

**SPECIAL MEETING  
BOARD OF PARK COMMISSIONERS  
May 7, 2020**

**CALL TO ORDER**

A special meeting of the Cincinnati Board of Park Commissioners was held on this day at 801 Plum Street. Commissioners present: President Brad Lindner, Vice President Jim Goetz, Commissioner Susan Castellini. Commissioner Kevin Flynn and Commissioner Linda Lee Thomas were present via video conference. President Lindner called the meeting to order at 9:33 A.M.

A roll call for attendance was taken. Commissioner Flynn was not present at the start of the meeting.

**Approval of Minutes**

Commissioner Castellini motioned to approve the April 16, 2020 Meeting minutes. President Lindner seconded. Motion passed by unanimous roll call vote.

**NEW BUSINESS**

**Twin Lakes Gate Closure**

Director Kish reminded the Board public comments were received electronically and shared with the Board prior to the start of the meeting.

Commissioner Flynn entered the meeting at 9:35 A.M.

Jenny Mobley described the Twin Lakes area of Eden Park, and provided background on the current safety issues surrounding overcrowding during the COVID-19 crisis as well as vehicle/pedestrian conflicts. She described measures taken in the past, as well as currently, to promote safe behaviors, including closure of Lake Drive to vehicular traffic. She noted the recent closure of the gates as part of the COVID-19 response have improved overcrowding and prevented pedestrian/vehicle interactions. She explained additional parking and wheelchair and stroller access improvements are being determined. She presented the staff recommendation to close the Twin Lake gates indefinitely.

Commissioner Flynn expressed concern regarding access for wheelchairs and those with limited mobility and suggested staff use similar methods as in Mt. Airy Forest and install a simple asphalt path around the gates.

Vice President Goetz suggested, with the gates closed, using the current “no parking” areas near the gates and along Eden Park Drive for additional and accessible parking. Current available parking options were discussed further.

Commissioner Thomas asked if the Park Board received any public comments in opposition to the closure of the gates and Director Kish confirmed.

Vice President Goetz noted there are other parks with sections closed to improve safety, especially pertaining to overcrowding, and suggested these practices be evaluated for effectiveness in all parks.

Commissioner Thomas asked for a summary of the public comments in opposition to the gate closure. Director Kish explained major points were impacts on accessibility, parking proximity, and increased traffic and parking on nearby residential streets.

Commissioner Thomas motioned to approve the staff recommendation to close the gates at Twin Lakes (Eden Park) indefinitely. Vice President Goetz seconded. The motion passed by unanimous roll call vote.

### **Grant Application/Acceptance Requests**

Director Kish noted the request at the February Park Board meeting for the grant application approval process to return to the simultaneous approval of application authorization and funding acceptance. She explained a report showing accepted grant funding had been provided and will be provided monthly moving forward.

Craig Sherman presented the staff recommendation to accept funding for approved Parks Foundation grants in the amount of \$120,000, as well as authorize the application and acceptance of two Parks Foundation grants for Liberty Gardens Landscaping not to exceed \$5,122 and Burnet Woods Improvements quoted at \$17,525.

Commissioner Flynn asked if Burnet Wood improvements would include ADA accessible picnic tables. Steve Schuckman confirmed picnic tables are not included in the quote since they are already purchased, and they are ADA accessible.

Vice President Goetz motioned to approve the staff recommendation and thanked the Parks Foundation and donors. Commissioner Castellini seconded. Motion passed by unanimous roll call vote.

### **Storm Water Improvements MOU**

Cindy Witte described storm water issues along Columbia Parkway and provided background on the Columbia Parkway Hillside Stabilization Project, for which DOTE is responsible. She presented the staff recommendation to approve the conceptual design of the stormwater line solution for a location in Eden Park and the MOU with DOTE for the maintenance of the new utility line.

Commissioner Flynn asked if maintenance and repair of the stormwater infrastructure would be funded out of the restricted funds received from stormwater. Ms. Witte confirmed the Park Board receives money for retaining stormwater and maintenance to the infrastructure would come primarily from Capital. Commissioner Flynn suggested using the stormwater fund, Fund 107, for stormwater infrastructure repairs and maintenance. Craig Sherman noted Fund 107 is used for

salary reimbursement to the General Fund. There was further discussion regarding the need to match funding sources with appropriate staff function. Mr. Sherman confirmed staff whose positions are funded through Fund 107 reimbursements are in fact performing work that maintain and keep clear the stormwater infrastructure.

Commissioner Thomas asked if maintenance costs are expected to increase as a result of this infrastructure replacement. Ms. Witte answered it is not.

Vice President Goetz motioned to approve the staff recommendation.

Commissioner Castellini asked if the final MOU would be presented to the Park Board prior to being executed. Director Kish explained the Board would be authorizing the action and staff would carry out the administrative task with the guidance of Law. Christine Zimmer explained the MOU would be vetted through the Law Department.

Commissioner Castellini seconded the motion. The motion passed by unanimous roll call vote.

### **Columbia Parkway DOTE MOU**

Ms. Witte described another portion of the Columbia Parkway Stabilization Project on Parks property, which will include reinforcement solutions. She explained DOTE will be responsible for all capital costs and maintenance and Parks would grant them permanent access to the property for maintenance. She presented the staff recommendation to approve the conceptual design of the solution and approve entering into an MOU with DOTE.

Vice President Goetz commented there should be minimal disruption to the park and access should be through an area that will not be an ongoing eyesore.

There was discussion concerning the delineation between Parks property and Right-of-Way. Commissioner Flynn asked how these property lines and responsibility for properties are determined, considering the public record does not specify which department controls the property owned by the City of Cincinnati. There was further discussion regarding the elements of the conceptual plans and the accuracy of CAGIS depicting Parks' property separate from the Right-of-Way. Commissioner Flynn emphasized the need to clarify legal descriptions and boundaries to delineate property that is Parks' responsibility to maintain versus DOTE.

Commissioner Castellini motioned to approve the staff recommendation. Vice President Goetz seconded. Motion passed by unanimous roll call vote.

### **Dempsey Recreation Area Easement**

Steve Schuckman presented the staff recommendation to approve an easement at Dempsey Recreation Area to allow for improvements at the adjacent Public Library of Cincinnati and Hamilton County site. Vice President Goetz confirmed CRC's support.

Vice President Goetz motioned to approve the staff recommendation. Commissioner Castellini seconded. Motion passed by unanimous roll call vote.

### **Approval of Administration Building ADA Improvements**

Ms. Witte provided background on the design improvements at the Parks Administration Building and presented the staff recommendation to approve the project as presented.

Vice President Goetz asked if there was a cost estimate for the project. Ms. Witte answered there is no estimate yet, but staff anticipates total cost around \$150,000. Mr. Goetz asked for clarification on the present staff recommendation and Director Kish clarified the intent is to receive the Board's approval to move forward with the bidding process and the work, should the bids come in under the amount earmarked in the budget. Commissioner Goetz expressed concern about the possibility of bids coming in well over estimates. Mr. Schuckman explained the Board would be asked to approve the bid once received.

Vice President Goetz motioned to approve the project and move forward with the bidding process.

There was discussion regarding how to serve building occupants while restrooms are being worked on. Commissioner Castellini suggested completing the work while staff are working from home.

Commissioner Thomas asked about the inclusion of the Mother's Room in the proposed design. Ms. Witte and Mr. Schuckman explained it is an added amenity, but best practice and in line with Council priorities. Ms. Thomas expressed her support.

The staff recommendation was discussed further. Commissioner Thomas suggested the motion specify the Board will approve the bid for the project cost at a later date.

Commissioner Castellini seconded the motion. Motion passed by unanimous roll call vote.

### **Design Services: Johnston Park**

Mr. Schuckman provided background on the Johnston Park redesign project. He presented the RFP Selection Committee's recommendation for landscape architecture firm MKSK to design the park.

President Lindner asked if the proposed timeline of six months was for construction drawings. Mr. Schuckman confirmed, yes, and added once the designs are approved by stakeholders and funding is available, construction can move forward.

Commissioner Thomas asked if there will be community engagement for these designs. Mr. Schuckman confirmed staff would like the Mt. Adams and Walnut Hills community councils involved. He mentioned current stay-at-home orders could delay this process and the six month timeline may become too ambitious.

Director Kish commented on the positive partnership with the Cincinnati Ballet and the integrated designs of the park and ballet sites. The use of the outdoor sites as performance spaces were discussed.

Commissioner Castellini motioned to approve the staff recommendation to retain MKSK for the redesign of Johnston Park. Commissioner Thomas seconded. The motion passed by unanimous roll call vote.

### **Design Services: Retaining Wall in Mt. Airy**

Ms. Witte presented the need for design work to replace a retaining wall adjacent to the Mt. Airy Service Building, and the staff recommendation to approve a work order for KZF Design Inc. to perform engineering services.

Vice President Goetz asked if the funding will come from the Capital Budget. Ms. Witte confirmed.

Vice President Goetz motioned to approve the staff recommendation. Commissioner Castellini seconded. Motion passed by unanimous roll call vote.

### **Sawyer Point Fishing Pier Structural Repairs**

Director Kish explained the delay of presenting this item due to COVID-19 response and the current timeliness.

Ms. Witte described the Sawyer Point Fishing Pier and the current need for structural repairs. She described efforts in recent years to progress the project, but explained high bids required staff to reconsider design solutions. She explained staff have worked with Prus Construction to value engineer to a budget of \$773,000. She presented the staff recommendation to enter into a contract with Prus Construction for the fishing pier structural repair and to fund the work from Capital project fund 192000.

The selection committee for the RFP process was discussed.

Commissioner Flynn asked when this project was determined a priority, especially under current circumstances preventing the funding for a transient boat dock at Smale. Director Kish answered the Board has the opportunity at present to determine whether or not it is a priority.

Vice President Goetz echoed Mr. Flynn's comments. He asked about the endowment for maintenance at Bicentennial Commons/Sawyer Point and if the Park Board had approached the Board of Visitors (BOV) about utilizing these funds for the project, and if these structural repairs should take priority over cosmetic work at the Sawyer Point Gateway. Director Kish confirmed staff have had these conversations with the BOV. Mr. Schuckman furthered, staff have approached the Chair of the BOV about funding the fishing pier repairs, however, the BOV's priority was the entrance to Sawyer Point. The extent to which the BOV may fund the Sawyer

Point entrance was discussed further. Mr. Schuckman mentioned staff would suggest the entire BOV convene and vote on future funding for the fishing pier.

Vice President Goetz expressed although the BOV may have specific funding interests, funding should follow the priorities established by the Park Board. He furthered, if project priorities for BOV are not aligned with Parks, additional funding for other projects they have interest in may have to come at a later time.

Fund 318 was discussed. Craig Sherman described it as a revenue generating fund used for Sawyer Point maintenance and operations. Commissioner Flynn expressed concern regarding the expenditure of limited capital funds used across the parks system on a project that is associated with available restricted funds. He expressed he would not be supportive of the project being funded out of the general capital fund. Mr. Sherman expressed funding source would be at the discretion of the Park Board, but general capital infrastructure dollars were earmarked for this project.

Ms. Witte provided background on the work Prus Construction has done for Parks in the past, at the request of Commissioner Castellini.

Mr. Schuckman emphasized the timeliness of the project and mentioned if unable to move forward, it may be delayed another year.

Commissioner Thomas identified the need to determine whether the fishing pier is an amenity the Park Board would like to maintain or close, and how to best fund it if it is decided to restore it. Mr. Sherman explained the annual budgetary needs of Fund 318. He expressed funds are available and the balance can be spent down but will not be quickly regenerated.

Vice President Goetz emphasized the need to improve communications and collaboration with the BOV on funding priorities, and to request their attendance at a future meeting to discuss priorities.

Commissioner Castellini motioned to approve the staff recommendation. President Lindner seconded.

Director Kish requested the Board identify the funding source. The motion was amended to include the project funding source as Sawyer Point Fund 318.

The motion passed by unanimous roll call vote.

### **Tom Jones Commons Bid Discussion**

Director Kish introduced the item, explaining it would serve as a status update on the Tom Jones Commons project, as recent bids came in over budget.

Mr. Schuckman provided an update. He explained of the four bids, one was acceptable and met inclusion requirements, but was over budget even with bid alternates. He expressed, after

meeting with designers the recommendation is to rebid the project in a way that retains the features and design quality but reduce costs. The timeline was discussed and Director Kish said she anticipated a timely response from the City's Purchasing Department once rebid.

Commissioner Flynn suggested, in order to have a more competitive bid process, reaching out to original bidders who did not meet the City's requirements to explain why their bid was rejected and that they have the option of rebidding. Mr. Schuckman expressed staff can work with Purchasing so the process would be more competitive the second time.

Vice President Goetz expressed his frustration with the amount of time this project has taken and emphasized the need to improve the accuracy of cost estimates. Commissioner Thomas also expressed the need to expedite the timeline at every opportunity and expressed it is critical to explore every opportunity for costs savings before rebidding so the project meets the budget and can move forward as soon as possible.

Commissioner Castellini asked if the changes had been vetted by the donor. Mr. Schuckman explained staff first wanted to meet with designers and analyze the bids, but will be meeting with the donor and the Foundation to review changes.

## **OLD BUSINESS**

### **Champlin Contract Extension**

Ms. Witte explained an extension is needed for the existing contract with Champlin Haupt, Inc. Architects for the Kyle Plush Pavilion, which expires in June. Commissioner Flynn asked about the reasoning for extending for another year when the work is expected to be completed in November. Ms. Witte explained it is simply a safeguard.

Vice President Goetz expressed concern regarding the management of the project and the need to extend the contract, although he remained supportive of the extension. Commissioner Thomas echoed Mr. Goetz's comments and emphasized no additional costs are associated with the extension. The proper name of the pavilion was discussed, and Mr. Schuckman clarified the family has allowed it to be publicly referred to as the Kyle Plush Pavilion.

Commissioner Castellini motioned to approve the staff recommendation to extend the Champlin contract to June 1, 2021. President Lindner seconded. The motion passed by unanimous roll call vote.

### **Project Updates: Sawyer Point Project and Infrastructure Study**

Mr. Schuckman provided an update on the infrastructure study, explaining the majority of sites and amenities have been assessed, and mentioned despite slight delays due to staff furloughs, the project is proceeding. He explained cost estimates should be available by end of June and the report on the facilities study should be complete by October.

Mr. Schuckman provided an update on the Sawyer Point/Bicentennial Commons project, explaining the status of designs and accomplishments to-date.

President Lindner asked, regarding the facilities infrastructure study, what will differ between the June progress report and final report in October. Mr. Schuckman explained drafts and preliminary cost estimates will be available in June, and in October a final assessment will be complete with priorities, levels of need, and costs.

Vice President Goetz asked for clarification on the terms listed in the staff report regarding the next steps of the Sawyer Point project. Mr. Schuckman clarified the terminology and defined each. There was discussion regarding availability of cost estimates in June. Mr. Goetz asked if there was a concept as of yet for the cost of the project. Mr. Schuckman answered it is anticipated to exceed \$1 million, but it is difficult to tell at this stage. Mr. Schuckman furthered the priority is to ensure the gateway is ADA accessible and structurally stable.

No board action was taken.

### **STAFF COMMENTS**

Rocky Merz presented staff updates. He updated the Board COVID-19 response and measures taken to ensure the public's safety. He described the health crisis' impacts on staffing levels and changes to maintenance schedules. He expressed gratitude for the Mayor, City Leadership, and various partners, for their involvement in getting safety messaging out to the public and being a source of support. Mr. Merz described the proactive approach staff are taking to strategically plan for the reopening of summer camps and other typical services with new restrictions and virtual options.

### **COMMISSINOER'S COMMENTS**

President Lindner thanked all staff for their work under the current circumstances.

Commissioner Castellini asked if any Parks staff have contracted COVID-19. Mr. Merz answered staff is not aware of any and described the processes and procedures put in place in the event a staff person is sick, as well as plans for programs and offices to reopen safely.

Commissioner Thomas expressed appreciation to staff for making the parks available and safe. She echoed concerns regarding lack of social distancing and use of playgrounds during this time and emphasized the importance of continued messaging on the subject.

The live feed of the meeting was briefly interrupted and the meeting was paused.

Mr. Merz responded to Commissioner Thomas' comments expressing the public's responsibility to adhere to safety guidelines and messaging so parks and amenities can remain safe and open.

President Lindner urged the public to practice safety when in the parks and echoed the sentiment that it is staff and public's joint responsibility to keep the public safe.

Commissioner Flynn also thanked staff for the work they have accomplished to keep parks available. He expressed in his personal experiences, the public have been following social distancing guidelines in the parks.

Mr. Lindner encouraged participation in the Parks Foundation's Hats Off Luncheon, rescheduled for October 2, 2020.

There were no further comments.

### **EXECUTIVE SESSION**

Mr. Lindner announced the livestream of the meeting would be disconnected while the Board is in Executive Session. He explained the livestream would resume afterwards only to adjourn the meeting and no actions would be taken.

President Lindner motioned to enter into Executive Session pursuant to R.C. 121.22(G)(3) to confer with Parks' attorney concerning a dispute that is the subject of pending and imminent court action. Vice President Goetz seconded. The motion passed by unanimous roll call vote.

### **ADJOURNMENT**

President Lindner announced the return to public meeting. Mr. Lindner motioned to adjourn the meeting at 12:20 P.M. Vice President Goetz seconded. Motion passed by unanimous roll call vote.

ATTEST:

  
\_\_\_\_\_  
PRESIDENT

  
\_\_\_\_\_  
DIRECTOR