

**The Michigan City Park and Recreation Board** met in regular session on Thursday, July 16, 2009 at the hour of 5:00 P.M. in the Michigan City Parks and Recreation Office, City of Michigan City, Indiana.

The Pledge of Allegiance was recited.

On the call of the roll, the following Board Members were found to be present or absent:

**Present: Messrs. Latchford, Freese, Milcarek and Mr. Dabney (4)**

**Absent: None (0)**

**Also present were:** Jan Orlich, Superintendent; Jeff Katz, Park Board Attorney; Joe Doyle, City Council Liaison; Shannon Eason, Director of Administrative Services and Special Projects; Bill Greene, School Board Liaison; Jeremy Kienitz, Recreation Director; Angela McConnell and Anthony Edevarrita, Sahara Restaurant; Barb Malewicki; Juanita Kreidler; and Andre Steele, ALCO TV.

- **On a motion** made by Mr. Freese, seconded by Mr. Milcarek and voted unanimously by the Board, the Board approved the minutes of the July 2, 2009 Park Board meeting.

Park Superintendent Jan Orlich requested a start up bank for the golf course for the purchase of alcohol in the amount of \$1,200.00

Mr. Latchford asked Ms. Orlich why we only got \$600 for the concession down here so why are we doubling that for the golf course.

Ms. Orlich stated the alcohol purchase for both golf courses is basically more; the cut is at 70 cases and Ms. Orlich instructed Mr. Richardson to order 70 cases instead of ordering on a weekly basis so he can take advantage of the price break. Mr. Richardson has ordered twice already. Ms. Orlich stated it was further stated to him that in purchasing alcohol they would be able to bill us and that is not true, you have to pay upon delivery so the start up bank is required.

Mr. Latchford asked if Mr. Richardson has checks or if he is paying with cash.

Ms. Orlich stated he is paying with cash.

Mr. Latchford stated there is a service available, and we still need to establish the \$1,200 bank, but there is a service out there call Penn Tech, it is an ACH service and there is communication between the vendor and us so when delivery is made the vendor uploads and it is drafted from our account and it avoids having to keep a large amount of cash there.

Ms. Eason stated she is familiar with that type of service; that is what the city uses for payroll.

Mr. Latchford stated it is relatively affordable, maybe a charge of \$ .30 per invoice and it would reduce a lot of exposure.

- **On a motion** made by Mr. Freese, seconded by Mr. Dabney and voted unanimously by the Board, the Board approved a start up bank in the amount of \$1,200.00 for the golf course beer and wine service.

Ms. Orlich has supplied the Board with a profit and loss statement for the golf course concessions and it will give you a total to date of sales, cost of sales, gross profit, total expenses, and the net profit and loss for each month. Ms. Orlich stated it also includes beginning inventory, inventory purchased, waste and ending inventory. Ms. Orlich stated Mr. Richardson also developed an inventory sheet for beer and wine along with a storage inventory. The sheets are audited daily by him and he provided those to the Board for your review. Ms. Orlich reported the concessions, through July, has a net profit of \$2,630.00 and attached to that you will also see an inventory sheet for his beer and wine and the last sheet is the storage inventory. Ms. Orlich stated when it is deleted from inventory the clerk has to initial it; this is how it is audited. This is being used currently and Mrs. Eason will review Mr. Richardson's point of sale system to see if that would give us the inventory we are looking for so it could be done through his point of sale system so it automatically takes out of the inventory when it is sold.

Mr. Latchford stated that would be great and this is a great start; you have the controls, well done.

Ms. Orlich stated the Zoo Society presented the Park Board with a rendering of a marquis type sign they would like to purchase for the zoo entrance. Ms. Orlich passed around a rendering of the marquis. Ms. Orlich reported Mr. Freese had attended the meeting. Ms. Orlich stated they propose to purchase it and put it at the entrance of the zoo. Ms. Orlich stated she thinks this a great looking sign and will help the zoo promote some of their special events.

Mr. Freese stated Rudy Kohn really did a great job of researching the cost and he had several companies interested that he presented to the Society last Wednesday. Mr. Freese stated it is a very attractive sign and was well thought out and he thinks it is a great idea. Mr. Freese stated they even mentioned using it to promote other City functions when the zoo is not using it.

Mr. Dabney asked if it going to be placed in front of the zoo and if you will see it when you come in from the bridge.

Mr. Freese stated yes, it will be angled so you can see it from the splash pad and the park and by those coming in from the west.

Mr. Latchford asked if Mr. Martinez is in favor of this.

Mr. Freese answered yes.

Mr. Latchford asked if we need a motion to give the Zoo Society permission to assemble and install the sign on park property.

Mr. Freese stated that is correct. Mr. Freese stated the sign will be installed on an I-beam frame on our property and everything else will be taken care of by them.

Mr. Latchford asked if the Zoo Society will be responsible for the ongoing maintenance.

Mr. Freese stated that is correct and Mr. Kohn went through all of the maintenance at the meeting.

Mr. Milcarek asked if that would include any vandalism to the sign.

Mr. Freese stated yes, that would be their responsibility.

Mr. Dabney asked if the Zoo Society would be responsible for putting the messages on the sign.

Mr. Freese stated yes.

Mr. Milcarek asked if we should give them approval for putting the sign up and being responsible for maintenance and adding content. Mr. Milcarek stated he thinks, if they would happen to put something up there that they we don't approve of, that we should have the right to have it removed.

Mr. Latchford stated if they don't maintain it in proper order we should have a plan for that. Mr. Latchford asked if there is any written agreement with them or are we just looking for preliminary approval.

Mr. Freese stated we are just looking for approval to install the sign on park property; the sign would be theirs and they would be responsible for the sign.

Ms. Orlich stated we could incorporate the maintenance and think of that nature in the Memo of Understanding that we are working on right now if you approve the sign.

Mr. Latchford stated it sounds like we approve of the sign but he doesn't want to get ahead of ourselves and approve it without having an agreement.

Ms. Orlich asked if we could approve it with the understanding that an agreement between the Zoo Society and the Park Board is to follow in regard to maintenance and us having some type of veto power over the content or coordination of messages through the Park Department.

Mr. Latchford stated that is at their risk because if we can't come to an agreement, and he is playing devil's advocate here, but if we can't come to an agreement and they have ordered the sign that is their risk. Mr. Latchford believes we can come to a satisfactory agreement but without having one, they are at risk. Mr. Latchford stated we can give a tentative approval contingent upon entering into an agreement but he doesn't know if that would satisfy the Zoo Society.

Mr. Freese asked Ms. Orlich if she is suggesting that we add the sign language to the Memo of Understanding we are now working on.

Ms. Orlich stated we could just add another paragraph in regard to that because this agreement is not approved yet; it was just for the Board's review in case they had any questions and she can add something to that and get the Board's approval on it and pass it along to the Zoo Society for their approval. Ms. Orlich stated we will just incorporate the sign maintenance, content and vandalism in the agreement.

- **On a motion** made by Mr. Freese, seconded by Mr. Dabney and voted unanimously by the Board, the Board approved of the sign in concept pending approval of the Memorandum of Understanding.

Mr. Freese stated in the agreement it says the two Boards will meet annually and he thought it was mentioned that we would change that to semi-annually; the language is in section 1.3 of the agreement.

Ms. Orlich agreed they did discuss meeting semi-annually but at least once per year.

Mr. Freese stated we can leave it at once per year and then meet more often if necessary.

Ms. Orlich stated she will send Mr. Katz the old Memorandum of Agreement which expired in December 2003 and the new agreement.

- **On a motion** made by Mr. Freese, seconded by Mr. Dabney and voted unanimously by the Board, the Board agreed to table the Memo of Understanding with the Zoo Society.

Ms. Orlich stated she met with Mike Dempsey and Johnny Martinez in regard to the ATM issue. Mr. Dempsey thought a good place to install it would be the delivery drive on Lake Shore Drive and Ms. Orlich didn't like that area; she thought if we were to enter into an ATM agreement and the zoo was going to receive the transactions fees from it we would want as much exposure as possible. Ms. Orlich stated the Zoo Society said they would pay for all maintenance for the ATM machine; they got a \$900 quote for annual maintenance and they will pay that fee and all transaction fees would go back into the zoo's operating budget. Ms. Orlich did not like the

location at the delivery drive on Lake Shore Drive; this could potentially cause a backup of cars waiting to get into the ATM. Ms. Orlich told Mr. Dempsey she would consider someplace where it was more visible and where more people could access it and we haven't come up with that location yet; we are looking at a couple of possibilities. Ms. Orlich told Mr. Dempsey we would try to entertain the idea somewhere down the line.

Mr. Dennis Shultz of Meyer Glass & Mirror and member of the Exchange Club contacted her and the Exchange Club would like to build a shelter for us in Washington Park. Mr. Shultz asked Ms. Orlich what she would like and where she would like it and we have come up with a 15' x 30' shelter that would be 8' in height and in speaking with Mr. Westphal we thought maybe just north of Parker Parkway would be a good place for a shelter; some place for people to be able to unload easily and then park their cars and it is also close to restroom facilities. Ms. Orlich stated Tonn & Blank would provide the services for constructing that shelter and that would be compliments of the Exchange Club.

- **On a motion** made by Mr. Dabney, seconded by Mr. Milcarek and voted unanimously by the Board, the Board approved the concept of the donation of a shelter by the Exchange Club for Washington Park.

Ms. Orlich reported the concession trailer at Washington Park beach is now sitting on the deck; it will be open for business starting tomorrow. Ms. Orlich stated hours of operation will probably be 11 a.m. to 9 p.m. on the weekend and we will probably close a little earlier, at approximately 8 p.m. on weekdays. Those hours will be adjusted according to attendance at the concession stand. Ms. Orlich reported regarding the splash pad that NIPSCO had set a date for July 14, 2009 to do the directional bore for gas and electric and their directional boring machine broke down and they don't know when it will be fixed. NIPSCO told Ms. Orlich that we are a priority so when it is fixed they will be here. Mrs. Eason had a great idea and Ms. Orlich did contact them to see if we could possibly sub that out and have them pay the bill and they have not gotten back to her yet. Ms. Orlich stated that is holding everything up; the only thing that can be done is finishing the roof of the canopy. Ms. Orlich stated she can't pour the rest of the concrete pad or the perimeter because she can't grade that area because there is an opening at the wall to give them the point to bore to. Ms. Orlich stated she is pretty much held up by NIPSCO right now. Ms. Orlich asked them if this would be two or three days and they really couldn't answer her. Ms. Orlich will advise the Board when that project will proceed.

Ms. Orlich reported Tom Offerle of SCO Engineering was here trying to figure out the problems with the turtles; they did a couple of bench tests on those and thought they had the problem solved. Marquiss came out and changed out every single one of those turtles and told us they would be in working order. Ms. Orlich stated we started to set up the Fun Days in the Park festival on Thursday and we used the turtles. Ms. Orlich stated we not only popped the turtle but the main also popped. Ms. Orlich immediately called Mr. Offerle and told him that this is to the point where it is ridiculous; we need service and we need it immediately. Mr. Offerle did come out again. Mr. Doyle had his son-in-law Jeff Kutch come out to work on our behalf to troubleshoot the problem with those. Ms. Orlich asked Mr. Doyle to fill the Board in on what happened.

Mr. Doyle stated there is a little black box in the turtles and there was a question as to what it really does as far as the turtle is concerned. Mr. Doyle stated after they bypassed the black box it solved the problem. Mr. Doyle stated they brought in a trailer to test it. Mr. Doyle stated now they are going back to the manufacturer to find out why that black box is in there. Mr. Doyle stated this weekend we will have some turtles out here but we are trying to make sure what we have is right. Mr. Doyle stated he spoke with his son-in-law who is an engineer and he felt the black box was the problem to begin with. Mr. Doyle stated they did get it working and the rest of them will be changed out. Mr. Doyle stated we will need all of those turtles for Labor Dayz. Mr. Westphal deserves a lot of credit; he kept his camper out here all last weekend so we could monitor the vendors and make sure we didn't have any problems. Mr. Doyle there was a combination of things; they had to make sure all of the breakers were right in the main panel as well as the turtles.

Ms. Orlich stated she put some letters in the Board's mailboxes in regards to the job that our staff had done for the fireworks and she publicly thanked them for the outstanding job they did and as Ms. Orlich expressed to the Board, she does not feel that type of event could go off without the staff that we have.

Ms. Orlich report there is no vandalism to report.

Recreation Director Jeremy Kienitz presented an agreement from T & H Timing for the Triathlon coming up in August. In essence, we need to enter into an agreement to have them out here to be a part of the Triathlon this year. Their charge is \$5.50 per participant up to 600 participants with a minimum of \$850.00. Mr. Kienitz stated this covers the race chips and bracelets to time the event. They will post the results within 4 hours and we can post online and follow up with USA Triathlon as we need to for being a sanctioned event.

Mr. Milcarek asked if the cost is passed on to the participants.

Mr. Kienitz stated this is our cost for bringing them on as the timing company for the event and the cost has been built in to the registration fee for the participants.

Mr. Latchford stated the company is local from Valparaiso and they do a ton of events.

Mr. Kienitz stated they come very highly recommended.

Mr. Latchford stated they also help with the race day registrations.

- **On a motion** made by Mr. Freese, seconded by Mr. Dabney and voted unanimously by the Board, the Board approved the attached agreement with T & H Timing for the 2009 Triathlon.

Mrs. Eason stated she provided the Board with a capital improvement list and she has not received any feedback from the Board. Mrs. Eason stated the report has been given to the Mayor and the Controller and if the Board has comments she will need those fairly quickly.

Mr. Latchford stated the priorities are listed for the different entities and then the Master Plan list was attached. Mr. Latchford stated the Master Plan list is separate.

Mrs. Eason stated this is the first time she had done the capital improvement report and Mr. Garbacik always included the Master Plan list so she did also. Mrs. Eason stated she removed the items that have been done or are no longer viable. Mrs. Eason stated she wanted the Board to see the items from the Master Plan in case the Board wanted to place any of those items on the list as higher priorities.

Mr. Latchford stated in the next day or two he would like to get with Mrs. Eason and Ms. Orlich to prioritize the items; he thinks it is a great list and sets a course of projects that we need.

Mrs. Eason stated Ms. Orlich, Mr. Kienitz, Mr. Westphal and she met with Mayor Oberlie this morning on the Adams Park project and the Patriot Park Soccer Building and Parking Lot Project and he agreed with the direction of moving the ball fields out of Adams Park and into Patriot Park. The Mayor would like us to proceed with the design work for Adams without the ball diamonds and get some preliminary costs to him so we can approach the City Council.

Mr. Milcarek stated now that we have a new attorney on board for several meetings he feels the encroachments should be turned over to Mr. Katz and that we get on with the business of the new attorney's responsibilities. Mr. Milcarek stated he would like to see Mr. Katz have everything under his control, encroachments included, by July 30, 2009.

- **On a motion** made by Mr. Milcarek, seconded by Mr. Dabney and voted unanimously by the Board, the Board voted to bring all attorney responsibilities including the encroachments under Mr. Katz by July 30, 2009.

Mrs. Eason stated Pat Donoghue provided a memo to the Board outlining where the encroachments stand today.

Mr. Kienitz presented the fees and rule packet for the 2009 Fall Adult Softball League for Patriot Park noting all fees are the same as 2008 fees; there are no changes. Mr. Kienitz reported the Men's League will be \$400 per team, Co-ed \$350 per team, umpires will be paid \$20 per game, Supervisors will be paid \$9 per hour and the Director will be paid \$10 per hour. The fees are for a 10 game season with a double elimination tournament at the end and will run in September and October.

Mr. Freese asked if there is a limit to the number of players a team can have from outside of the Michigan City area.

Mr. Kienitz stated no, it is a twenty person team and they can come from anywhere.

Mr. Freese stated the rules talk about the managers being held accountable for the behavior of the team members and asked if the manager could also be suspended.

Mr. Kienitz stated yes they can; we view any situation on a case by case basis and that is why we have a Recreation Committee and we'll bring them in if there is an altercation or incident at Patriot Park.

- **On a motion** made by Mr. Freese, seconded by Mr. Dabney and voted unanimously by the Board, the Board approved the attached 2009 Fall Adult Softball League fees and rule packet.

Ms. Eason reported the Board received a request letter in their packet for an event at Millennium Plaza and she introduced Angela McConnell from Sahara Restaurant and asked her to explain the event to the Park Board.

Ms. McConnell stated they are looking to host a celebration of the end of summer. There will be no more than 100 people age 21 or over. They will be identified by ticket sales and identification will be checked at the door. They will serve appetizers and there will be a cash bar. Ms. McConnell stated as far as security they will hire an off duty police officer from Michigan City and they will provide private security as well; they want it to be a safe, secure event that runs smoothly and successfully.

Mr. Milcarek stated the request letter states there will be no more than 300 guests and Ms. McConnell stated 100 guests.

Ms. McConnell stated they are expecting no more than 150 guests because they want it to be controlled.

Mr. Milcarek asked Mrs. Eason and Ms. Orlich if they think this is something we can do.

Mrs. Eason stated she thinks it is a good idea and she informed the owner, Moe Mroueh, that he would have to enter into a Major Event Lease Agreement and provide insurance, port-a-pots, security and things of that nature. Mrs. Eason stated right now they are looking for approval of the concept so we can negotiate the terms of the contract. The contract would then come before the Board at their next meeting.

Mr. Latchford asked how the liquor license would work; would that fall under the restaurant license.

Ms. McConnell stated they will get an event license. Ms. McConnell stated this Saturday they are holding an event at the Senior Center and they will run it under the same guidelines as that but on a much smaller scale.

Mrs. Eason stated she thinks it is a great idea; Millennium Plaza is a great venue for an event like this. Mrs. Eason stated unfortunately the fencing is up right now but they weren't too concerned

with the appearance of that. Mrs. Eason stated our park hours are until midnight so on the Major Event Lease Agreement the Board would have to approve the extra hour of use for cleanup or back their event up to end at 11 p.m. so they can be off of our property by midnight but she doesn't see a problem as long as there is a police officer there to close the bar and stop the party at midnight.

Ms. McConnell stated she believes last call would be 11:30 p.m.

- ❑ **On a motion** made by Mr. Milcarek, seconded by Mr. Freese and voted unanimously by the Board, the Board approved the Sahara Restaurant event in concept contingent on the Park Board's approval of a Major Event Lease Agreement at their meeting on August 6, 2009.
- ❑ **On a motion** made by Mr. Milcarek, seconded by Mr. Dabney and voted unanimously by the Board, the Board approved city claims filed on account of appropriations for the Parks and Recreation Department in the amount of \$70,224.55
- ❑ **On a motion** made by Mr. Milcarek, seconded by Mr. Freese and voted unanimously by the Board, the Board approved Payroll #14, 06/14/09 through 06/27/09, in the amount of \$95,283.13.

Mr. Eason read the following minor transfers into the minutes:

1301 Park Admin (Oasis Splash Park – re: Ordinance No. 4051)

DECREASE ADMIN FUND

1301 0802 01 411.014	Seasonal Salaries & Wages	\$2,704.00
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INCREASE ADMIN FUND

1301 0802 01 411.016	Overtime	\$ 300.00
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1301 0802 01 413.001	Employer Share FICA	\$1,904.00
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1301 0802 01 413.003	Unemployment Insurance	\$ 500.00
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DECREASE ADMIN FUND

1301 0802 02 422.033	Pesticides/Chemicals	\$2,500.00
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INCREASE ADMIN FUND

1301 0802 02 421.005	Other	\$ 200.00
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1301 0802 02 423.002	Repair Parts	\$ 250.00
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1301 0802 02 423.003	Small Tools & Minor Equip	\$ 250.00
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1301 0802 02 422.031	Household	\$ 625.00
1301 0802 02 422.032	Medical	\$ 25.00
1301 0802 02 422.035	Miscellaneous	\$1,150.00
<u>DECREASE PARK ADMIN</u>		
1301 0802 03 439.011	Contractual Services	\$4,975.00
<u>INCREASE PARK ADMIN</u>		
1301 0802 03 432.004	Telephone	\$ 300.00
1301 0802 03 435.001	Gas & Electric	\$1,875.00
1301 0802 03 435.004	Water	\$2,500.00
1301 0802 03 435.005	Sewage	\$ 300.00

1315 Park Concession (Oasis and Washington Park Concession – re: Ordinance No. 4051)

DECREASE PARK CONCESSION

1315 0000 01 411.014	Seasonal Salaries & Wages	\$3,361.00
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INCREASE PARK CONCESSION

1315 0000 01 411.016	Overtime	\$1,000.00
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1315 0000 01 413.001	Employer Share FICA	\$1,861.00
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1315 0000 01 413.003	Unemployment	\$ 500.00
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DECREASE PARK CONCESSION

1315 0000 02 423.095	Misc Merchandise Supplies	\$ 825.00
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INCREASE PARK CONCESSION

1315 0000 02 421.005	Other Office Supplies	\$ 200.00
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1315 0000 02 422.031	Household	\$ 625.00
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- ❑ **On a motion** made by Mr. Milcarek, seconded by Mr. Dabney and voted unanimously by the Board, the Board approved payment of invoices out of the Zoo Endowment Fund in the amount of \$1,226.00.

Mr. Milcarek reported invoices totaling \$215,063.63 were paid through the 07/20/09 Board of Works meeting.

Mr. Milcarek reported charges totaling \$1,879.32 were charged to the Department's credit card.

Mr. Dabney commented on the letters Ms. Orlich wrote thanking the employees for their help at the fireworks. Mr. Dabney stated he was at the beach all day and all night and there were a lot of people and a lot of things to control out here and he is sure the people that received the letters really appreciated it; that was a nice touch and he is sure they appreciate it a lot.

Mr. Milcarek stated things just get better all the time and he agrees with Mr. Dabney's comments; our staff did a wonderful job and he hopes they can continue their pace, there is a lot of pressure and a lot going on.

Mr. Freese stated Monday he brought his grandkids down to the zoo at around 10:30 a.m. and he was expecting to see a mess. Mr. Freese complimented crews because when he got down here it was pretty tidy and it was hard to believe that you had 40,000 people down here the night before; they must have worked really hard the next morning.

Mr. Latchford stated they did work hard because he was down here much earlier than that and the place was not standing real tall; there was a lot of garbage around so the maintenance crew must have worked hard and fast to clean it all up.

Mr. Doyle commended Mrs. Eason and Ms. Orlich for the outstanding job they did. Mr. Doyle stated he saw Jan Orlich all over the park and Mrs. Eason was busy finding lost kids and parents. Mr. Doyle asked how many missing children there were.

Mrs. Eason replied seven.

Mr. Doyle stated it was like ants coming over a hill with all of the people coming in. Mr. Doyle stated everybody did a spectacular job.

- **On a motion** made by Mr. Freese, supported by all members of the Board, there being no further business, the meeting was adjourned at 5:48 p.m.

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Jan Orlich, Superintendent  
Michigan City Park Department

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Tom Milcarek, Secretary  
Michigan City Park Board

Attachments to the July 16, 2009 Park Board meeting:

1. Request for \$1,200 Start Up Bank for Golf Course Alcoholic Beverage Service

2. T & H Timing Contract for 2009 Triathlon
3. Current Status of Encroachment Memo from Pat Donoghue
4. 2009 Fall Adult Softball League Fees and Rules
5. Request to Host End of Summer Event in Millennium Plaza Submitted by Angela McConnell and Moe Mroueh of Sahara Restaurant
6. Claims Docket Allowance for Vouchers Dated 07/16/09

Minutes prepared by Shannon Eason