



**A-1**  
**12-10-19**

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Board of Park Commissioners  
Regular Meeting  
Minutes

Tuesday, November 19, 2019  
4:00 p.m. – 5:30 p.m.

Council Chambers  
401 N. Morton St.

**CALL TO ORDER**

The meeting was called to order by Kathleen Mills at 4:00 p.m.

**Board Present:** Kathleen Mills, Joseph Hoffmann and Lisa Thatcher

**Staff Present:** Paula McDevitt, Dave Williams, John Turnbull, Becky Higgins, Julie Ramey, Steve Cotter, Kim Clapp, Sarah Mullin, Sarah Owen, Daren Eads, Marcia Veldman, Barb Dunbar, Rebecca Jania, Amy Shrake.

**A. CONSENT CALENDAR**

- A-1. Approval of Minutes of October 22, 2019 meeting
- A-2. Approval of Claims Submitted October 22, 2019 through November 18, 2019
- A-3. Approval of Non-Reverting Budget Amendments
- A-4. Review of Business Report
- A-5. Approval of Surplus

*Joe Hoffmann* made a motion to approve the consent calendar. *Lisa Thatcher* seconded the motion. *Kathleen Mills* any public comments or questions, seeing none. Motion unanimously carried.

**B. PUBLIC HEARINGS/APPEARANCES**

**B-1. Appeal of Park Suspension - None**

**B-2. Public Comment Period - None**

**B-3. Bravo Award – Anne & Kevin Clark, Pamela Davidson and Angela Wang**

*Sarah Owen, Community Relations Coordinator* the Department would like to recognize volunteers Anne & Kevin Clark, Pamela Davidson, and Angela Wang with the November Bravo Award. As Market Assistants, they each helped staff greet shoppers, located products or vendors, and answered other general questions from the public. They have contributed a combined total of 117 hours to the Farmers' Market. We are grateful to their commitment to the Bloomington Community Farmers' Market. Sarah Owen invited Angela Wang to the podium.

*Angel Wang approached the podium.* Angela stated she wouldn't be recognized if it wasn't for the people she works with, Sarah Mullin and Marcia Veldman who are always there on Saturdays, and all of the nice people in the community.

**B-4. Parks Partner Award - None**

## **B-5. Staff Introduction - None**

## **B-6 Staff Recognition – None**

## **C. OTHER BUSINESS**

### **C-1. Review/Approval of 2020 Price Schedule**

Paula McDevitt, Administrator staff is seeking final approval of the 2020 Price Schedule. The draft document was presented to the Board for review at the October Board of Park Commissioners meeting. Staff is available to answer any questions regarding price changes.

Kathleen Mills any public comments or questions

Maria Carvassare, Food Vendor approached the podium. Starting early this spring, the Prepared Food Vendors (PFV) began having formal conversations with the Farmers' Market (FM). The PFV met in August to decide what was agreed upon. In September a letter was written to the Farmers Market Advisory Council (FMAC), stating three points the PFV wished to discuss. Number one - the Farmers Market Mission Statement, number two - representation of PFV at the FMAC, number three - the 10% fee charged to PFV at the FM. These three points were discussed at the FMAC meetings in October and November.

Maria Carvassare asked to Board to comment on the 10% fee and to understand their position, as the PFV have a problem with these fees.

Joe Hoffmann referred this question to Paula, and inquired if the 10% fee was in the 2020 Price Schedule being voted on.

Paula McDevitt responded, public comments are being collected, and will be forward to the Park Board, along with the information gathered at the November 8<sup>th</sup> FMAC meeting. This will all be part of the staff recommendations presented to the Board at a later date. The 10% PFV fee is included in the 2020 Price Schedule. On page 9 it states to change all prepared food vendors "from \$10 - \$499 + 10% gross proceeds" to "10% gross proceeds". Paula McDevitt invited Becky Higgins, Recreation Services Division Director to the podium to explain the change in the PFV fee.

Becky Higgins approached the podium. The change occurring in the PFV fee, is actually removing a weekly fee range that the Department stopped charging for in 2019. Originally the PFV were being charged a flat weekly fee, along with the 10% gross proceed. The flat fee range of \$10 to \$499 was based on size and amount of time a space was used. In 2019 the flat fee was no longer charged for, and the requested changes in the 2020 Price Schedule are to reflect a change that has already occurred. The actual price has been reduced not increased.

Erick Schedler, Owner of Muddy Fork Bakery approached the podium. I just want to clarify, the old fee you were referring to was a \$10 per week food preservation food fee. In 2018 and prior, that was assessed in addition to the 10% gross fee. In 2019 only the 10% gross fee was charged, and vendors were not charged the preservation food fee.

Paula McDevitt responded the timing of the deletion of this fee, did not allow for the wording to be changed in the 2019 Price Schedule. The Department wishes to continue charging only the 10% gross, and correct the wording in the 2020 Price Schedule.

Joe Hoffmann inquired, what is being brought before us today in the 2020 Price Schedule, is to delete a fee that has already been removed for at least a year.

Paula McDevitt responded, that is correct.

Joe Hoffmann stated there also is an ongoing conversation on these other issues as well as the 10%.

Paula McDevitt responded, that is correct. The PFV have given suggestions on the Farmers' Market Mission Statement, as well as requesting to have a seat on the FMAC. This was discussed at last night, November 18, 2019 FMAC meeting.

Maria Carvassare approached the podium. The first two issues were discussed at the FMAC, voted on and approved. The third issue of the 10% fee is still being discussed. The FMAC is still reviewing the 10% fee. All PFV, with the exception of one, signed the letter that was presented at the October FMAC meeting, and discussed at the November FMAC meeting.

Paula McDevitt responded, I attended the November FMAC meeting, and advised on the process and how staff receives information. The FMAC receives the information and discuss it. The information is then presented to staff members. Staff member review and discuss the information. Staff then presents the information along with a recommendation to the Board of Park Commissioners.

Kathleen Mills inquired how long the PFV has been charged the 10% gross fee.

Marcia Veldman, Market Program Facility Coordinator approached the podium. The 10% fee began two years after moving to the current location. The 10% fee was implemented in 2000.

Erick Schedler presented the Board with a copy of the letter that was presented to the FMAC.

Joe Hoffmann explained, the reason the Board does not have a copy of the letter, is due to the fact the of Park Commissioners does not receive the information until after the FMAC and staff have had an opportunity to review, and time to present a recommendation to the Board.

Erick Schedler, approached the podium we are here today as we were made aware you were adopting the 2020 fee schedule today. We wanted to make sure you had this information. Knew about these things we have been working on for two years, before you adopted a continuation of the same fee structure. We've been trying to engage in a discussion with the Parks Board during all of that time.

My understanding of the history and the reason for the implementation of the 10% fee, it is park's wide policy to charge vendors who come into a park's event 10% of their proceeds. We are here to make the case, that food artisan at the FM are not the same as a food truck that rolls into a concert, or an artist selling their CD at a concert, or hot dogs and chips that are sold at the ballgames. The 10% pricing structure is known as festival pricing. The kind of fee that is charged when a vendor comes in and is taking advantage of a big crowd of people drawn into an event. We would argue that this is not what is happening at our FM.

We have been vending for many years, and have created our own attraction. There are many people who come to the FM looking for specific vendors for artisan food, and for particular farmers. We would argue, there isn't any difference between someone selling bread, Italian pastries, coffee, or carrots. Each of us has our own following, we are part of the draw. We are the event, we are not piggy backing on someone else's event. We are asking for the 10% vending fee be reduced or removed.

We have researched and collected data and numbers. One of the areas recently researched, was to look at other farmers markets in the Midwest comparable to the Bloomington Farmers' Market. We examined seven farmers markets comparable in size, around 100 vendors contracted, in cities of comparable size. We did not find any farmers markets in the Midwest that had a two tier pricing system. Every market that we found had one price for all vendors. We did not find any markets with price based on percentage of sales. The fees tended to range from five dollars per booth, to \$20 or more per booth. There are different tiered pricing at markets based on size of booth, and if electric was provided.

We wrote a proposal in August to set prices at a level that is higher than farmers. Where we would be paying for the cost that the City is paying for us to operate. We divided out the space of the market, and based on the FM 2018 budget, figured the average per both cost to the City is between \$35 and \$37 per booth, per week. We wrote a proposal based on that information. To consider charging PFV more or less than that, depending on if electricity is offered. Currently the PFV is paying an average of \$130 per booth, per week.

In my case it has gone as high as \$540 for one market, which is more than \$100 per hour. PFV are paying 50% of the FM budget, and make up 16% of the FM attendance. PFV have collectively paid \$40,000 beyond what it cost the City to provide PFV booth spaces in 2018. My business paid over \$14,000 last year to operate at the Bloomington Farmers Market. I make less than the average income for a family of four in Monroe County, and my children get Medicaid. That is a huge amount of money to pay to the FM.

Deborah Piston Hatten, Market Customer approached the podium. I am in favor of a reduction of fees for the PFV. The food and beverage artisan contribute to what we want our market to be. A place of community, where people gather chat, converse, and enjoy the many activities at the FM. The opportunity to meet at the FM over coffee and pastries, or to take home a locally prepared lunch draws many to the Market. The current fee schedule is unfair to this group of vendors that provide us with a wonderful variety of specialty food and drink. Represents a diverse group of members of our community that compliments the offerings of farm vendors. They deserve a response to their request.

Katie Mysliwiec, Prepared Food Vendor approached the podium. I have been at the Market for two years, which is very new compared to other vendors. I was born and raised here in town, and grew up going to the Market across the street from my church. I watched Mitch Rice, and his wife Ilene do the little jumping jack guy, and play the banjo, and would see my friends from school. It was a very community market.

I am thrilled to be part of it, even though it is so much bigger then when it was across the street from my church and across from the library. I don't think 10% is a fair fee at all, we have data to prove that. PFV are part of the FM, not just someone who piggy backs. Part of what PFV spoke to the FMAC, is to be part of the mission, because we are part of the market, we are part of why some of the people come to the FM. PFV are there to help the farmers, and a lot of us use the produce from the farmers. It is a community that gives and takes, to support each other.

The other thing about the 10% fee, the spaces are not all the same, some share a space, some have a better location, only some have access to electricity but everyone is charge the same fee to be there. It is too big of a fee to be there. PFV have given the FMAC our letter, we are trying to go through the correct steps to give you the data.

Abby Ang, Market Customer approached the podium. I did want to reintegrate I am one of those people, who have come to the Market in the past because I am really attracted to the prepared food. Also because with everything else that has gone on over the summer, I see the PFV as one of the areas of the Market where there is the most diversity and inclusion, and a showcase of the different food from around the world.

Joe Hoffman responded. This is the only item that is subject to ongoing conversation. There is no reason to hold up the rest of the price schedule, and would rather not pull the agenda item. I would rather approve the 2020 Price Schedule on condition that this particular provision remains under discussion, and will be brought back to us with a recommendation from the FMAC. Other prices will need to become effective on January 1, 2020. Fortunately we have more time on this item.

Joe Hoffmann made a motion to approve the 2020 Price Schedule, subject to the condition no decision has been made with respect to the fee of the Prepared Food Vendors at the Market. Lisa Thatcher seconded the motion, with the condition that this particular item is put on hold, and move forward on the rest of the 2020 Price Schedule. Leaving the Prepared Food Vendor fee open and not finalized. Kathleen Mills any public comments or questions, seeing none. Motion unanimously carried.

## **C-2 Review/Approval of Switchyard Park Grand Opening Service Agreements**

Becky Higgins, Recreation Services Division Director, Switchyard Grand Opening was held November 16<sup>th</sup> & 17<sup>th</sup>. Due to time constraints, contracts for services were reviewed and approved by legal in advance of the November Park Board meeting. Staff recommend approval of the following service contract: One World - catering, Professional Golfcar - golf cart rental, Green Hat - photography, Production House – videos, Big Bounce - games and rental equipment, Markey's – lighting, and 96.1 FM – live remote.

Joe Hoffmann made a motion to approve the eight service agreements for the Switchyard Parka Grand Opening. Lisa Thatcher seconded the motion. Kathleen Mills any public comments or questions, seeing none. Motion unanimously carried.

### **C-3 Review/Approval of contract with Price Electric**

John Turnbull, Division Director Sports, the Department wishes to manage emergency and/or standard repairs, services and maintenance, while meeting all public work project requirements. The Department requires the services of a qualified vendor to provide routine/emergency repair, routine/emergency maintenance at sports properties and facilities. Staff recommends the approval of service agreement with Price Electric, Inc. not to exceed \$10,000. Funding is from Sports Divisions General Fund.

*Joe Hoffmann* made a motion to approve the contract with Price Electric. *Lisa Thatcher* seconded the motion. *Kathleen Mills* any public comments or questions, seeing none. Motion unanimously carried.

### **C-4 Review/Approval of Contract with Steve's Roofing & Sheet Metal**

Rebeca Jania, Natural Resources Coordinator the Department wishes to repair and reinforce the Griffy Lake boathouse roof. The Department requires the services of a professional contractor to tear off existing metal roof and roof decking, install new roof decking, install ice & water shield, install 26-gauge metal roof, metal trim and flashing, install 4 skylights, install cover board and membrane. Staff recommends approval of this contract with Steve's Roofing not to exceed \$9,800. Funding for this project is from the General Obligation Bond.

*Joe Hoffmann* made a motion to approve the contract with Steve's Roofing & Sheet Metal. *Lisa Thatcher* seconded the motion. *Kathleen Mills* any public comments or questions, seeing none. Motion unanimously carried.

### **C-5 Review/Approval of Partnership with Monroe County Library**

Becky Higgins, Recreation Services Division Director the purpose of this Agreement is to outline and continue, the program partnership which has established a self-guided Story Walk at Reverend Butler Park. The self-guided Story Walks are placed along trails to inspire parents, teacher, and caregivers to take young children outside for physical activity and learning at the same time. Staff recommends continuing this partnership with Monroe County Public Library

*Joe Hoffmann* made a motion to approve the partnership with Monroe County Library for the Story Walk. *Lisa Thatcher* seconded the motion. *Kathleen Mills* any public comments or questions, seeing none. Motion unanimously carried.

### **C-6 Review/Approval of 2020 Service Agreements for Sports Division**

Daren Eads, Twin Lakes Recreation Center Facility Coordinator, the Department wishes to manage emergency and/or standard repairs, services and maintenance, while meeting all public work project requirements. The Department requires the services of qualified vendors to provide routine/emergency repair, routine/emergency maintenance of existing structures, buildings or real property. Staff recommends the approval of the 2020 service agreements with City Glass, Commercial Services, Gooldy & Sons, Sports Aide, Koorsen Environmental, Koorsen Fire and Security, and Oracle Elevators.

*Joe Hoffmann* made a motion to approve the seven 2020 service agreements for the Sports and Recreation Divisions. *Lisa Thatcher* seconded the motion. *Kathleen Mills* any public comments or questions, seeing none. Motion unanimously carried.

### **C-7 Review/Approval of 2020 Service Agreements for Operations Division**

Barb Dunbar, Operations Coordinator the Department wishes to manage emergency and/or standard repairs, services and maintenance, while meeting all public work project requirements. The Department requires the services of qualified vendors to provide routine/emergency repair, routine/emergency maintenance of existing structures, buildings or real property. Staff recommends the approval of the 2020 service agreements with Big Dipper, Bruce's Welding, Cassady Electrical Contractors, Inc., Harrell Fish, Inc., Indiana Door & Hardware Specialties, Inc., J&S Locksmith Shop, Inc., Christman Enterprises, LLC (Roto Rooter), Professional Contracting, LLC, and Woods Electrical Contractors, Inc. Funding is from Operations and Sports General and Non-Reverting Funds.

*Joe Hoffmann* made a motion to approve the nine 2020 service agreements for the Operations and Sports Divisions. *Lisa Thatcher* seconded the motion. *Kathleen Mills* any public comments or questions, seeing none. Motion unanimously carried.

**C-8 Review/Approval of Service Agreement with The Stables Events (Izzy's Rental)**

*Barb Dunbar, Operations Coordinator* the Department wishes to provide portable toilets at various locations. The Department requires the services of a qualified vendor to provide rental equipment, and cleaning services at the following locations: Winslow Woods Park, Wapehani MPB, Griffy Lake Boathouse, Bryan Park, Upper Cascades Lions Den, and three locations on Clear Creek Trail. Staff recommends approval of the service agreements with Izzy's Rentals in an amount not to exceed \$10,000. Funding is from Operations General Fund.

*Joe Hoffmann* made a motion to approve the service agreements with The Stables Events (Izzy's Rental). *Lisa Thatcher* seconded the motion. *Kathleen Mills* any public comments or questions, seeing none. Motion unanimously carried.

**C-9 Review/Approval of Contract with Whiley Flooring**

*Amy Shrake, Recreation Coordinator* the Department wishes to have flooring replaced at the Allison-Jukebox Community Center. The Department requires the services of a professional contractor to remove and dispose of existing flooring and subfloor, remove and replace quarter round, level/prep area, install new subfloor and new VCT flooring. Areas included in this project are the large Multiuse room, the Office, and the Utility room. Staff recommends approval of this contract with Whiley Flooring, not to exceed \$6,863.00. Funding is from the Allison-Jukebox and Kid City Non-Reverting Funds.

*Joe Hoffmann* made a motion to approve the contract with Whiley Flooring. *Lisa Thatcher* seconded the motion. *Kathleen Mills* any public comments or questions, seeing none. Motion unanimously carried.

**C-10 Review/Approval of Contract with Madder Design**

*Rebecca Jania, Natural Resources Coordinator* the Department wishes to increase public access and provide a connected loop trail around Griffy Lake. The Department requires the services of a professional contractor to perform design and planning services for North South trail connections from Overlook/Fishing Pier, staircase repair/replacement and trail connection at the Spillway, trail connector on from the Dam to the south loop on the south side of Dam, Design Services for typical construction details to accommodate trail improvements throughout the Loop Trail, and topographic survey work. Staff recommends approval of this contract with Madder Design in an amount not to exceed \$89,764. Funding for this project is from the General Obligation Bond.

*Joe Hoffmann* made a motion to approve the contract with Madder Design. *Lisa Thatcher* seconded the motion. *Kathleen Mills* any public comments or questions, seeing none. Motion unanimously carried.

**D REPORTS**

D-1 Operations – No Report

D-2. Recreation Division – No Report

D-3 Operations Division – No Report

D-4 Administration – No Report

*Paula McDevitt, Director* the next Board of Park Commissioners meeting will be held Tuesday, December 10, 2019.

**ADJOURNMENT**

Meeting adjourned at 4:50 p.m.

Respectfully Submitted,



Kim Clapp  
Secretary Board of Park Commissioners