

Canfield, Ohio
May 14, 2018

A Regular Meeting of the Board of Park Commissioners of Mill Creek MetroParks was held on Monday, May 14, 2018, at the MetroParks Farm. President Lee Frey welcomed guests and staff.

The meeting opened at 6 p.m. with recitation of The Pledge of Allegiance. Roll Call was as follows: Germaine Bennett, present, Lee Frey, present; Tom Frost, present; Jeff Harvey present, and Paul Olivier present.

The Board was presented with the Minutes of the Meetings of April 9, and April 14, 2018. Commissioner Frey moved that the minutes be accepted into the records.

Kevin Smith, Treasurer/Administrative Services Director, presented the Treasurer's Report. Lee Frey moved, the funds having been certified as on hand and duly appropriated, that disbursements #75855-#76118 for a total of \$1,033,417.58 be approved. The motion was seconded by Jeff Harvey, and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost, Harvey, Olivier
Voting Nay: None

Kevin presented an Appropriation Request - Request to increase appropriations to account 100-0440-5056 – Development Professional Services by \$215,000.00. The Development Department received a total of \$215,000.00 in donations from the Beeghly Family and this is to place the money in the Mill Creek MetroParks Foundation. Lee Frey moved the request be approved. The motion was seconded by Tom Frost. After discussion, and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost, Harvey, Olivier
Voting Nay: None

Lee Frey requested that the Standing Committees make their minutes more comprehensive, so that the Board can get a better understanding of subject matters discussed, actions taken, and requests presented.

Aaron Young, Executive Director stated that no bids were received for the Beeghly House properties, and that he'll meet with Judge Rusu and legal counsel to determine what the next steps will be.

Lee Frey moved that, after a long mediation process, the Executive Director be authorized to execute the agreement, and approve payment of \$1,000 to our insurance company for the Friends & Family Lawsuit. Germaine Bennett seconded the motion. After discussion, and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost, Harvey, Olivier
Voting Nay: None

Steve Avery, Planning & Operations Director presented Resolution R-18-08 for approval as follows:

DIVIDING SYCAMORE BRIDGE IMPROVEMENTS

WHEREAS, Dividing Sycamore Bridge is a stone arch structure that is a contributing feature to the Mill Creek Park Historic District and it is in need of improvement, and

WHEREAS, improvement of Dividing Sycamore Bridge is a transportation activity eligible to receive federal funding and therefore Mill Creek MetroParks applied for Federal Highway Administration (FHWA) Transportation Alternatives Program funding in August 2017 through the Eastgate Regional Council of

(Chagrin Falls, OH)

Karvo Companies, Inc. (Stow, OH)	271,117.80	271,117.80
R.T. Vernal Paving & Excavating (North Lima, OH)	297,113.67	297,113.67

NOTES:

1. Five (5) bids were received, checked and tabulated. The total amount for each of the five (5) bids was within the 10% bid cap, therefore, no bids must be rejected in accordance with Section 153.12 of the Ohio Revised Code.
2. No mathematical errors were found in any of the five (5) bids.
3. The low bidder at bid opening and after tabulation is Butch & McCree Paving, Inc.
4. The low bidder is currently prequalified with ODOT to perform the work specified in the plans.
5. At the time of bid opening, all required bonds, documents, forms and attachments were included within Butch & McCree Paving, Inc.'s bid.
6. Butch & McCree Paving, Inc. is experienced in the type of work required for this project. Butch & McCree Paving, Inc. has completed numerous improvement projects for the MetroParks including cart path construction and the recently completed 2018 Parking Lot Improvement project (FRG and Newport Wetlands North).

NOTES (con't):

7. Funding for this project is provided in part through the MetroParks' 2018-2019 ODOT Road Tax Allocation (\$126,933.23), along with budgeted capital improvement project funds earmarked for the MetroParks' Annual Road Improvements category.

RECOMMENDATION:

1. It is recommended that Butch & McCree Paving, Inc. be awarded the contract for the project named "RESURFACING of WEST NEWPORT DRIVE" at the grand total amount bid of \$271,092.95.

Lee Frey moved that Butch & McCree Paving, Inc. be awarded the bid. The motion was seconded by Jeff Harvey. After discussion, and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost, Harvey, Olivier
Voting Nay: None

Kevin Smith presented Resolution R-18-09 for approval as follows:

**RESOLUTION AUTHORIZING PARTICIPATION IN
THE ODOT WINTER CONTRACT (018-19) FOR ROAD SALT**

WHEREAS, the MILL CREEK METROPOLITAN PARK DISTRICT, MAHONING COUNTY (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual winter road salt bid (018-19) in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract:

- a) The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon award of the contract by

the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and

- b) The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c) The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the winter road salt contract; and
- d) The Political Subdivision hereby requests through this participation agreement a total of 700 tons of Sodium Chloride (Road Salt) of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e) The Political Subdivision hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract's effective period of September 1, 2018 through April 30, 2019; and
- f) The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and
- g) The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Thursday, June 1, 2018. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT winter road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT winter salt contract:

Lee Frey moved that the Resolution be approved. The motion was seconded by Tom Frost. After discussion, and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost, Harvey, Olivier
Voting Nay: None

Aaron Young stated that the MetroParks is in the process of reviewing proposals for food and beverage services at the Wick Warming House.

Chris Litton, Development Director presented two Naming/Endowment Agreements. One for the Collier MetroParks Bikeway, and one for Nancy Brundage's donation to establish Nancy's Nook at the new Ford Nature Education Center. Shari Harrell, President of the Community Foundation of the Mahoning Valley spoke. Lee Frey moved that both Naming/Endowment Agreements be approved. The motion was seconded by Germaine Bennett. After discussion, and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost, Harvey, Olivier
Voting Nay: None

Chris presented to the Board, the new Memorial & Tribute Cards, and thank you cards.

Commissioners Comments

- Lee Frey –commented on a letter to the editor in Sunday’s Vindicator, regarding Lily Pond aeration. He asked that the author of the letter, Pat McCamy give her documentation to the Environment Standing Committee. The Committee will get back to us with their recommendation.
- Tom Frost – commented that he was pleased with the work the Development Director has done with the endowments and pledges. He was also pleased to hear that through to the bidding process, we’re making the best use of tax dollars.
- Germaine Bennett – commented that the tribute cards are great, especially for those donors who do not use the internet. Germaine announced that she will not be able to attend the June 11 Board Meeting, and requested that it be changed to June 18, the other Board Members were in agreement.
- Jeff Harvey – commented that the Park looks great, lots of birds this time of year.
- Paul Olivier – no comments

Public Comments

- Deby Clark – requested that we consider reinstating on-site security (Rangers) at Fellows Riverside Gardens, during the hours after the Davis Center is closed. She recently witnessed several activities going on that were not permitted in the past; the MetroParks Police were not notified of the activities. Chief of Police, Jim Willock, recommended that the MetroParks Police be called when the activities she described are happening.
- Pat McCamy – presented a report and petition to the Board to bring an ice rink to the volleyball courts in the Wick Recreation Area. Lee Frey asked that she give her documentation to the Community Engagement Standing Committee. The Committee will get back to us with their recommendation.
- Robert Stanger – requested that a piece of property on Rt. 164, the old Lakefront Golf Course be purchased by the MetroParks and developed into either a golf course for seniors, or an arboretum. He also suggested that the water in the Lily Pond be upgraded.

Lee Frey announced that the next Regular Board Meeting has been scheduled for Monday, June 18, 2018, at 6 p.m. at the MetroParks Farm.

Lee Frey moved the Board meet in Executive Session to consider the appointment, employment, discipline, or compensation of public employees. Germaine Bennett seconded the motion, and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost, Harvey, Olivier
Voting Nay: None

The motion was passed, and the Board met in Executive Session at 6:50 p.m.

Paul Olivier left the meeting at 7 p.m.

Lee Frey motioned to return to Regular Session. Jeff Harvey seconded the motion and the Board returned from Executive Session at 7:10 p.m. and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost, Harvey
Voting Nay: None

There being no further business, Lee Frey moved to adjourn the meeting. Jeff Harvey seconded the motion, and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye: Bennett, Frey, Frost, Harvey
Voting Nay: None

The meeting adjourned at 7:13 p.m.