



Board of Park Commissioners
Regular Meeting
Minutes

Regular Meeting: Tuesday, May 16, 2023 4:00 – 5:30 p.m.

Council Chambers 401 North Morton

CALL TO ORDER - ROLL CALL

The meeting was called to order by Kathleen Mills at 4:02pm
Present: Kathleen Mills, Ellen Rodkey, and Israel Herrera
Virtual: James Whitlatch

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CALL TO ORDER - ROLL CALL

A. CONSENT CALENDAR

- A-1. Approval of Minutes of and April 25, 2023 Regular Meeting
- A-2. Approval of Claims Submitted April 25, 2023 – May 15, 2023
- A-3. Approval of Non-Reverting Budget Amendments -None
- A-4. Review of Business Report
- A-5. Review of Credit Card Refund Report
- A-6. Approval of Surplus
- A-7. Approval of partnership agreement with Summer Star Foundation for Banneker Nature Club
- A-8. Approval of partnership agreement with Downtown Bloomington, Inc. for Fourth of July Parade
- A-9. Approval of contract with Professional Golf Car for Fourth of July Parade
- A-10. Approval of contract with Bruce Wilds Security for Fourth of July Parade
- A-11. Approval of service agreement with Aquatic Control Inc. for Griffy Lake Aquatic Vegetation Survey
- A-12. Approval of service agreement with Eco Logic, LLC for vegetation management at Wapehani Mountain Bike Park
- A-13. Approval of contract with Harrell Fish, Inc. for emergency water line repairs at Lower Cascades Park restrooms
- A-14. Approval of contract with Bluestone Tree for hazardous tree removal from Griffy Lake Nature Preserve
- A-15. Approval of partnership agreement with IU for All Kids Swim

Ellen Rodkey made a motion to approve Consent Calendar. *Israel Herrera* seconded the motion. Vote take: unanimously carried 4-0

B. PUBLIC HEARINGS/APPEARANCES

B-1. Bravo Award

Emily Buuck, Community Relations Coordinator presented Paul and Linda Kern with the May Bravo award for the many hours given as Adapt-a-Greenspace volunteers at Griffy Lake/Dunn Street. Their support, helped reverse the impact of forest-degrading pressure, helped in the collection of trash, and in the effort to stop the spread of invasive species. The department and staff were grateful for their volunteer hours and support.

The Board: thanked Paul and Linda Kern for their service.

B-2. Parks Partner Award – none

B-3. Staff Introductions

Jason Sims, Cascades Golf Course Facilities Manager, had recently accepted the position of Manager at Cascades Golf Course. Over the last eighteen years, Jason had held many positions at Cascades Golf Course, and had moved up the ladder from his first position as Attendant to Facility Manager.

Erin Freese-Posthura, had recently accepted the position of Program Specialist at Banneker Community Center. Erin's primary experience had been working with children to provide educational activities and help meet specific needs of both children and their families. Erin had previously provided classroom support within the Monroe County Community School Corporation, and had a strong day camp background.

C. OTHER BUSINESS

C-1. Review/Approval to Uphold Tree Work Permit Denial for 2626 S. Bryan Street

Haskell Smith, Urban Forester, Audrey Jo Williams had submitted a Tree Work Permit to have a White Pine tree removed at 2626 S Bryan Street. After an inspection of the tree had been completed, staff rated the tree at "low risk", and denied the permit. A private certified arborist, hired by the appellant, inspected the tree and rated the tree as "moderate risk" Staff recommended to uphold the denial of the Tree Work Permit.

The Board: took statements from Audrey Jo Williams.

Jim Whitlatch made a motion to uphold the appeal and reverse the decision to not remove the tree. *Israel Herrera* seconded the motion. Basis for decision: the information provided revealed the tree was standing alone, the tree was not located in an ideal location, and the tree was of a semi non-native species. One arborist had rate the tree as a "moderate risk". If the tree fell, personal injury or property damage could possible occur. Vote take: unanimously carried 4-0 in favor of upholding the appeal.

C-2. Review/Approval of Facility Suspension Appeal

Mark Sterner, General Manager Twin Lakes Recreation Center, due to major violations of City Policy 11080 Rules of Conduct outline in the Behavior Guidelines, on March 9, 2023 Stewart Eaton was suspended from Twin Lakes Recreation Center for a three-month period. A lifetime suspension was issued when Stewart Eaton violated the original suspension on March 30, 2023. On April 12, 2023, the lifetime suspension was amended to a one-year suspension. The amendment was in accordance with City Policy. Staff recommended upholding the one year suspension from Twin Lakes Recreation Center.

The Board: took statements from Stewart Eaton.

Jim Whitlatch made a motion to uphold staff recommendation, and enforce a one year suspension of Stewart Eaton from Twin Lakes Recreation Center. *Ellen Rodkey* seconded the motion. Basis for decision: Mr. Eaton stated he never received the suspension notification in his email, despite documentation provided in the board packet that Mr. Eaton had corresponded with staff via email. The email exchange began on March 9th, 2023 sent by staff to Mr. Eaton requesting a meeting to discuss his facility usage. Mr. Eaton responded to the email on March 10th, 2023 at 2:46am writing he was too busy to meet, however staff concerns could be addressed through an email reply. On March 10th, 2023 10:53am the "Notice of Suspension" was sent to Mr. Eaton's email address. In the March 4th incident report, the language was concerning and contained a statement that Mr. Eaton said to staff "I won't live much longer" that kind of language along with the other incidents created concerns. *Ellen Rodkey* seconded the motion. Vote taken: unanimously carried 4-0 in favor of upholding the one year suspension.

C-3. Review/Approval of contract with Bo-Mar Industries Inc. for Design, Fabrication and Installation of Public art Element for the Miller-Showers Bicentennial Gateway

Tim Street, Operations and Development Division Director through the design process of the bicentennial gateways project, a monolith design had been selected to become Bloomington's north gateway. The final monolith element would be approximately 40-feet tall, constructed out of powder coated aluminum, would be internally-lit with controlled LED light zones, and have an organic appearance. Staff recommended approval of a contract with Bo-Mar Industries for the structural design fabrication, and installation of the monolith element at Millers-Showers Park. Amount was not to exceed \$395,105, and funding source would be Bicentennial Bond Series C-980-18-18018C-54510.

Board Comments: *Jim Whitlatch inquired:* on the durability of the material. *Adam Lee, Bo-Mar Industries responded:* the powdered coat was very durable material. *Jim Whitlatch inquired:* could it be recoated. *Adam Lee responded:* only if taken back to facility. Touch up paint would be available for small spots. *Jim Whitlatch inquired:* of the possibility of the color fading. *Adam Lee responded:* the powder coat stood up well against fading. *Jim Whitlatch inquired:* if the lights would be programmable. *Adam Lee responded:* yes, they would be programmable. *Kathleen Mills inquired:* if there would be any issues with electric services. *Tim Street responded:* there were no foreseen issues, it would require coordination with the general contractor. *Ellen Rodkey inquired:* could the possible changes made to the College-Walnut corridor affect the project. *Tim Street responded:* the plans were in areas of the park that should be unaffected by the College-Walnut corridor.

Ellen Rodkey made a motion to approve the contract with Bo-Mar Industries Inc. *Israel Herrera* seconded the motion. Vote take: unanimously carried 4-0

C-4. Review/Approval of Revision to Policy 13090 – Animal Restrictions in Park Locations

Leslie Brinson, Community Events Manager due to safety of participants, and the maintenance and upkeep of park property, staff wished to update Policy 13090 (Animal Restrictions in Parks). The language would update the policy to restrict domestic livestock, including horses, in all Parks and Recreation Parks without a permit. Staff recommended approval of the policy updates.

Board Comments: *Kathleen Mills inquired:* if the update was just a general update. *Leslie Brinson responded:* no, a horse had been ridden into Food Truck Friday at the Switchyard Park. *Kathleen Mills inquired:* on the reindeer that were at different events. *Leslie Brinson stated:* those were permitted through Animal Control. *Jim Whitlatch inquired:* on how domestic livestock was defined. *Leslie Brinson responded:* staff researched other Park Departments, and domestic livestock was the most common line used in that type of policy. *Jim Whitlatch recommended:* change language to “any domestic livestock, including but not limited to horses, are not allowed in the park without a permit”. *Ellen Rodkey inquired:* there were some specific park locations listed in some sections of the policy, and inquired if dogs were not allowed at Farmers’ Market unless a service animal. *Leslie Brinson responded:* the locations at the top portion of the policy referred to dogs/animals in areas where food would be served. It was a health code violation, not specific to parks. *Israel Herrera inquired:* on permits for animals. *Leslie Brinson responded:* if an event included animals, a special use permit would need to be submitted and approved. Some type of approval process with guidelines must be met. *Board Members recommended slight changes be made to the language.*

Ellen Rodkey made a motion to approve the policy updates that could include some of the Boards suggestions. *Israel Herrera* seconded the motion. Vote take: unanimously carried 4-0

C-5. Review/Approval of Contract with Chef for Hire, Inc for Banneker Summer Food Program

Kevin Terrell, Banneker Community Center Program and Facility Coordinator staffed wished to once again vend meals for the Banneker Summer Food Service Program. The vendor would produce, package, and deliver breakfast and lunch meals twice per week for the approximate 70 to 80 daily participants of the Banneker Camp summer program. The packaged meals would meet the standard of the USDA Summer Food Service Program. The USDA Summer Food Service Program, would reimburse Banneker for each meal served. Staff recommended approval of the contract with Chef for Hire, Inc.

Board Comments: *Ellen Rodkey commented:* The work that had been done at the Banneker was wonderful, the facility looked great, and there were great programs offered for the Banneker community.

Ellen Rodkey made a motion to approve contract with Chef for Hire, Inc. *Israel Herrera* seconded the motion. Vote take: unanimously carried 4-0

C-6. Review/Approval of Contract with Mother Nature Landscaping for Watering Services for the 2023 Downtown Tree Planting Project

Haskell Smith, Urban Forester to alleviate burden on the in-house watering truck, staff wished to contract an outside watering service. Through the 2023 Downtown Tree Planting Project, approximately 90 trees were slated to be planted in the downtown area. The contract would provide an extra level of survivorship to those trees. Staff recommended approval of the contract with Mother Nature Landscaping, in an amount not to exceed \$25,200. Funding source would be bicentennial bond 980-18-18018c-54510.

Board Comments: *Kathleen Mills confirmed:* the department did have their own watering truck. *Haskell Smith responded:* that was correct. Staff would water close to 6,000 trees in 2023. *Kathleen Mills inquired:* if there were just

too many to take care of with the new additional downtown trees. *Haskell Smith responded:* it was too many, especially with the trees being located in the downtown area.

Ellen Rodkey made a motion to approve contract with Mother Nature Landscaping. *Israel Herrera* seconded the motion. Vote take: unanimously carried 4-0

C-7. Review/Approval of Peoples Park Special Use Agreement with IU Arts and Humanities

Crystal Ritter, Community Events Coordinator the IU Arts and Humanities Council wished to temporarily install the haptiK/B sculpture by W. Dorian Bybee in Peoples Park from June 1 through June 30, 2023. The agreement included a month by month renewal option up until September 1, 2023. The request included a plan for performances on a small portable stage that would be part of the art installation. IU Arts and Humanities Council would submit a maintenance and vandalism plan. Staff recommended approval of the Special Use Agreement.

Board Comments: *Jim Whitlatch inquired:* What would IU's monitoring plans be for protecting the art work. *Crystal Ritter responded:* IU Arts and Humanities would submit a maintenance and vandalism plan prior to installation. They stated "IU Arts and Humanities Council staff offices were located within a two minute walk from the proposed site of the installation, and during the weekday, they would assign one staff member to walk by the piece every day to monitor it for any damage. IU Arts and Humanities and the artist agreed to be responsible for any maintenance, removal of graffiti, or vandalism while installed". *Jim Whitlatch comment:* was concerned on how the piece would be attached, and concerned with the possibility of vandalism occurring to the art work at night. *Crystal Ritter responded:* the Community Family Resources Department's night time ambassador monitored the downtime area, and could keep an eye on the piece. Due to those types of concerns, the agreement would be on a month by month renewal basis. If issues developed, staff could request the installation be removed. *Jim Whitlatch inquired:* if the installation would provide areas for people to sleep. *Holly Warren, Assistant Director of Arts responded:* that had been a concern expressed to the artist. People could not enter or manipulate the installation, it was not anticipated that people would be able to sleep there. *Israel Herrera inquired:* on what the haptiK/B installation meant. *Holly Warren responded:* it referred to a sensory experience. The idea, the installation would be a replication of the Peoples Market that use to be at that site. *Israel Herrera inquired:* what would the extension be based on. *Holly Warren responded:* if no issues occurred, the art work would remain until September. To give people more time to think about the history of the site and interact with the piece. *Ellen Rodkey inquired:* if the portable stage that would be part of the installation could be used after the festival. *Crystal Ritter responded:* yes, individuals would need to complete a Peoples Park Use Permit for approval to use the stage. *Israel Herrera inquired:* if vandalism or damage occurred, who would determine if it would be repaired or removed. *Crystal Ritter responded:* IU Arts and Humanities would make that determination. Park and Recreation staff could request it be removed if deemed necessary.

Ellen Rodkey made a motion to approve special use permit with IU Arts and Humanities. *Israel Herrera* seconded the motion. Vote take: unanimously carried 4-0

C-8. Review/Approval of Indemnification Agreement with First Capital for Use of Parking Area for Overflowing Parking Expected at the Switchyard Park Thursday Concert Series

Hsiung Marler, Switchyard Park General Manager due to anticipated need of additional parking for the Thursday night Regional Concert Series. Visit Bloomington! had secured the vacant First Capital property on the west side of S. Rogers Street. The property owners had requested Visit Bloomington! and City of Bloomington Parks for an Indemnity Agreement. Staff recommended approval of the Indemnification Agreement.

Ellen Rodkey made a motion to approve indemnification agreement for the additional parking with the LLCs listed. *Israel Herrera* seconded the motion. Vote take: unanimously carried 4-0

C-9. Review/Approval of Contract with Neidigh Construction for Structure Removal at Griffy Lake Nature Preserve

Steve Cotter, Natural Resources Manager staff wished to have three abandoned, and dilapidated structures removed from Griffy Lake Nature Preserve. The structures were located on the 20 acer parcel that had been donated to the Department by Julia Heiman. The contractor would be responsible for removal the buildings, and dispose of the debris. Staff recommended approval of the contract with Neidigh Construction, in an amount not to exceed \$13,200. Funding would be from Natural Resources General Fund budget.

Ellen Rodkey made a motion to approve contract with Neidigh Construction. *Israel Herrera* seconded the motion. Vote take: unanimously carried 4-0.

D. REPORTS

D-1. Administration Division - Award Recognition

Julie Ramey, Community Relations Manager on April 16, 2023 at the annual Hoosier Trails Council Gala, Park Board Commissioner Jim Whitlatch had been presented with a North Star Award for his service to the Council as its pro bono attorney. During the past 13+ years, Jim had advised the Hoosier Trails Council on matters from BSA's bankruptcy to real estate transactions.

Bloomington Parks and Recreation staff congratulated Park Board Commissioner Jim Whitlatch on receiving the prestigious award, and thanked him for his service to both the Board of Park Commissioner and to many other youth-serving organizations in Bloomington.

D-2. Recreation Division - Community Events Report

Leslie Brinson, Community Events Manager highlighted many of the events and activities that had been, or would be hosted by the Community Events staff in 2023. Participation numbers had increased, there were many new events, and plenty of favorite events returning. The Community Events Area comprised of five dedicated staff.

D-3. Sports Division – none

D-4. Operations Division – none

E. PUBLIC COMMENT

E-1. Kathleen Mills opened the floor to public comments – none were received

Board Comments: *Ellen Rodkey commented:* the College-Walnut Corridor Study was occurring, and the community would have opportunities to participate and provide input.

Paula McDevitt, Administrator commented: the next Park Board meeting would be held on Tuesday, June 27, 2023.

ADJOURNMENT

Meeting adjourned at 5:42 pm

Respectfully Submitted,



Kim Clapp,
Secretary Board of Park Commissioners