

In the Matter Of:

Westfield City Council Meeting - Ordinance 1502

Public Hearing Portion

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3 WESTFIELD CITY COUNCIL MEETING

4 ORDINANCE 15-02

5 PUBLIC HEARING PORTION ONLY
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12 TRANSCRIBED BY LAURIE MORGAN, NOTARY PUBLIC
13 IN AND FOR THE COUNTY OF MARION
14 STATE OF INDIANA
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1 (Whereupon, the public hearing was opened.)

2 MR. HARPE: Good evening. This is
3 interesting, but we are on a redo, a revote on
4 something that was already voted on. I'm here as a
5 concerned citizen, not as a political figure as
6 some might say. I'm very concerned about this
7 facility for the taxpayers.

8 Back in October, I came to the meeting, and
9 that was the first that I heard that this was going
10 to be leased by the City.

11 Back in June the mayor said that this facility
12 was going to be built on private land with private
13 money and let me leave this meeting thinking, What
14 went on? Where's the transparency? Where are the
15 facts? Where are the figures? Where are you
16 numbers?

17 I am a firefighter. I'm a professional
18 firefighter. I look at budgets, city budgets. I
19 understand the cost that's involved in building a
20 facility like this when it comes to public safety.

21 There was no facts, no figures given, but
22 we're told by the council members that we discussed
23 this topic extensively. We're competent on these
24 numbers. They're hypothetical numbers. It hasn't
25 been built yet. There is no money coming in from

1 the facility. It's all speculation.

2 So I'm here challenging you to look at this
3 situation with open eyes because you do represent
4 the residents out in the community. And it's
5 important that they have facts, figures, honesty,
6 transparency.

7 Who's the puppet master here? Who is pulling
8 the strings for the City Council? What's at stake?
9 If this place is built and people walk away with
10 your golden parachutes, the taxpayers are left on
11 the hook. Nothing about this makes any sense.

12 I love youth sports. I'm an advocate for
13 youth sports, but the mayor said in the state of
14 the City address that anybody that opposed him, or
15 this thing that he's got going on, is a CAVER, a
16 citizen against virtually everything. You're
17 right, I'm a CAVER. I'm a citizens against
18 venomous ethics.

19 So I plead you to reconsider your vote.

20 MR. GUTHRIE: Members of the Council, my name
21 is Dave Guthrie. I'm the executive director of
22 Indiana Soccer.

23 It's my pleasure to speak in favor of the
24 ordinance, but first I'd like to thank the lady in
25 front of me from the Cancer Society.

1 My family had suffered -- not myself, but my
2 wife. And having gone through cancer and seeing
3 her become a survivor, it was very much predicated
4 on the volunteer base, and you made that journey
5 from being diagnosed to success, it's so much
6 pleasurable than it would have been without you.
7 So thank you very much for that.

8 I won't reiterate the comments that I made the
9 last time I stood before you, but I would add a
10 couple of things I didn't mention.

11 Indiana soccer is anxious to move its
12 headquarters to Westfield. What that would do,
13 that would bring eight full-time employees and
14 several part-time.

15 We'd also need to expand those full-time and
16 part-time positions to be able to handle the
17 additional programs that we would be delivering
18 inside the facility, and we would also be hiring
19 several thousand hours of contractors, and that
20 would be in the form of referees or educators as
21 Indiana Soccer has a lot of parent and coaching
22 education.

23 I just wanted to add those points where the
24 facility would be looking at long-term tenants, and
25 Indiana Soccer would be anxious to move to

1 Westfield.

2 Thank you very much.

3 MR. FERGUSON: Mr. Mayor, members of the
4 Council, I have -- instead of making comments, I've
5 got a mixture of comments and questions that I
6 would like addressed, some right now and then some
7 I hope would be addressed later on after comments
8 are made. I don't want to spend my entire three
9 minutes waiting for an answer.

10 So first, has the City of Westfield conducted
11 a request for proposal process that allows
12 developers to competitively bid on the right to
13 build an indoor soccer facility? And if not, why
14 not?

15 Will there be property taxes paid on the
16 indoor facility? And if so, who is paying the
17 taxes and how much are they expected to be? Will
18 Westfield essentially be paying the taxes to
19 itself?

20 If building the indoor facility is such a
21 great deal, such a great investment, then why does
22 the City of Westfield need to guarantee the lease
23 payments? Why does the City need to be the
24 risk-bearer?

25 There are subleases with two different

1 enterprises. Why doesn't the developer sign a
2 lease agreement directly with them?

3 I assume the developer is in the business of
4 making money, and that the reason he needs
5 Westfield to sign a non-cancelable 25-year
6 agreement is because they wouldn't get such
7 favorable terms from anyone else.

8 The City is guarantor of payments for the
9 25-year lease agreement. Perhaps you can explain
10 why the payments should be considered as debt for
11 the City of Westfield.

12 I expect we'll hear from many soccer
13 organizations after me who will come before you and
14 proclaim how much this indoor facility is needed
15 and how much it will be used. And I question why
16 don't they sign the 25-year non-cancelable lease
17 agreement directly with the developer?

18 Why haven't financials from the first year of
19 Grand Park been disclosed? I believe this was
20 requested at the 10/27/14 meeting.

21 Besides the sublease agreements, what other
22 disclosures have been made about the indoor
23 facility since the 10/27/14 meeting? And have any
24 disclosures been made in the last two weeks?

25 How does this meeting avoid the prejudice

1 associated with the open doors lawsuit recently
2 filed?

3 And lastly, I note the whereas clause in the
4 middle of Page 2 of Ordinance 15-02 discussing
5 disclosure of any pecuniary interest by the
6 Council. I note that despite the very broad
7 authority given to the mayor under Section 4 of the
8 same ordinance, there is no such similar whereas
9 clause for the mayor and his staff.

10 Those are all the comments I have. Thank you.

11 MS. AHLER: Mr. Mayor, Council members, fellow
12 residents of Westfield, my name is Marla Ahler, and
13 I have lived in Westfield for almost 16 years in
14 the home my grandparents built in 1965.

15 My limited education on Westfield city
16 politics began only a few short years ago. I am a
17 proponent of economic development. I am pleased so
18 far with Grand Park. I look forward to the
19 development of Chatham Hills.

20 I stand before you hoping that you have great
21 intentions for my future in Westfield. However,
22 when I read in the Indy Star that someone should
23 consider whether the City Council had violated open
24 door policies on this matter, I said to my husband,
25 Someone should make this their business, but why

1 should it be me?

2 Now that Mr. Harpe has asked a judge to
3 consider your culpability, I am relieved that I
4 didn't ask the question, as I can't imagine
5 Mr. Zaiger suing me for asking him.

6 I have the following questions for you: As a
7 resident and taxpayer, will you please consider my
8 opinion about this indoor soccer facility?

9 The plan for the public/private partnership
10 between the City and Holladay Properties has the
11 potential to be a house of cards for taxpayers.
12 Why should we accept your word that a \$53 million
13 property will generate the revenue you promised?

14 What if your revenue figures are inadequate to
15 meet operating and debt costs which are
16 considerable? Why should taxpayers be on the hook
17 for a 25-year, trust-me-this-will-work project?

18 Why won't you follow the request for proposals
19 process? What if the project could be completed
20 for far less?

21 You have a responsibility to hear our concerns
22 and consider those ideals that we, your
23 constituents, hold dear.

24 In 2009, Mayer Cook told WTHR that there were
25 only two other communities in the country that

1 would compare to this \$1.5 billion community plan
2 for Westfield. He referenced one of those being
3 Disney World.

4 What if 25 years from now we find out that the
5 only thing we have in common with Disney World is
6 the decision to burden taxpayers by funding a
7 \$53 million facility, without considering all
8 options, is both goofy, dopey, and that we've all
9 been taken for a ride?

10 Thank you.

11 MR. LOHE: Mr. President and Councilors, I'm
12 Eric Lohe. I'm the immediate past president of the
13 Westfield Chamber of Commerce.

14 And this evening I would like to speak on
15 behalf of our board that consists of Tom Dooley,
16 Rob Garrett, Karen Keinsley, Kevin Buchheit, Eric
17 Douthit, Andi Montgomery, Dwight DePeau, Terri
18 Flood, Pat Fox, Bob Robey, Jeff Sinclair, Nick
19 Verhoff, and Tom Warner.

20 And some of those I will ask, that are here
21 today, if you would please stand.

22 I would like to read a statement that had
23 unanimous support from the Board of the Westfield
24 Chamber of Commerce.

25 "Members of the Westfield City Council, the

1 Board of Directors of the Westfield Chamber of
2 Commerce affirm the good work of the City of
3 Westfield as it currently is engaged in a number of
4 strategic projects designed to enhance Westfield.

5 All of these are designed to drive
6 significant, healthy economic business growth in
7 our community. The Grand Park indoor athletic
8 facility provides year round sports capabilities,
9 which will make Westfield much more desirable to
10 business prospect.

11 Knowing that the Grand Park will be drawing
12 people and tournaments 12 months of the year,
13 provides businesses the opportunities for
14 consistent monthly revenues versus seasonal
15 revenues only.

16 In addition, the opportunity for year-round
17 employment at the athletic facility will be a great
18 economic plus for Westfield.

19 As a board, we endorse the proposed plan and
20 encourage the City of Westfield to approve the
21 building of the Grand Park indoor facility and its
22 lease.

23 We firmly believe that it will be an
24 additional incentive for continued economic
25 development around the Grand Park.

1 Thank you for the good work of the City of
2 Westfield from the Westfield Chamber of Commerce
3 Board.

4 Thank you.

5 MR. WEBBER: My name is Mark Webber. I'm the
6 executive director for Indiana Fire Juniors. I'm a
7 Westfield resident.

8 This is my second time addressing the council
9 on this issue. I will not repeat what I said last
10 time. But since the last time I spoke to you, I
11 mentioned that we were going to have six events at
12 the park this year.

13 We believe into next year we'll have over
14 1,000 teams that will be coming to Westfield to
15 participate in the Indiana Fire Juniors events
16 alone, not mentioning the state of Indiana events
17 and the national events that also come to the park.

18 I mentioned before that Indiana has a rich
19 tradition and history of soccer, seven national
20 championships in Indiana, three youth
21 championships, two through Carmel United, one
22 through the youth program.

23 This sport has become a 12-month sport. We
24 currently have 1,200 kids that play travel soccer
25 in our program. We send them now to four different

1 locations for indoor training in the wintertime.
2 Three of them are in Indianapolis. Only one is in
3 Westfield.

4 We need the facility for training and to keep
5 up with the tradition of excellence that we have in
6 Indiana in the sport of soccer. We're falling
7 behind. States of Ohio, Michigan, Wisconsin all
8 have full-year facilities. Illinois has full-year
9 facilities.

10 With the club our size and the backing of
11 Chicago Fire, the one thing we're lacking in our
12 program is a state-of-the-art indoor facility. The
13 outdoor facility speaks for itself.

14 With all the events that we had, the one
15 consistent complaint that we hear, hotels are too
16 far away from the park.

17 Our belief is that when the indoor facility is
18 added, that will bring additional economic
19 development around the park, bring hotels and
20 businesses closer to the park, and make it a more
21 viable and economic destination for all the clubs
22 that we bring in from out of town.

23 And, again, that's 1,000 teams. And probably
24 65 percent of those are coming from outside of the
25 state. Probably 80 percent of those total are

1 staying in hotels here locally.

2 Thank you.

3 MR. THOMAS: Good evening. Ron Thomas, 7 Cool
4 Creek Circle, Carmel, Indiana.

5 I wanted to start out with a follow-up from
6 last time. There was a question by one of the
7 council members asking if this property would be
8 taxed. And all I heard was her getting run around
9 the bushes and never got a yes-or-no answer on
10 that.

11 I would like a yes-or-no answer tonight. And
12 if it is going to be taxed, to what extent? Is it
13 only going to be half of it, is it going to be all
14 of it, what?

15 Secondly, I would like to address the fiscal
16 condition the City is in. In the past, I've stood
17 up here and asked about it, and I've been told it's
18 in great shape.

19 We currently have the second highest tax rate
20 in the county, which is not great shape. We have
21 over 20 percent of the land mass of the City in a
22 TIF district or districts, according to the
23 Hamilton County website.

24 And both those things really concern me. The
25 TIF districts are taking money away from our

1 schools, county libraries, townships, and driving
2 them somewhere else.

3 The next aspect of the financial condition is
4 we have currently eight bonds that are active in
5 the public world. Of those, seven of them have
6 been issued since we became a city. Of those
7 seven, there's only one of them that has a higher
8 interest rate than what this agreement states.

9 And as one reason you guys have stated we're
10 going through this process in the manner we are is
11 because the City cannot get a lower interest rate
12 than 4.15. But our history shows that's not true,
13 unless we're in such financial dire straits and we
14 don't have the revenue to pay those bonds and meet
15 the requirements of due bonds.

16 There are three bonds due: One in '16, one in
17 '17, and one in '18. Therefore, respectfully, 10.7
18 million, 9.3 million, and 26.2 million. They were
19 five-year bonds. They were interest-only bonds.

20 Those are going to have to be refinanced or
21 paid off in the next three years. How are we going
22 to do that? If you're not sure, don't obligate us
23 to another 53 million.

24 From Mr. Zaiger, I would like -- these are
25 definitions from -- I'm speaking for a group, Cool

1 Creek neighborhood.

2 In your ordinance, right on the very top, it
3 says you guys are doing this under 36-7-11.9 IC.
4 Well, in there, there's definitions. One of them
5 is a developer.

6 The definition of a developer says it's a
7 person who proposes to enter into or has entered
8 into a financing agreement with the unit, that
9 would be the City, for economic development for
10 pollution control facilities, and it has entered
11 into a separate agreement with some person for a
12 substantial use of the facility financed.

13 The developer in this case has not entered
14 into any type of agreement for somebody else to
15 use. You guys have done the subleases. You can't
16 be the unit and the party in this, according to
17 this. So the developer is not a developer,
18 according to the IC definition.

19 The user, the user means a person who has
20 entered into a financing agreement with the unit,
21 the City, a developer or lender, in contemplation
22 of its use of a facility. I have no problem with
23 that one.

24 But then there's also the financing agreement.
25 The financing agreement means an agreement between

1 a unit and a developer, user, or lender, of the
2 financing of, the title to, or possession of
3 economic development or pollution control
4 facilities and payments to the unit. Not from the
5 unit to the unit.

6 In this case, you guys are agreeing, per this
7 definition, of a reverse. You guys are willing to
8 pay for this facility. The developer is supposed
9 to pay according to the definition in the IC.

10 And you guys have been counseled by City
11 attorney, so I would like to hear his explanation
12 of how these definitions fit this process.

13 Thank you.

14 MR. ANDERSON: Good evening, everyone, and to
15 the City council, thank you for the opportunity to
16 get up here and speak before you.

17 My name is Mark Anderson, Westfield citizen.
18 I am currently the co-chair for Indiana Fire
19 Juniors and Westfield Youth Soccer.

20 I've been involved with soccer in the
21 Westfield area for nearly 20 years. I was involved
22 with the Grand Park committee through all three
23 phases, and I continue to be involved in various
24 things now.

25 So what I would like to do is share with you a

1 little history. During Phase II, one of the
2 recommendations that we made under our scope of
3 sport was for an indoor facility. It would mostly
4 be hosted by soccer for training, games, and
5 events.

6 How our finance committee came to a
7 recommendation of what the revenue would be in
8 addition to concession and sponsorship and whatnot,
9 would be the indoor facility and the things
10 generated from training, games, and events.

11 So all I'm saying to you is just go ahead and
12 approve what the committee recommended back in
13 Phase II.

14 Thank you.

15 MS. STUART: My name is Shannon Sampson
16 Stuart. I am a born-and-bred Westfield person;
17 went to Westfield High School; was one of the first
18 graduates -- actually the first graduate to be
19 asked to come to the Indiana Academy at Ball State.

20 And when I look at this project, I look at
21 this as I look at our city. We have roots, and we
22 have wings. I know about the roots because I've
23 been here for 40 years, and I'm so pleased to see
24 our small town grow economically, grow in
25 population, and have a vision for our future.

1 One of the reasons I came back to my roots was
2 to raise my children here and give them the
3 opportunities that I enjoyed as a child like fish
4 fries, small town festivals, playing in sports,
5 soccer, baseball, basketball. Those are the
6 reasons I came back here, safe community, parks,
7 recreation, all of these pieces.

8 And now part of my job as the Indiana Fire
9 Juniors director of operations, is to look at how
10 we can do this through our soccer organization.

11 I've been involved with soccer from the very
12 beginning, played on the very first fields, very
13 first high school team. But this is more than just
14 soccer, and that's what everyone in the room needs
15 to understand.

16 This is about all sports. This is about all
17 kids. This is a facility that could be used for
18 events. This is a facility that we're already
19 talking with the Westfield Outreach Program about
20 how we could help students do after-school
21 projects, do tutoring and mentoring with our soccer
22 facility. This is not just about sports.

23 It's about fiscal responsibility, but it's
24 also looking to the future. As an Indiana Fire
25 Juniors operators person, I can put that hat on and

1 tell you all the same figures that Mark Anderson
2 and Mark Webber shared.

3 We're actually scheduled to have seven events.
4 These two gentlemen didn't know that we have a new
5 event that's been approved called the Kohl's
6 American Cup, which is going to be hosted over two
7 days in September and will host over 300
8 recreational teams from around the state.

9 We're planning to have over 25,000 room
10 nights. 25,000 room nights here in Hamilton County
11 just from our one organization. So think about
12 what we could do with all the organizations
13 involved. Think about how many children that we
14 could give that opportunity to.

15 And we're not talking about just sports and
16 fitness. We're talking about learning to be a
17 citizen, to grow up, spread their wings, and come
18 back to take advantage of jobs that could be
19 created by building this facility, to take
20 advantage of opportunities and learning to be a
21 good citizen and serving on councils, and looking
22 at things from a roots and a wings perspective.

23 I don't think we're on opposite sides here. I
24 think there's a way to accomplish this, the best of
25 our city, the best of our kids, and keep in mind

1 those roots and wings.

2 I think we can do it with fiscal
3 responsibility and with vision for the future. And
4 I implore you, as you sit and think about this
5 today, think about those kids and think about what
6 we can accomplish together.

7 Thank you.

8 MR. PERRY: Good evening, Council. My name is
9 George Perry. I am currently the commissioner of
10 the Indiana Soccer League, and I oversee travel
11 soccer throughout the state of Indiana.

12 This spring we will have over 1,100 teams
13 throughout the state playing in youth soccer from
14 U10, which include 8, 9, and 10-year-olds, all the
15 way up to U19.

16 In the area, I think, surrounding Westfield
17 and Grand Park in particular, we will have about
18 4,500 to 5,000 travel players, and probably twice
19 that many recreational players that will be
20 hopefully attracted to come and participate in the
21 soccer programming there at Grand Park.

22 In addition to that, between the Holladay
23 tournaments, different things throughout the year,
24 I think that's where we'll be accessing the players
25 from around the state to help populate the facility

1 on the schedule.

2 I think that the youth side will be run from
3 somewhere between November and mid March, and
4 certainly go down once the outdoor season comes
5 around, for sure.

6 But year round, I do believe the adult
7 community will be involved all the time. I know
8 myself, I will certainly be pushing for an over-60
9 league happening in there with very small-sized
10 fields, things around those lines.

11 But that's a group that plays soccer pretty
12 much year around, and knowing that they can play
13 every day that they have scheduled because it's
14 indoors will be very attractive to them.

15 I've spoken with a number of college coaches
16 from around the state, they're excited about the
17 opportunities of being able to expand their
18 off-season play in the wintertime, throughout the
19 spring, to be able to provide opportunities for
20 their teams.

21 It will also be an opportunity for our youth
22 to be able to watch high-level soccer. I've done
23 the same with NLS franchises, NSL teams, as well as
24 USL, those are professional leagues that we have in
25 the country, and they're also very interested in

1 utilizing this during preseason training, and again
2 opportunities for the youth to grow along those
3 lines.

4 With Indiana Soccer, we're very involved with
5 coaching education. We try to grow that side of
6 our team as well. We have Indiana Soccer
7 Association courses, U.S. Soccer National courses,
8 and National Coaches of America all have their
9 courses and those would be one day, weekend along,
10 as well as weeklong courses that they'll be able to
11 do.

12 I personally go down to Florida every year and
13 teach a course in January. And I know with the
14 National Soccer Coaches Association, I know they're
15 very interested in bringing something at that exact
16 same time up to the Midwest, and we would be
17 utilizing them as well.

18 And lastly the beast that we want to try to
19 grow as well is our referee development. This is
20 going to reach out and grow the game for our
21 coaches, and we tend to lag behind what we can do
22 for the referee development. And the opportunity
23 to have referees being mentored while the indoor
24 games are going on is a great opportunity to help
25 grow the game along those lines.

1 Thank you, very much.

2 MR. RAWSON: Good evening, members of the City
3 Council, and Mayor, and the public. My name is Don
4 Rawson. I live at 435 Quincy Place in Westfield in
5 the Centennial subdivision.

6 I live there with three children -- or did,
7 until they move out, and my wife, Janet. Two of
8 the children went to Westfield schools, and we're
9 very proud that they graduated and went on to
10 college.

11 I would like to address a couple of things
12 that perhaps have not been mentioned tonight, and I
13 did not mention when I addressed the Council and
14 the public in the last public hearing, and that
15 is -- which is in the public documents that Indiana
16 Sports Properties, which I'm president of, and we
17 manage the outdoor part of the facility at Grand
18 Park, that we have -- we'll place in escrow a
19 million dollars to make sure that for whatever
20 reason the pro forma does not match what is there
21 right now that we've got a backstop for the City.

22 Indiana Sports Properties has really worked
23 very hard this first year of Grand Park to make
24 sure that the park is successful. And our
25 definition of successful is not just the number of

1 teams that play there and just the number of
2 families that come in here from either Westfield or
3 from out of town, but we recognize why the park was
4 being built in the first place.

5 We know it's about economic development, about
6 jobs, about getting companies to move here, and
7 about the companies who are here, the businesses
8 that are here that are downtown, that are around
9 Westfield, that our job is to help make this park
10 flourish so that these businesses are successful.

11 And the same goes with the indoor facility.
12 It's up to you to decide if the financing package
13 and everything is right. We believe that we have
14 done a very good job to try to make sure that there
15 are backstops in the agreement with Indiana Sports
16 Properties to make sure the citizens of Westfield
17 have a good backstop and that it is done properly
18 so that everybody should feel as safe as possible.

19 Obviously, going into the first year of any
20 operation, there's always a lot of questions, but
21 we're going to work very hard to make sure that
22 facility is successful and not just for sports.
23 You've heard a lot tonight from people involved in
24 soccer, which I came from, but that facility is not
25 just for youth soccer, it's for the professional

1 game.

2 I spoke to Indy Eleven quite a bit. They plan
3 on training there. Colleges plan on being there.
4 Lacrosse is going to be there, WYSI.

5 There are an awful lot of sports that are
6 going to be there, but I've spoken to the football
7 coach, and I think if the weather gets as bad as it
8 gets sometimes or it storms out, they'd love to be
9 able to go someplace to train and make sure that
10 they take advantage of the great outdoor facility
11 that they have now.

12 And not only sports, but the band. Anybody
13 who wants to use it from the school system, it can
14 be great for nonsporting activities. We want to
15 make sure that this facility -- and I think I see
16 William Knox from Hamilton County Sports Authority,
17 and we're working with them quite a bit with the
18 Hamilton County tourism group to make sure that not
19 only sports, but nonsporting activities are used on
20 the facility.

21 Thank you so much.

22 MR. SEMIA: Thank you. Members of the
23 Council, my name is Joseph Semia. My address is
24 4010 Sunningdale Lane, Westfield, Indiana.

25 I actually am here to present the next case on

1 your agenda concerning the new Grand Park
2 Fieldhouse, but we would just like to say our
3 group, which is developing the Grand Park
4 Fieldhouse, which is an indoor facility for
5 basketball and volleyball in the Grand Park area,
6 feels that it's a natural and logical step for
7 Westfield to expand the outdoor facilities in Grand
8 Park to the indoor for the year-round benefits that
9 it brings.

10 And also it's important to make -- or to
11 assist Grand Park in becoming a leading destination
12 for youth sports. We note that this use will be
13 complimentary to the use that Grand Park Fieldhouse
14 is proposing and find that it will be not be
15 competitive in nature.

16 So we believe that this is, again, the logical
17 step to take for Westfield and strongly support
18 Ordinance 15-02 and urge you to adopt it.

19 Thank you.

20 MS. HELLER: Good evening. I just want to let
21 you know that I moved here from Washington about
22 three and a half years ago. I worked very closely
23 with the auditor for Kitsap County, and there was a
24 deal that was made by our council members.

25 And what they did was a loan like you guys

1 did. And everybody was talking about how this is
2 going to build jobs. It ruined our county. It was
3 a defaulted loan. They trusted a contractor who
4 had filed bankruptcy before, and they were on the
5 hook for the loan.

6 I saw my friends get fired, laid off, be
7 without jobs. So this doesn't really affect the
8 building of jobs. You've got to look at the bigger
9 picture.

10 If you default on the loan -- which nobody
11 wants to do. I understand nobody wants to default
12 on the loan, but it does happen, and you have to
13 look at all the people that work for you. And when
14 they don't have jobs, you're not looking at being
15 responsible for people not having jobs and their
16 families.

17 So there is a bigger picture here. And I just
18 want you to kind of take that into consideration
19 when you are thinking about so much money, so much
20 profit.

21 And being from the Seattle area, we had an
22 indoor soccer field. My boss actually was partial
23 owner in that. It was not as lucrative a business
24 as everyone might think it is, and Seattle is huge
25 into soccer.

1 So I just urge you really to think long and
2 hard before doing this decision because Kitsap
3 County didn't, and they thought that they had the
4 answer, and they didn't. In the end, people lost
5 jobs.

6 Thank you.

7 MS. NASS: Linda Nass. I live at 1122 East
8 161st Street. I represent the 161st Street
9 neighbors.

10 And we attended the 10/27 meeting and spoke
11 and submitted our comments. We weren't sure why
12 we're back doing this again, but felt because we
13 spoke then we should come and speak again.

14 We do not want to repeat what we said before.
15 We were confused in trying to understand why this
16 revote is happening. Is it, in fact, to delay or
17 do away with some legal action.

18 Our concern is, if there's an open law
19 violation, and we think there maybe has been one
20 and more, that we don't understand how this
21 resolves that issue.

22 At the last meeting, October 27, we spoke and
23 many asked please delay this, let people give
24 input, please consider our input and delay the vote
25 for at least two weeks.

1 We were told at that meeting that you couldn't
2 delay. Many of you explained that ground was going
3 to break November 1. We were moving forward,
4 moving forward. We haven't seen that happen, and
5 we wonder again, are you going to consider what
6 people's concerns are, or are you going to address
7 these?

8 We submitted our comments from that meeting to
9 Cindy Gossard after the meeting, and we thought
10 with the agenda for this meeting, we might see some
11 people's comments and maybe some comments that came
12 after that meeting on this agenda, or somewhere
13 released by the City. We did not see those.

14 So we still think the issue brought up about
15 transparency and how we've been going about this
16 whole process hasn't been the way to do it. Is
17 this the proper way to do it? Have we really
18 listened to the peoples' concerns? Have we looked
19 at all of our options?

20 It was rushed through October 27, and it seems
21 like we're rushing through this one. Which in
22 reading the ordinance, it's pretty much identical.
23 There's just a couple statements which are changed
24 in this ordinance.

25 And those refer to a whereas added that says

1 this Council -- whereas, this Council, after giving
2 substantial reconsideration of the terms of the
3 lease, its public purpose, and the subject matter
4 thereof, finds that all conditions precedent to the
5 adoption of this ordinance have been complied with.

6 We would like to know what this substantial
7 reconsideration was, is it ongoing, or according to
8 the agenda tonight, are we making a vote in a few
9 minutes again on this when there's even other
10 people here making comments?

11 Since the October meeting, there has been no
12 open meeting. If the concern was open meetings and
13 open committee meetings, and we were told in
14 October that the financial committee had really
15 looked at this for months and months, and weeks,
16 six months, somebody said, and somebody else said
17 they looked at it for 12 to 13 weeks, there's been
18 no open meetings since then until now even knowing
19 that this was coming up on the agenda.

20 So where has all the decision been happening?
21 We are still concerned about the same things, the
22 cost of the land that still has not been paid for.
23 Where does that come into the financials?

24 We are concerned about Mr. Burtron saying that
25 we're going to have \$250,000 excess per year, but

1 we've just hired a new director position, which I'm
2 sure salary and benefits is a considerable amount,
3 taxes, maintenance, should there be some litigious
4 issues out there at the park, should there be a
5 need for more security, \$250,000 excess doesn't go
6 very far in this city, if you look back at some of
7 the bills we have been paying over the last several
8 years since we have become a city. \$250,000
9 doesn't cover much for us.

10 So we have those same concerns. We would ask
11 you to go back and look at our comments that we
12 submitted before, and some of the other people, and
13 please share with us if other people have come
14 forward or have written to you or e-mailed and we
15 haven't been privy to those comments.

16 Thank you for your time.

17 (Whereupon, the public hearing was closed.)
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CERTIFICATE

I, Laurie Morgan, a Notary Public in and for said county and state, do hereby certify that the foregoing public hearing portion was taken down in stenograph notes from audio provided and afterwards reduced to typewriting under my direction; and that the typewritten transcript is a true record of the proceedings;

I do further certify that I am a disinterested person in this cause of action; that I am not a relative of the attorneys for any of the parties.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 23rd day of February, 2015.

Laurie Morgan



My Commission expires:
January 29, 2023

Job No. 95816

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