

## **Hendricks County Parks and Recreation Emergency Park Board Meeting Minutes**

Wednesday, April 15, 2020  
1:00pm

Meeting held online via Zoom

### **CALL TO ORDER**

The meeting was called to order at 1:00 p.m. **\*\*\*This meeting was held online via Zoom due to public health concerns relating to COVID-19 (coronavirus).\*\*\***

**Board Present Online:** Mike Hayden, President  
Brad Eisenhart, Vice President  
Matt Freije, Secretary  
Bill DuMond  
Gary Emsweller  
Paul Miner  
Jeff Pell

**Board Absent:** None

**Staff Present Online:** Ryan Lemley, Superintendent  
Eric Ivie, Assistant Superintendent

**Guests:** None

### **A. UNFINISHED BUSINESS**

#### **A-1. Contract for W.S. Gibbs Memorial Park – Phase I Development**

Lemley conducted a brief overview of the proposed contract and Notice of Award between the Hendricks County Park Board and Hall Construction for Phase I development of W.S. Gibbs Memorial Park in Avon. This was to have been discussed at the April 1, 2020, Park Board meeting, but that meeting was cancelled due to the COVID-19 pandemic.

DuMond had a question about the proposed contract being a “fixed-price contract” and how any deviations from the bid-upon quantities, both high and low, would affect the price of the contract. Lemley advised that he reached out to Jessica Hartman of Civil Engineering Consultants, Inc. (CECON), who is the department’s contracted engineering firm, this morning but as of meeting time today, he had not yet had an opportunity to speak with her in detail about this question.

Lemley stated that his impression is that if not as many quantities as were bid upon are actually needed, Hendricks County Parks & Recreation (HCP&R) pays less. If more quantities are needed, HCP&R pays more.

Eisenhart advised that at his place of employment, their contracts are usually structured around unit price, and if the contractor has to use a larger quantity of materials than was originally agreed upon, Eisenhart’s employer has to approve the work before the work is done. In essence, a contractor can’t just increase the quantities on their own, do the work, and then expect to get paid without approval.

Lemley further informed the Park Board of the possible need to install a left-hand turn lane on Gibbs Road by the park entrance if the Avon Planning Commission does not grant a waiver. Ryan Cannon from the Town of Avon has informed Hartman that he will not support an exemption from that requirement. One of the problems is that a left-hand turn lane was not brought up to HCP&R by the Town of Avon until just recently. Another problem is that the Park Board doesn't own enough property to fit a 1,000-foot-long left-hand turn lane. The Park Board only owns about 470 linear feet along Gibbs Road. A third issue is that a right-of-way will have to be acquired from the landowner on the other side of the road because Gibbs Road would need to be widened to accommodate the turn lane. A fourth problem is the additional cost (estimated by Hartman to be about \$138,000) of installing a left-hand turn lane. Lemley will discuss this matter with the Avon Planning Commission during their meeting on April 27, 2020.

Lemley also informed the Park Board that he's planning to attend an online meeting of the Avon Board of Zoning Appeals tomorrow (April 16, 2020, at 7 p.m.) to request relief from having to install curbs throughout the property, although he has not yet received any information about how to join that online meeting.

Miner asked if the Town of Avon is still requiring HCP&R to install sidewalks along Gibbs Road, even though they won't connect to any existing sidewalks.

Lemley advised that Hartman has estimated sidewalks will cost about \$12,000 to \$15,000, or the Town of Avon will allow HCP&R to pay an undetermined amount of money to a "sidewalk fund" and then the Town will install the sidewalks if necessary. Lemley is not comfortable with the latter option and would rather install the sidewalks in-house. Hayden agreed with Lemley's assessment. The Park Board discussed how they would like Lemley to present the Board's position to the Town of Avon.

**Miner moved to approve moving forward with Phase I development of W.S. Gibbs Memorial Park and to sign the Notice of Award with Hall Construction. Additionally, Miner moved that Lemley be authorized to approve change orders not to exceed 5% of the overall contract amount after consulting with Hayden. Pell seconded the motion. Motion passed unanimously.**

DuMond would like to add language to the Notice to Proceed (to be signed later, after details are worked out with the Town of Avon) that establishes a procedure for change orders through Phase I construction. He would also like the Hendricks County Attorney to review the contract before the Notice to Proceed is signed. The Park Board concurred. Lemley will work to have these two items done by the May 6, 2020, Park Board meeting.

#### **ADJOURNMENT**

**The meeting adjourned at 1:37 p.m.**

Respectfully submitted,

---

Matt Freije, Secretary