

Minutes of a Meeting of
Recreation and Parks Improvements Committee
Held Monday, June 23, 2014
6:30 p.m.

Members Present: Councilman Tom Henderson, Chair
Councilman Paul Vincent

Also Present: Mayor Sutherland, Recreation Director Enovitch, Councilman Tadych,
Councilwoman Lieske, Toby Mowman (representing Lawrence Kuh for
the Bay Skate and Bike Park Foundation

Audience: Dick Majewski, John Suter, Conda Boyd.

Mr. Henderson called the meeting to order at 6:30 p.m. He thanked everyone for their attendance. The primary topic for discussion this evening is the Bay Skate and Bike Park proposed extension. Mr. Lawrence Kuh, Executive Director of the Bay Skate and Bike Park Foundation was invited this evening, but he was unable to attend. Mr. Henderson advised that he sent Mr. Kuh an email asking him if he would like to reschedule this evening's meeting, but he decided that Toby Mowman should attend on his behalf representing the proposed project. Mr. Henderson asked Mr. Mowman his background as far as similar projects.

Mr. Mowman stated that he has been a part of these projects in about 10 municipalities east of the Mississippi, involving about six different states. He has been involved in his hometown in Michigan, and in Nantucket Island, Massachusetts where he resided. He sat in countless Parks and Recreation meetings for hundreds of hours to get a skate park in Nantucket Island, Massachusetts. Mr. Mowman advised further that he began building skate parks between 2008 and 2010, which led him to Bay Village, and he was a builder of the skate park in Bay Village. He helped redesign some things as they went, so his relationship with Bay Village was that he ended up staying here to live. He is on the committee for the Bay Skate and Bike Park while they are currently together. But, they may be disbanding after this project.

Mr. Henderson stated that there is nothing formally on the table insofar as an application for the addition to the Bay Skate and Bike Park. As the Cahoon Memorial Park Trustees went through the process of reviewing the application previously filed by the Bay Skate and Bike Park Committee for the proposed addition, it became clear that it is actually the City who must file the application since the skate park was donated by the Skate and Bike Park Foundation to the City of Bay Village in 2010. We are now making sure we understand exactly what is being proposed and once we have a full understanding of the proposal the correct process can be initiated. Mr. Henderson asked Mr. Mowman to present an overview of the actual proposal itself.

Mr. Mowman stated that Mr. Kuh made a cardboard display at the Bay Skate and Bike Park which gives a very crude representation of what the addition would look like from the street. Mr. Henderson stated that he has reviewed the minutes of various meetings relative to the skate park in the recent past. The May 5 City Council meeting minutes state that Mr. Kuh advised that

June 23, 2014

the proposed addition would be 11 feet back in the southeast corner, 14 ½ feet wide, and 265 total square feet. He also provided Council four computer-generated images, three dimensional in nature which were helpful, but they are not engineering style documents with dimensions and various views. There was one that contained references to the dimensions, showing 13 feet x 14 ½ feet and 189 square feet. Mr. Henderson stated that either at the May 5 Council meeting or the June 4 Planning Commission meeting he was handed a set of documents. These represent the addition as 9 feet by 11 feet, for a total of 99 square feet. The other set of dimensions would be the actual cardboard representation placed at the skate park. Before we move forward with an application, it is important that we know exactly what is going to be proposed.

Mr. Mowman stated that the cardboard representation was measured out to 14 1/2 feet by 11 feet. That should be what Lawrence Kuh and the Bay Skate and Bike Park Foundation submitted.

Mr. Henderson stated that the other concept that has come up in regard to dimensions is height. Mr. Henderson referred back to previous meeting minutes. At the Planning Commission meeting of June 4, 2014, there was a discussion about height of the addition. It was mentioned in the meeting that the addition was going to be three feet high, but there was confusion as to whether this measurement would be from the street or from the existing structure. Mr. Henderson stated that his interpretation of what he heard is that it was supposed to be three feet higher from the top of the existing structure. Mr. Mowman stated that is incorrect. It will be 36 inches total. The highest point now is 17 inches above; the addition would make it another 18 inches above the top most existing part of the skate park. Right now the highest point of the park is a ledge that is about 17 inches high. Another 18 inches is being added to that, for a total of 35 inches.

Mr. Henderson stated that this discussion highlights why accurate, detailed plans are necessary. Mr. Henderson stated that he went to the park himself. While he is not a surveyor, nor does he have the proper tools for it, he did just use a tape measure and stood next to the top of the bowl and measured. It appears to be about 35 or 36 inches tall from the ground where the bowl begins to the top of the bowl. Whether it is 17 inches, or 35 or 36 inches, it is something we definitely want to make sure we know for the plans.

Mr. Mowman stated that he is talking about the highest point of the park. They are going above the highest point of the park; not from grade. From the south of the bowl that ledge sits at 38 inches. Above that, they are going another foot and one half. That would make it 36 inches above that flat ledge.

Mr. Henderson stated that is inconsistent with his understanding from stopping by there on Sunday. That is something that will helpful for them to get clear on the representation. The height was not documented. Mr. Henderson stated that he also wanted to talk about the actual height, whether it is 17 inches or 30 something. He looked back in the minutes of 2010, and there were several references during the May 6, 2010 Board of Zoning Appeals meeting to a height not exceeding 2 ½ feet. Mr. Henderson would like to get some discussion around what we all think the correct process should be, given that the Board of Zoning Appeals gave a variance for the skate park and there was discussion around the height at that time. It was mentioned three times in the May 6, 2010 meeting that 2 ½ feet would be the top height of the

highest feature in the park. It is actually higher than that already, not including any of the metal features that stand above it. Some people are concerned about the level of detail in plans that were given because there are these differences of what is seen when you visit the park, and what Mr. Mowman mentions. It would be helpful to get more detailed renderings. The other type of thing you might see for an architectural design is to show a reference from a street level or some other proper engineering point of reference so we can understand exactly where the current structures are and proposed structures would be.

Mr. Mowman stated that right now, in that area there is a fire hydrant on the far left side. That is just as tall as the park had been planned to be. If you take the fire hydrants height off of grade, they are about the same.

Mr. Henderson stated that the Planning Commission did not feel it proper for them to rule either way. They didn't make a formal decision on it because of some of the technicalities mentioned earlier. The President of Council asked the Recreation and Parks Improvement Committee to review it because it is in Cahoon Memorial Park. It is incumbent upon the Cahoon Memorial Park Trustees to make sure they are taking care of the park. That is what we are doing here tonight; making sure we get the plans fully fleshed out.

Mr. Mowman asked, in addition to the proper renderings, what process the Bay Skate and Bike Park Foundation needs to go through.

Mayor Sutherland stated that she talked about it with Lawrence Kuh and also with Law Director Gary Ebert. Mr. Ebert has advised that the City, as the owner of the Skate Park, apply for a variance with the Board of Zoning Appeals.

Mr. Henderson asked Mr. Mowman to elaborate on why the quarter-pipe was proposed for the addition. Mr. Mowman stated that it would just help the fluidity of the park, allowing more options for people at the park. Some parks do not get more done to them. They just sit there for ten years. This park has been there for four years. This is something new for the park. It is nothing huge. It is something that is already at the park, sort of, but it is just going to provide the ability to skate in the park with more fluidity. There are a lot of people that tend to stage themselves in that corner of the park, so this will also make the people not stage themselves right on the park itself but on the outskirts of the park. Technically, it is making the park a little bigger.

Mr. Vincent asked if this increases risk of injury to users of the park. Mr. Mowman stated that it does not increase risk of injury. It actually increases their ability to skate, scooter or bike. It provides another skating obstacle. That skating obstacle is there but this provides a little more speed. We are a beginner for 10%, an intermediate for 80%, and advanced for 10%. We are mostly intermediate most of our lives, whatever we are doing, unless we become professionals. This just provides users the opportunity to get through that beginner level a little more and become intermediate.

Mr. Suter, from the audience, asked Mr. Mowman if he was on the original design from the beginning. Mr. Mowman stated he was on the original design, but not from the very beginning, but from the finished product as it stands now.

Mr. Suter stated that the skate park property was confined to the area outside the land that was the site of the librarian house. Mayor Sutherland stated the skate park was not designed specifically with that in mind, knowing that the house was going to come down. Mr. Suter stated that the house had a certain plot of land. The skate park was designed to not encroach on that plot. Mayor Sutherland stated that it was not necessarily designed that way. That was never a major consideration, other than the fact that the house was present when it was first designed. We never said that we would never build on that plot. We always said eventually we would build some type of a little pocket park on the corner.

Mr. Suter asked if there are any additional plans for the skate park beyond what is being asked for now.

Mr. Mowman stated that this is really up to the community. He does not know if the city is going to allow lights. Half the parks in the United States have lights. The timer goes on at dusk and goes off at 9 p.m. Somebody wanted a barbeque pit, like they have in all the other parks. Maybe that would work. There is still some grass area there on the north side that comes off of the unground bowl. It has been proposed that something could go there in the future. Those are all great ideas; it is just kind of all about what the community wants and what kind of money gets raised.

Mr. Henderson stated that one of the things that makes it uncomfortable with this particular expansion is that he knows exactly what Mr. Mowman just said is true. There are other expansions in mind. Mr. Kuh mentioned at least two at the last Council meeting: something in the northeast corner and something in the middle. There is a possibility if we approve this one extension, we would know there are multiple additions in the future. To look at the completed finished product, final stage, as well as each of the various steps might make more sense. Mr. Dan Overfield of Osborn Road sent Mr. Henderson an email stating his opinion that the proposed expansion is actually too small. He feels his children are unable to use the skate park in the afternoons because more advanced skaters create more traffic. He would like to see more advanced features in a separate area, for example a 9 foot bowl, and additional space, to keep the advanced users from the younger children. He also would like lights. One of the organizations that exists in our area, the Public Square Group, Inc., has two projects they are currently working on in the Cleveland area. They put together site plans for the entire project. Mr. Henderson stated that it is his thought that if there are more expansions planned for the future it would make sense to put all of those plans down on paper so that people would have a chance to look at the plans in totality and decide whether or not they feel those plans fit the character of the park.

Mr. Mowman expressed agreement. It would provide a better outlook to the area, as far as what Mr. Overfield is suggesting.

Mayor Sutherland cautioned that this proposed addition is only one small piece at a cost of approximately \$2,500. Mr. Mowman agreed, noting that it would normally be around \$5,000 to

June 23, 2014

\$7,000 but with some of the machinery and materials the City is willing to provide, and with his labor and other labor, it will be approximately \$2,500. Mr. Henderson asked if that is the amount of money the Bay Skate and Bike Park Foundation will be putting forward. Mr. Mowman responded affirmatively. The Mayor stated that the City's contribution will be labor.

The Mayor cautioned about looking at too big of a plan that we are not prepared as a City, as the owner of property, to go forward with huge expansion. The Mayor stated that she would not like for them to get bogged down in a big planning process that would require a lot of input and discussion.

Mr. Suter suggested turning it around in a different way. If you were to look at a proposal for something that would make that skate park the way it should be, and you have land to the south, is piece-meal the way to go? You add a little here, a little there and all of a sudden does it or does it not look like a house with additions here and there. Wouldn't it be nice if we had a plan as to what we would like, not necessarily what we are going to do, but what we think should be there, rather than piecemeal.

Mr. Ebert stated that hasn't worked in the past. The Walking Trail was not a part of the Master Plan. It was a vision that former Service Director Jim Sears and the administration put together. That Walking Trail is probably used by more people in Bay Village and applauded as far as what the City did. We hired engineers for the Master Plan. There was no Walking Trail over there. People wanted a place to walk and it created a great area for people to use. We have Master Plans here that we have updated and updated; spent some money on these Master Plans. But the lakefront wouldn't look like anything you have right now. That's a great idea in concept. The skate park has turned out to be a non-entity for the Police Department as far as enforcement. It took the kids away from the shopping center where they were using the rails and sidewalks and put it over there. If the Police Chief were here he would say it is a non-entity. There has been so much concern about it. It has been well policed within themselves. There was a little graffiti and they took care of it. I applaud the group that came forward and actually did something like that. But, it was never going to be part of the Master Plan. It evolved because of how activities evolved with the youth around the community. That's a prime example of how that area actually got developed. It is groups like yours that come forth with a great idea and adjust and evolve as recreation evolves in Bay Village. Mr. Ebert gave credit to the group for the money they raised and how they did it. It has been done very professionally and has worked out very well in Bay Village.

Mayor Sutherland added, "Don't let the perfect be the enemy of the good."

Mr. Henderson stated that he appreciates that. He and Mr. Ebert are on the Village Foundation, Trustees Committee, and that organization, like the Bay Skate and Bike Park Foundation do nice projects over time. It is great to see those kinds of public/private partnerships occurring. But, this skate park, because it was rather hotly discussed, took a long time for decisions to be made as to where it was going to be and how tall it was going to be. Just because it has been built, Phase 1, we should not give any less attention to Phase 2, 3, 4 or others. To Mr. Overfield's suggestions through email, perhaps some of the other designs should come first. Maybe this isn't the best use and maybe in a long-term situation a plan like that might help people

June 23, 2014

understand what it is going to look like in the future. So, they can decide maybe this feature should not be on the southeast corner, perhaps it should be on the northwest corner, and some of those details.

The Mayor stated that these guys are the experts. They have raised money for this specific reason and this is what they want to spend it on.

Mr. Suter commented that this is a piece-meal plan. What might happen in the future?

The Mayor asked what might happen to Play-in-Bay. Did we have a plan for that? No. In a perfect world we have wonderful plans for everything but it doesn't always work out that way in real life. This gentleman is an absolute jewel in our community. It is such an interesting story. He came here to work on that skate park and ended up staying. I think that is just phenomenal. We have a resident expert and people who want to do this one thing. It's just like when somebody would want to purchase...for instance, the sailboat at Play-in-Bay. Was that part of the big plan? No. Somebody wanted to buy that and we did it. It wasn't part of the Master Plan, but, that's sometimes how things happen in our community. We've had many really great things happen in our community just that way.

Mr. Henderson asked if it would make sense to have a public hearing about this to show the plan. There was discussion in the Board of Zoning Appeals about the height of 2 ½ feet. It doesn't seem like we are clear on the exact height now, and this is going to extend it an additional height from there, 17 inches or three feet. A level of diligence was given in prior years. Maybe we should give some diligence to the expansion.

The Mayor stated that what should happen is what Mr. Ebert is suggesting: it goes to the Board of Zoning Appeals. That is a public meeting. To add extra steps for this small piece is unnecessary.

Mr. Vincent asked if there is any idea what the future next step would be. Is that ten years down the road, or five years down the road? If it's three years down the road, maybe it would make sense to just apply once, or not.

Mr. Henderson stated that Mr. Mowman mentioned today that the Bay Skate and Bike Park Foundation is planning to cease its operations in the future. When I came to this meeting tonight it was my understanding that the Bay Skate and Bike Park Foundation, as a non-profit corporation in the State of Ohio, would have perpetual existence and continue to raise funds. Why is it intending to close its operations?

Mr. Mowman said that is the decision of the Board members. Some Board members give more than others. In 2003 through 2008 communities all over the country, east and west of the Mississippi, were earmarking money to build parks in their communities. \$100,000; \$200,000. Now, no. \$600,000, a million dollars, more affluent communities. And so, a community like this, raising the money and doing it now in 2014, that money is not being earmarked. So people raising money, family members wanting to have more time, wanting to have their husbands back and do more things. There is not a lot of money in the committee right now, \$10,000 or

something like that. So kicking in money for this, and giving money for scholarships, I want to keep it going, but that's only one out of four or five.

Mr. Henderson stated that one of the reasons he wanted to know about the long term focus of the organization is because Mr. Ebert has taken a look at the cracks that are developing in the skate park. Mr. Ebert stated that he talked to Mr. Kuh and he said it is supposed to crack. When you have mesh holding it together it will crack because of the weather, etc. They do not hinder anything whatsoever. The engineer told them it would crack.

Mr. Henderson stated that according to the documents filed with the Internal Revenue Service to obtain non-profit status, the Bay Skate and Bike Park Foundation did include maintenance of the park as one of its purposes for existence. If the foundation is not going to exist, and the city is going to own the asset in the future, what standards are we going to use to be sure maintenance is given at the proper time.

Mr. Ebert reiterated that when the Bay Skate and Bike Park Foundation raised the money they donated the skate park to the City. The Play-in-Bay was donated to the City and the City inherits the facilities as far as maintenance and upgrades. The skate park is an asset to the City and will have to be kept on its recreational agenda for maintenance in the future.

Mr. Henderson commented that he knows we spent a lot of money on resurfacing tennis courts, for example. Do we have an estimate on the amount of dollars that the City will need to spend and what time frames to maintain the skate park, even if we do additional expansions?

Mr. Ebert stated that the only thing he knew about the expansion is that there is enough money in their funds to pay for it. The money would be donated to the City, whatever is left, to maintain the skate park. It will not last forever, the same as the money in the Cahoon Will to maintain the Cahoon Memorial Park. It only generates about \$10,000 per year in income. It used to be sufficient. The idea of Ida Cahoon was when they donated the park and the funds was that the fund would be kept intact to be used for the maintenance in perpetuity. It didn't happen; we spend a quarter of a million dollars to maintain Cahoon Memorial Park on an annual basis. The skate park is an asset that will have to be maintained by the City going forward.

Mr. Henderson stated that the last thing he wants to discuss this evening is safety. This new addition would increase the height of the park. Are there any guard rails that should be put out, or anything of that nature? Are their natural standards for the safety of skate parks that can be applied?

Mr. Mowman stated that there are standards. This is a black piece of concrete that we park on. If I put this structure on here, then yes. You can fall off that structure and hit yourself on concrete. So, you have to put guardrails around it. There is nothing in the park, other than the bowl, where if you fall off it you're going to fall on the concrete but you are also surrounded by dirt. Anything over five feet tall has to have a railing around it. There would be mounding that would come down to the top of a new structure.

Mr. Henderson stated that there are two trees to the south of the proposed site. If the structure comes up and then is mounded down, at whatever angle it is mounded down, that mound would be getting pretty close to the trees. He asked if anyone has talked to the Tree Commission or an arborist in terms of what impact those additions would have on those two trees.

Mr. Mowman stated that although he is not an arborist he thinks it would be negligible. Recreation Commissioner Enovitch stated that a member of the Bay Skate and Bike Park Foundation stated that he did speak to the City Arborist and the trees would be fine with the mounding.

Mr. Tadych, Council's representative to the Tree Commission, advised that the Tree Commission stated that as long as the trees were safe they had no problem.

Mr. Henderson returned to the subject of safety. He stated that he assumes that people start at the top and go down, and also people start at the bottom and go up. He asked if there is any concern about the people who are starting at the bottom and going up, if they would go from a northwest angle towards a southeast angle that they might fly off the top and run into the ravine or the fence that is bordering the ravine. Mr. Mowman stated that he has no concern for that as it is too far. The gradual decline of the berm around the outside wouldn't really allow the gain of enough speed for there to be a concern that way. Nor would there be a concern of the fluidity of the park coming down in any direction, or up in any direction. Not anymore than there is already. People don't like to get hurt so they will do their best not to.

Mr. Henderson stated that when he visited the skate park he observed a number of different types of users. It is a nice facility that is good for the kids. But, understanding the plans for the site to make sure it remains good for the kids in Bay Village would be a reasonable thing to do.

Mr. Mowman stated that they talked to people and they like it and think it is going to be a good addition. No one has said anything other. It would be nice to get bigger, but bigger doesn't always make anything great, especially in skateboarding. When we build something that's ten feet tall it gets skated a lot less than something that is four feet tall.

Mr. Henderson stated that whether you like skateboarding or don't, whether you like the skate park or not, the issues that Mr. Overfield mentioned in his email are worth discussing: whether there should be further separation between some of the features for novice and advanced users so the children can use it in the afternoon, whether there should be lights, for example. What would make the most sense would be an engineering plan. I would like to see documents that show the length, the width, and the height of the proposal relative to grade, or some other appropriate engineering standard. That would be the absolute minimum requirement that would make me feel comfortable recommending to the Committee of the Whole that I understand the project well enough to recommend it or not. That would be the minimum. The higher standard, if you and the City would care to meet it, that I would appreciate would be a more robust, comprehensive site plan that lays up what the facility would like in its future state under reasonable cost assumptions for what would be in the budget for the Bay Skate and Bike Park Foundation and the City over a reasonable time frame, say ten or so years. That would be the higher standard that I would appreciate.

Mr. Mowman agreed stating that this would come out of their budget. They have a man that does those renderings. They can tell him what they want and he has all the old blueprints. That is something they can handle and pay for and are willing to do it.

Mr. Henderson called for any further points of discussion.

Mr. Henderson stated it sounds as though the Recreation and Parks Improvement Committee will get some new plans with more detail. When those are ready, Mr. Mowman can reach out to Mr. Henderson and another meeting of the Recreation and Parks Improvement Committee will be scheduled to review the plans.

Mr. Mowman asked if the committee will reach out to the City as well with whatever other information they might need. Mr. Henderson stated that for the next meeting he would need a site plan with accurate renderings, and a higher standard that he would appreciate would be a comprehensive site plan.

Mr. Tadych asked if Mr. Henderson intends to take those plans to the Planning Commission. Mr. Henderson stated that he thinks the Planning Commission would be an appropriate body to look at it once the Recreation and Parks Improvement Committee have decided they would be comfortable to present it the Cahoon Memorial Park Trustees. To the extent that it requires another zoning variance because of the height, once determined, they would have to go to the Board of Zoning Appeals.

Mr. Majewski stated that a public hearing should be held by the Planning Commission, according to the approval process, and it should go from the path of the public hearing to the Board of Zoning Appeals so they can have input from the public before they make their decision. It should also go to the Tree Commission, to the Fire Department and Police Department. All that input from those departments should be presented at the public hearing. Then it goes out to the Board of Zoning Appeals so they can have the public input and the input from the departments so they can make their decision on the variance. Their decision was made on a recommendation from the Building Department that the height would be only 2'6" above grade as it is referred through the minutes of the Board of Zoning Appeals meeting, and is part of the reason why they gave them a 40 ft. variance.

Mr. Henderson stated that he read through the minutes of the Board of Zoning Appeals from May of 2010, and he does concur that there were numerous references to the height.

The next step would be for the proposal to come back to the Recreation and Parks Improvement Committee once the plans are prepared. Then, if this committee feels it would be able to recommend it to the Trustees of the Cahoon Memorial Park it can then go to the Planning Commission for a public hearing, and then after that to the Board of Zoning Appeals.

Mr. Majewski stated that someone from the City will have to present the plans to the Planning Commission. The last time the application was stopped because someone from the Bay Skate

Recreation and Parks Improvement Committee
June 23, 2014

and Bike Park Foundation presented the plans and they are no longer owners of the facility. This is what he was informed at the Planning Commission meeting.

Conda Boyd stated that the property on Cahoon Road across from the skate park has changed hands. She suggested that property owner, as well as Dino Lustrri be informed of the public hearing. Mr. Henderson agreed.

There being no further business to discuss the meeting adjourned at 7:20 p.m.

Tom Henderson, Chairman

Joan Kemper, Clerk of Council