

CITY OF BAY VILLAGE

CAHOON MEMORIAL PARK TRUSTEES

June 15, 2015

President of Council Koomar called the meeting to order at 9:15 p.m. in the Council Chambers of Bay Village City Hall.

Present: Clark, Henderson, Koomar, Lee, Lieske, Tadych, Vincent, Mayor Sutherland

Also Present: Law Director Ebert, Finance Director Mahoney, Police Chief Spaetzel

AUDIENCE

The following members of the audience signed in this evening: Marty Mace, Richard Fink, Jerrie Barnett, Jeff Gallatin, Charles Ramer of Northeast Ohio Public Energy Council (NOPEC), Randy Risch, Patrick McGannon, David Madigan, Conda Boyd, Susan Murnane, Claire Banasiak.

Primitive Camp Site Proposal for Cahoon Memorial Park

Mr. Henderson advised that on May 18, 2015, an idea was sent to the Cahoon Memorial Park Trustees, followed by documentation handed out at that time, proposing that there be primitive tent-only sites in the valley of Cahoon Creek, one fire ring, stakes to mark locations, perhaps include permits, recommending that there be no trash cans, boy scouts to keep the sites clean, the Cahoon Soccer Field bathrooms be used, and water to be obtained from the soccer fields. Bay Village residents would use these sites, as well as guests sponsored by any resident or organization. The recommended that brochures to highlight Bay businesses be included. They also gave the trustees several maps with the recommended locations and other materials to consider. Subsequently, Law Director Ebert provided Council with quite a bit of information that he will introduce this evening.

Mr. Ebert noted the challenges faced with requests for the use of Cahoon Memorial Park such as the one being presented. Many of those challenges are presented by residents who are concerned with the historical nature of this area of Cahoon Memorial Park. Mr. Ebert indicated in a memorandum of May, 2015, that in 1975 the area that is under consideration was designated an historical area by ordinance. That area was expanded upon when the Skate Park proposal came forward. There was a potential challenge by Joseph Diemert and Associates about the construction of the Skate Park in the area. A rough draft of the settlement of that case was provided by Mr. Ebert to the trustees. The trustees paid \$4,500 for a survey to encompass the area that was of concern, the Rose Hill Museum, the Community House, the cabin below that area, and to take out areas such as the RTA turn-around that was there. A copy of a map designating the historical area was provided to the trustees. The historical area is to be passive in nature.

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Mr. Ebert also indicated that the proposal for the camping pertains to an area that would encompass the historical area. The Police Chief has advised that vehicles could not get down to the area in the event of an emergency. Additionally, the area would not be visible from the roadway. A proposal for a picnic table in that area was turned down by the trustees previously to prevent accumulation of food and debris that would attract rodents.

There is also the question of whether the use for primitive camping would be an insurable interest with our insurer. Users of the park for all the occasions mentioned cannot be identified to make sure of insurable interest. Our insurance company would need to provide an opinion as to this use.

For all those reasons, it is the recommendation of the Law Director not to grant this use based on the insurance requirements, the type of facilities in the valley, the Police and Fire Departments having problems getting access to the area in the event there is an issue and the safety of the people using the valley since it is hidden below the grade of the roadway.

Mr. Koomar called for any questions from the trustees. Mr. Koomar noted that when the Skate Park was constructed, it was the clear intent to make the area in question this evening an historical area, passive in nature. Discussion followed about the difficulty to keep the bathrooms near the soccer fields open in the evening, subjecting them to potential vandalism.

Mr. Vincent asked how long it takes to find out about the insurable interest. Mr. Ebert stated that it would not take that long, but it is just one of many challenges.

Mr. Ebert noted that the intent of Cahoon Memorial Park is for Bay residents or friends. When there are organized activities, such as those sponsored by the Bay Soccer Club, the use is by invitation only by the Soccer Club. Other activities that are attended by non-residents are by invitation of residents. Mr. Ebert noted that he has received opinions of the Attorney General regarding use of the park. Mr. Vincent asked if Mr. Ebert would provide that Attorney General's opinion to the trustees.

Mr. Henderson asked how the disc golf activity that was recently added to the area of the park differs as a permitted activity considering the fact that it is conducted in this historical area of the park. Mr. Ebert stated that the disc golf activity is passive in nature. He noted that he was concerned also about permitting the disc golf activity in that area. Mr. Koomar stated that it was the concept of open green space being used by young people for this type of sport in an unorganized fashion.

Mr. Tadych asked if the map distributed by Mr. Ebert from 1982 is the current historical section of Cahoon Memorial Park. Mr. Ebert responded affirmatively. The map of 1975 did not identify the historical area.

Mr. Henderson stated that in his mind this proposal has two halves. There is the proposal for the Boy Scouts to use the area, and the other is the guests of the Village Bicycle Cooperative. Mr. Henderson stated he is curious whether the issuance of permits would address the concern of the second set of users. Mr. Ebert questioned how permits would be issued for those riding through

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the City from various locations. Mr. Henderson asked if there is a process if the Boy Scouts wanted to obtain a permit for a singular one-time use for camping. Mr. Koomar stated it would be the same type of permission that is granted for the Girl Scouts when they use the Community House. It is limited use for one night, supervised, with insurance.

Mr. Koomar noted that in reviewing the proposal there is enough room for 18 people to camp. If they were to stay all night on a Saturday night into a Sunday, it might cause others to ask for Sunday use of the park as well for an organized activity.

Mr. Tadych stated that the alcohol issue is another issue that was not discussed.

Mr. Ebert reiterated his previous recommendation that this proposal for primitive camping not be approved by the trustees, in consideration of the potential risks.

Mr. Henderson asked Mr. Koomar if he would like to refer this to a subcommittee of Council, noting that he would be willing to work on the issue further. Mr. Koomar stated that it is more of a trustee issue than a subcommittee issue. He would like to allow the trustees another week to ponder the information presented this evening.

Mr. Lee asked Mr. McGannon if they have approached the MetroParks for the use of Huntington Beach for this activity. He noted that it may be a more appropriate location.

Mr. Clark stated that the nature of the activity with over-night hours may present challenges that are inhibitors to granting this activity. He noted the importance of the insurance factor. He stated that the four or five elements might be curative, but adding the entirety of the context it seems to put the City at risk legally.

Mrs. Lieske asked Mr. Ebert if there have been specific requests from the Boy Scouts for a singular camping event in Cahoon Memorial Park. Mr. Ebert stated that he has not received a request recently.

The information will be reviewed further by the trustees and discussed again on June 22, 2015.

There being no further business to discuss, the meeting adjourned at 9:30 p.m.

Paul Koomar, President of Council

Joan Kemper, Clerk of Council