

The Michigan City Park and Recreation Board met in regular session on Thursday, September 6, 2007 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. McKee, Latchford, and Milcarek (3)

Absent: Mr. Freese (1)

Also present were: Darrell Garbacik, Park Superintendent; Patrick Donoghue, Park Department Attorney; Joe Doyle, City Council Liaison; Shannon Eason, I.T. Manager; Juanita Kreidler; Barb Malewicki; John Quinn; and Andre Steele, ALCO TV.

- **On a motion** made by Mr. Milcarek, seconded by Mr. Latchford and voted unanimously by the Board, the Board approved the minutes of the August 30, 2007 Park Board meeting.

Mr. Garbacik reported that we hosted a pre-bid meeting at 10 a.m. this morning for the zoo maintenance building project. Mr. Garbacik was pleased with the amount of folks that attended. The bids are due on September 18, 2007 by 2:30 p.m. at the Park Office. Mr. Garbacik reported we have a substantial completion date of April 30, 2007 for this project. We hope to make a contract award recommendation to the Board at your next meeting of September 20, 2007.

Mr. Garbacik reported the August 23, 2007 storm resulted in some substantial damage, mainly out at the Golf Course, involving some trees falling on fencing. The pump house may have been struck by lightning. We will get estimates and define those costs to remediate the damage and weigh that against the deductible. We also believe the cameras at Gardena Park were hit by lightning. The maintenance staff and Sentinel Alarm were at Gardena Park today and we are waiting for confirmation on that and the same will apply; we will evaluate the cost of replacement against the deductible.

Mr. Garbacik reported last week the Park Department participated in a budget workshop with the City Council. Mr. Garbacik and Mr. McKee attended Tuesday night's Council meeting where the budget was heard on second reading and amendments could be made. Mr. Garbacik addressed some recent statements and articles in local media outlets and also provided facts to the community in the following statement. In regard to hiring practices and salaries paid at the

Parks Department, I wish to provide the facts for the record and for the community to consider and understand. 33% (5 of 15) of full time positions hired over the past three years in the park Department have been minorities, including three African Americans and two Hispanics. The parks department always has, and will continue to follow all policy and statutes in regard to its hiring practices; while at the same time will work hard to continue to provide full time and part time job opportunities at the Parks to all minorities.

I have provided the board with salary information in regard to Park Department positions and Park Superintendents specifically. A council person had made false claims in regard to salaries for Park Superintendents in 2nd class cities in Indiana, and the information I provided to the board will indicate the Park Board sets its salaries in-line and in harmony within the state, and the park board's salary for its superintendent is within an average paid throughout the state. By no means does M.C. have "one of the highest paid superintendents in the state for 2nd class cities and possibly the 3rd highest paid", and in fact there are more than a few 3rd class cities that pay in excess of our department, and many departments of both the 2nd and 3rd class also have assistant superintendents and many more administrative positions when compared to M.C. Parks as well.

Proposed amendments that were defeated.

Golf Carts and status of the Golf Course

Historical perspective: For many years our golf course was blessed with very heavy use and record setting number of rounds, which produced very good annual revenue streams that were able to be re-invested into the golf course for capital improvements.

Scenarios are much different today and in the past five years or so in that rounds of golf are down at our course and Nationwide compared to those days, which have reduced revenues that can be used for capital improvements to the Golf Course. That is not to say our golf course does not provide a valuable service and a quality experience to many local and visiting golfers, as the golf course is very popular and has come a long way over the years. It's a fine facility and appreciated by many golf enthusiasts and very much fits into the mission and services by the Parks & Recreation Board and Department to provide recreational opportunities.

Further, the Park Board has made many economic and management decisions to keep the golf course self-supporting from an operational standpoint. This has led to a more efficient operation of the courses, especially from an expense and cost perspective, and such efforts will continue. As a result, the municipal courses are recovering from more recent financial hardships, and erasing a deficit that mainly was created as a result of a mistake in accounting via the controller's office, and we did not catch it. A business decision was made for capital improvements to purchase badly needed fairway mowers a couple years ago, and this purchase decision was determined based on a set of financial figures provided by the controller's office at the time. Sometime several months thereafter, the controller's office discovered a posting error that reduced the financial picture in excess of \$100,000 well after the fact and purchase.

Our courses in M.C. are unique in that we can offer two very nice and well maintained municipal courses for varied levels and interests. Unfortunately at this time, it is also unique in that all

operational and capital investments are expected to be produced exclusively from the revenue it produces and without any assistance from the City and tax base, and it has done just that for many years; however, this is an out-of-date model for municipal golf courses in today's economic and recreational climate. It was reported incorrectly and inaccurately in the past and including the recent budget workshop that the City subsidizes the golf course substantially. This is not simply not true or accurate.

Rather, over the past several 25 plus years or so, and within only the past ten years or so, the City has helped with funding for parking lot improvements, an irrigation project, and now with the golf cart fleet. This support is much appreciated and will help the golf course tremendously in all facets of its operations and revenue generating potentials, and I thank the Mayor and those council members that support the golfing citizens of our community, the golf courses and the Parks Department.

I have no real comment on the request to cut the mower, only to say that no genuine criteria was offered as to why it should be cut, so I again thank those council members that supported the department. An explanation was offered based on an "overall percentage increase to the Parks budget", which I do have a brief comment on that.

The increase is explainable, necessary and justified, but unfortunately was not researched, offered or explained by the councilperson proposing the amendment.

One significant contributing factor was in part due to an error and inadvertent omission to last years park budget by the controller's office, in which an employees was not included in last years budget, but should have been. That increased the Parks budget on paper and by percentage from '07 to '08, but was actually a necessary correction and not an actual addition.

The remaining criteria that both explain and justify the increases are the result of new and added responsibilities and jurisdiction issued to the Parks Department and new security system expenses. A most significant contributing factor to the percentage increase is for annual contractual arrangements to maintain Millennium Plaza, which the Park Department has not had in its responsibility and budget in the past. The remaining explanations for the overall percentage increase are for annual fees to run the technology and pay the annual service/provider fees for it, such a DSL and various communication lines for said security systems. During the first and initial installation years of the security systems, the fees for those initial years of service were covered by the capital funding to get the services installed and up-and-running, but now have to be budgeted for annually as an operational expense.

I feel it's important to explain this because the Park Board and Park Department works very hard to operate extremely prudently and efficiently, and any claim or accusations to the contrary are unfounded and inaccurate. The facts are that the Park Department has been operating over the past few years under a trend of budget cuts while new facilities and responsibilities increased. To this end a statement was also made that our "parks are neglected", which of course is bogus and an unfortunate misstatement in itself. A review of the Parks Annual reports will provide the facts and the true picture of these matters.

Mr. Garbacik showed a PowerPoint presentation of the NSA/BPA Girl's Fastpitch World Series the tri-county area hosted. Seventy three teams participated in the 12U division which played at Patriot Park and in LaPorte. Mr. Garbacik reported the Park Department didn't charge a gate fee. The teams paid an up front fee of \$125 per team so that gate fees would not be charged. The Park Department received a check from the NSA for \$3575. As part of working with South Shore Sports Promotions in seeking vendor sponsorships we are due to receive another \$1,000 to go toward expenses for hosting the pin swap. Seven pallets of diamond dry product was used on the fields in a 24 hour period to keep the tournament going at a cost of \$3,152. The Park Department probably ended up investing a bit into that event and Mr. Garbacik expects more concrete figures to come in. Mr. Garbacik stated the estimated economic impact to LaPorte County and the tri-county area was in the range of 3 million dollars which included restaurants, gas stations, hotels, and laundry mats. Mr. Garbacik gave the Board copies of two thank you letters that he sent out on behalf of the Park Board, Park Department and the City of Michigan City to South Shore Sports Promotions and the LaPorte County Convention and Visitor's Bureau. Mr. Garbacik read the attached two letters that we received from the NSA in regard to hosting the events.

Mr. Latchford asked Mr. Garbacik when the World Series might come back.

Mr. Garbacik responded that the location is planned at least two years in advance. Next year's event has already been planned so it is possible to host the event every couple of years. Mr. Garbacik reported these are the kind of things that are discussed and planned for at the National Convention.

Mr. McKee stated everything that happened here with the NSA softball as well as the most recent vote by the Council for the Golf Course underscores everything that this Park Department is about; it is not just an entity for the taxpayer anymore, it also plays a vital role in bringing people into town for other various ways for them to spend their money here in Michigan City. Mr. McKee stated one of our bigger industries is now tourism and he thinks the Park Department has a vital role in that. Mr. McKee stated to that end he would like to thank those members of the Council that did vote for the \$250,000 allocation for the Golf Course because it reaches far deeper than the City players that play there even though that is the main reason we keep the fees down; it also plays a vital role in that type of setting.

Mr. Donoghue stated the Board will remember at the last meeting he indicated, regarding the NIC lawsuit, that he would have some figures for the Board to consider in moving forward with the minor type of trial there would be and that figure is estimated at \$2,000 for legal fees. Mr. Donoghue stated that would take us through the trial and would take us through receiving an order from the Court, what is called a Judgment, in order to enforce that Judgment against the computer and television camera properties that we are holding here as part of the case. Mr. Donoghue reported at the last meeting we talked about the possible value and Mrs. Eason will be getting an accurate value on those items. In discussing that with Mrs. Eason we are practically positive the value will exceed \$4,000 so we are talking about spending \$2,000 to recover at least

\$4,000 and possibly more. Mr. Donoghue stated, as the Board knows, the value of our case against Northern Indiana Communications is higher than that but we would need to have a financial investigation to determine whether or not they have any money in the bank, or any money anywhere other than what we have here in our possession. Mr. Donoghue stated the estimated expense for the financial investigation would be around \$500 so we are talking about spending \$2,500. Mr. Donoghue asked the Board to give that some thought and at the next meeting if it pleases the Board you can authorize us to go forward and take the steps needed.

Mr. Milcarek asked, besides the \$2,500 referenced by Mr. Donoghue, how much we have spent on this case so far.

Mr. Donoghue stated he doesn't have that figure with him but Mr. Garbacik can provide that amount before the next meeting; it is not much more than that.

Mr. Latchford asked if there are any time constraints related to this case.

Mr. Donoghue answered what we would like to do is have the Board's decision at the next meeting and we feel like we can wrap this up by the end of the year if we do.

Mr. Donoghue reported the meeting regarding encroachments with Baker & Daniels in South Bend that he described in his report at the last meeting is scheduled for Friday, September 14, 2007 and he will report to the Board on that at the Board's next meeting.

Mr. Garbacik reported, and this was discussed in previous meetings, that we will receive an improvement to lot #3, or the Senior Center parking lot, from both a drainage standpoint as well as receiving a completely new parking lot. Mr. Garbacik reminded the Board that we were having drainage issues over there and he has found out over time it was probably due to a less than adequate design of the drainage and the parking lot area in general when the Senior Center was first built. Mr. Garbacik presented the Board with drawings showing the existing lot and proposed improvements. Mr. Garbacik showed the area of the lot that has been disturbed and needed to be broken apart as part of the Water Department project. Mr. Garbacik pointed out an area of the lot where drainage needs to be improved. The northwest corner of the lot was washed out after the August 23, 2006 storm and collapsed; that was not covered by insurance because it had to do with water. That area was already disturbed and has since been torn out. Mr. Garbacik stated that the Water Department and Haas & Associates have looked at this and the Water Department agreed to work with us, while their project was going on, to get this lot fixed for us. The drawing shows a "y" shaped drainage swale that will be installed in the parking and it will divert and direct the water, especially during heavy rains, to drain out west of the lot. The existing drainage that we had was behind the retaining wall and consisted of a French drain and storage area that would repeatedly fill up with sand and fail. The swale approach will solve the problem. The Water Department, as part of this project and at no additional cost to the City or the Park Department, will improve the existing drainage system that is there but will divert it toward the west and it will be able to handle a larger capacity. The drainage swale will not prevent people from walking or driving over it. Mr. Garbacik stated that the third drawing represents the amount of parking spaces noting that everything will be put back together as it

originally was. Mr. Garbacik asked the Park Board to approve this, pending confirmation by the Mayor and City Controller that the funding is available. Mr. Garbacik stated the costs related to replacing the area of the lot containing the drainage swale include the rip-rap pad with a thickness of 24" at a cost of \$2,475; 5' wide concrete drainage swales at a cost \$18,450; pavement replacement at a cost of \$25,560; demolition of area being upgraded \$9,088; and miscellaneous costs of \$10,000. Mr. Garbacik reported the total cost of this improvement is \$65,573 and if everything goes perfect it could be a little less. Mr. Garbacik reported this work has been quoted by Woodruff & Sons with the understanding that this price is good and the quote is based on work being done while Woodruff & Sons is still on-site and before completion of the Water Department project and it takes advantage of unit pricing as per the original Water Department project. Mr. Garbacik stated that if we did this next year it would be much more. Mr. Garbacik asked for the Board's approval based on a confirmation of the funding, to complete this work at lot #3 for an estimated cost of \$65,573.

Mr. Milcarek asked approximately how many parking spaces the project would encompass.

Mr. Garbacik answered about a dozen.

Mr. Milcarek stated that the price seems high to him.

Mr. Garbacik responded it is expensive but Haas & Associates analyzed the price and we agreed, along with Randy Russell, that it was in the scope of being very reasonable for the work and again, would be much more expensive if Woodruff & Sons was not already on-site for the Water Department project. Mr. Garbacik stated that we did some additional paving at Patriot Park, not a parking lot, but some areas near the ball diamonds, and that came in \$25,000 which was also confirmed to be a good price because we were able to take advantage of the City's paving rates and it did not have to be installed to the specifications of a highway or road.

Mr. Milcarek stated that he realizes that there is more than just asphalt involved but it seems a lot for 12 parking spaces.

Mr. Garbacik responded this project is not just taking care of a dozen parking spaces but is taking care of the whole parking lot as far as drainage is concerned; it is as much a drainage improvement as it is anything else.

Mr. McKee asked Mr. Garbacik if the new drainage we are going to put in would prevent washouts in the future.

Mr. Garbacik stated the new drainage in combination with an enhancement of the existing system that the Water Department graciously agreed to improve while putting it back in, which represents a \$21,000 improvement, should alleviate any washout problems in the future.

Mr. McKee asked if the funding is being left to the Water Department and the Mayor or just the Mayor.

Mr. Garbacik responded that it will be left to the Mayor and the Board of Works and will come out of Capital Riverboat Funds. The Mayor has indicated, on more than one occasion, that he agrees that now is the time to address this; he was familiar with the problem. Mr. Garbacik stated that before we send the change order we want to make sure that they are prepared for this and agree that we should pursue it.

Mr. McKee asked Mr. Garbacik if this is a completely separate project for Woodruff & Sons.

Mr. Garbacik replied that it is a change order to the current project and does not affect bidding at all; it was something that was discovered that needed to be addressed after the original bid was awarded.

- ❑ **On a motion** made by Mr. Latchford, seconded by Mr. Milcarek and voted unanimously by the Board, the Board approved the improvements to lot#3 pending funding from the Mayor's Office.

Mr. Garbacik reported he communicated with the Mayor and at this time he does not believe the Board of Works would have a guarantee of enough money remaining, but he wants to revisit the concept in the last quarter of 2007, so at this point we are not planning on formally moving forward with the Amphitheater Analysis Project. Mr. Garbacik recommended that this item be taken off of the agenda until such time it is determined that it can be reconsidered.

- ❑ **On a motion** made by Mr. Milcarek, seconded by Mr. Latchford and voted unanimously by the Board, the Board agreed to remove the Amphitheater Analysis Project from the agenda.

Mr. Milcarek asked if the Amphitheater is secure at this time.

Mr. Garbacik stated that it is; we have already taken care of that.

Mr. Garbacik read Resolution No. 640 titled "A Resolution of the Michigan City Parks and Recreation Board Honoring Roger J. McKee and Dedicating the Millennium Park Fountain in His Honor."

Mr. Garbacik reported the Mayor was consulted and certainly agreed that this is an appropriate tribute to Mr. McKee.

Mr. Latchford stated it is truly right and just to honor Mr. McKee with this dedication.

Mr. Garbacik reported when we first built Patriot Park and we were trying to decide on a name for the park Mr. Roger McKee was very supportive of the name and Mr. Garbacik agreed that if Roger McKee thought it was a good name, then it was.

- ❑ **On a motion** made by Mr. Latchford, seconded by Mr. Milcarek and voted unanimously by the Board, the Board approved the attached Resolution No. 640 titled "A Resolution of

the Michigan City Parks and Recreation Board Honoring Roger J. McKee and Dedicating the Millennium Park Fountain in His Honor.”

- ❑ **On a motion** made by Mr. Milcarek, seconded by Mr. Latchford 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 \$24,397.88.
- ❑ **On a motion** made by Mr. Milcarek, seconded by Mr. Latchford and voted unanimously by the Board, the Board approved payment out of the Zoo Endowment Fund in the amount of \$630.00.

Mr. Milcarek reported invoices totaling \$8,618.77 were paid through the September 4, 2007 Board of Works meeting.

- ❑ **On a motion** made by Mr. Milcarek, seconded by Mr. Latchford and voted unanimously by the Board, the Board approved Payroll #18, 08/12/07 through 08/25/07, in the amount of \$69,110.13.

Mr. Milcarek congratulated the late Roger McKee on the dedication of the Roger J. McKee Memorial Fountain at Millennium Plaza noting it is very appropriate.

Mr. Latchford congratulated Mr. Doyle on another successful festival weekend. Mr. Latchford visited the festival and reported good crowds and good music. Mr. Latchford works in Lake County and a number of people there attended the festival as well.

Mr. McKee congratulated Mr. Doyle noting that he plays a huge part in the success of the festivals along with a great team of volunteers that get involved; things wouldn't happen without those volunteers. Mr. McKee expressed his appreciation from the Park Board to everyone down here for a job well done. Mr. McKee congratulated Mr. Garbacik for a great job representing the Park Board during the budget hearings. Those things are very critical to our life blood of money and getting things done; that is just the way the system works and Mr. Garbacik did an excellent job. Mr. McKee stated that we have built a strong department under Mr. Garbacik's leadership; a lot of good things are happening and hopefully we can keep moving ahead.

Mr. Doyle thanked everyone for their recognition of a hard working group of people; without the Park Department Summer Festival would not be able to do what they do; it is a very active group that works with us in Park Maintenance and the staff at the Park Office and it just shows you that when people work together a lot can get accomplished. Mr. Doyle stated Mr. Roger J. McKee was very instrumental on the Council and many times Mr. Doyle talked with him about other things. Mr. Doyle stated that with Roger McKee's help he was elected to the Council. Mr. Doyle looks forward to a new term and working with the Park Department and watching things happen. Mr. Doyle reported the Carson and Barnes Circus will be in Washington Park this Sunday. This is one of the largest circus' with a three ring tent. Following the circus will be Oktoberfest up at the Senior Center. This event will feature authentic music and food. This is a lot of fun and Mr. Doyle hopes people will come out and enjoy it. There are a lot of things that

happen in Michigan City as far as entertainment and the Park Department plays a key role in making that happen.

Mr. John Quinn added his congratulations to Mr. Bob McKee for the honor bestowed on his Dad, Roger J. McKee; he was a great man and we are really going to miss him. Mr. Quinn thanked everybody on the Park Board for all of the great events. Mr. Quinn's kids return home frequently for these events and that is great.

- **On a motion** made by Mr. Latchford, supported by all members of the Board, there being no further business, the meeting was adjourned at 5:55 p.m.

Darrell L. Garbacik, Superintendent
Michigan City Park Board

Tom Milcarek, Secretary
Michigan City Park Board

Attachments to the September 6, 2007 Park Board meeting:

1. Thank You Letter Sent to South Shore Sports Promotions
2. Thank You Letter Sent to LaPorte County Convention and Visitor's Bureau
3. Thank You Letters from NSA/BPA North-Central Zone Vice President Bill Horton
4. Resolution No. 640 titled "A Resolution of the Michigan City Parks and Recreation Board Honoring Roger J. McKee and Dedicating the Millennium Park Fountain in His Honor."

Minutes prepared by Shannon Eason