended building in a clause that would ensure reevaluation of the program periodically. She noted that there are three formal neighborhood groups within close proximity that should be communicated with: Coquillard Woods, Northeast Neighborhood, and Wooded Estates.

Clara McDaniels noted that under section 9 there are several layers of insurance required for the soft improvements, in addition to general liability that is set in statute. She noted that a surety bond was not requested in addition to these insurance levels. Stephen Studer noted that several sections address liability including paragraphs 3,4, and 5, in addition to the dual insurance.

Clara McDaniels also noted that the agreement states that any current or future requirements for the site must be met.

Consuella Hopkins asked if there should be a time frame that repairs must be done if there is damage. Clara McDaniels replied that reasonableness would be assumed but the agreement language could be amended to include that. Consuella Hopkins also requested that, in being consistent with other projects, the LaSalle Council engage neighborhoods and the community.

Jo Broden commented that project and partnership is a positive move for South Bend and the agreement is helpful for fundraising, but she wants to ensure that liabilities are at the proper amount and that if the cap is breached it is clear who is responsible for repayment.

Mark Neal summarized that the board is relying on legal counsel's recommendation regarding proper liability coverage and the agreement is clear that a plan will be approved by the City. He also requested that paragraph 5 be amended to include that repairs would be done in a reasonable time frame. He also requested that a commitment be made by the Boy Scouts to communicate with all the adjacent neighborhood groups.

The LaSalle Council committed to providing an annual report to the board and a report back to the board regarding neighborhood engagement in 90 days.

Motion to approve the agreement with all the final amendments and commitments as discussed by Consuella Hopkins, supported by Dan Farrell, motion carried.

2. Seitz Park Minor Subdivision

Dave Relos, Property Development Manager for Community Investment, commented that the board transferred property to the Redevelopment Commission last August to help gather all the properties at Seitz Park under one entity. The board must now replat those properties.

In a later action, Lot 1 will be deeded to the Park Board as part of Seitz Park which ultimately will increase the property size of Seitz Park. There also several easement agreements that will need to be cancelled after all the property is redistributed property, and a new easement will be presented.

Motion to approve the resolution to replat the Seitz Park Minor Subdivisions and the Waiver of Right to Appeal by Dan Farrell, supported by Conseulla Hopkins, motion carried.

3. Best Week Ever Photo & Video

Annie Gawkowski, Chief Development Officer, shared the videography and photography contracts for Best Week Ever. RFP's were dispersed for both photography and videography and two firms were selected after the RFP responses. VPA selected Adam Raschka as the photographer and Chuck Fry as the videographer. VPA has worked with both vendors before and has been pleased with their work.

Motion to approve the contract for photographer and videographer for Best Week Ever by Consuella Hopkins, supported by Dan Farrell, motion carried.

4. BWE Parking

Annie Gawkowski requested that the board approve agreements between the City and several property owners to allow the City to utilize their parking lots during Best Week Ever.

Motion to approve parking permission letters a-d as listed on the agenda or their legal entities by Dan Farrell, supported by Consuella Hopkins, motion carried.

VII. Report by Director of Golf

Tony Stearns gave the following updates:

- Scott Curtis is new superintendent at Elbel.
- The new Golf Now improvements with reporting are working well. The golf team has also started working with a marketing team with Golf Now.
- Golf is hiring a Marketing Manager.
- Save the date for July 21 for the 100 Years of Golf celebration
- Tony Stearns reviewed Erskine renovation progress. The project is over 95% complete.

VIII. Business by Executive Director Aaron Perri

- Volunteers of the Year, Vicki McIntire & Larry Clifford, were honored at a South Bend Cubs Game on May 19.
- Best Week Ever is June 2-8.
- First public appearance of Boomer was on May 18 at Kennedy Park for National Kids to Parks Day.
- VPA handed out 70 native trees at Arbor Day event at Fremont Park on April 27.
- Coquillard Park playground is complete; next up is Boehm Park playground.
- Restrooms at Potawatomi Park are complete.
- VPA's marketing team was rearranged to assign a marketing manager to every area of the department.

- Annual Gone Fishing event was held May 4 with over 40 participants.
- Leeper Park Ground Breaking Ceremony is Thursday, May 23 at 10 am.
- VPA kicked off its public fundraising campaign for Howard Park with an event on May 14.
- Board of Public Works began the property acquisition process along the St. Joseph riverfront that has been discussed at previous Park Board meetings. There are portions of the riverfront that are not owned by the City, so the City is acquiring those properties to ensure are protected for public access in perpetuity.
- National Association of Interpreters Conference was hosted in South Bend at the end of April.
- Potawatomi Zoo Director Marcy Dean is on administrative leave, and Josh Sisk is the interim Executive Director. The zoo is preparing for reaccreditation process in June. The City is continuing to track any budget implications that may exist related the zoo's state mandated hotel-motel tax distribution.
- Thanks to Consuella Hopkins for leading 9th year of the Lincolnway Clean-up.

No other questions or comments from the Park Commissioners, meeting adjourned at 7:04 p.m. by President Mark Neal.

The next regular meeting will be held Monday, June 17, 2019, at 5:00 p.m. in the Boardroom of the O'Brien Administration Center.

Respectfully Submitted,

Eva Ennis