

MINUTES OF THE REGULAR MEETING
BOARD OF PARK COMMISSIONERS
WAUKEGAN PARK DISTRICT

Administration Center
2000 Belvidere Road
Waukegan, Illinois
February 14, 2017

I. CALL TO ORDER

President George Bridges called the meeting to order at 4:00 p.m.

II. ROLL CALL OF COMMISSIONERS

COMMISSIONERS PRESENT

President George Bridges
Vice President Janet Kilkelly
Treasurer Patricia Foley
Marc Jones
William Sarocka

COMMISSIONERS ABSENT

STAFF PRESENT:

Superintendent of Cultural Arts Claudia Freeman, Superintendent of Parks Michael Trigg, Superintendent of Finance & Administration Jim Glogovsky, Superintendent of Recreation Jay Lerner, Executive Assistant Sally Sandine, Community Relations Manager Teddy Anderson, Board Attorney George Bridges, Scott MacLean, Errick Beverly, Sam Stevens, Tim Girmscheid, and Quincy Bejster.

III. CONSENT AGENDA

The Consent Agenda Items which includes the Minutes of January 10, 2017 and January 31, 2017, Accounts Payable, Payroll, Travel Expenses, Financial Report, and Request to obtain bids and quotes, were presented.

Motion by Commissioner Sarocka, seconded by Commissioner Foley, to approve the Consent Agenda Items with the exception of the Travel Expense Report. Commissioner Kilkelly requested that the names be redacted under the Commissioners Comments, in the January 31st. Minutes. Commissioner Sarocka agreed and amended his motion to approve the Consent Agenda Items to reflect the redaction of names in the January 31st. Minutes and without the Travel Expense Reports. Commissioner Foley seconded the motion. There was no further discussion on the motion. On the roll call, the vote was as follows:

AYE: Kilkelly, Foley, Jones, Sarocka, Bridges
NAY: None
ABSTAIN: None
ABSENT: None

Motion carried.

Jim Glogovsky stated pursuant to the new Travel Expense Resolution that was passed, the Board must review all travel expenses to make sure the travel was in accordance with District's resolution and policy.

Motion by Commissioner Foley, seconded by Commissioner Kilkelly, to approve the Travel Expense Reports listed in the Consent Agenda Items. There was no further discussion on the motion. On the roll call, the vote was as follows:

AYE: Sarocka, Jones, Foley, Kilkelly, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

IV. PUBLIC PORTION

None

V. ACKNOWLEDGEMENTS & PRESENTATIONS

The following new staff and interns introduced themselves to the Board: Staff —Tim Rayner in Parks; Valerie Webb and Mary Lopez in Recreation. Interns — Rodney Tye and Julia Zoski in Special Recreation.

VI. PROGRESS REPORTS

A. Executive Director's written report was presented.

B. Attorney Report: Attorney Bridges advised the Board he is currently working on acquiring tax exemption status on four (4) parcels of land purchased by the Park District early last year. He also advised the Board that the Illinois Supreme Court had just overturned the Attorney General in the case the Board of Education of Springfield School District, v. the Attorney General ruling that only a recital of the general nature of the matter under consideration needs to be made before a vote can be taken on the matter.

C. Legislation/ IAPD Update: President Bridges reminded the Board of the upcoming Legislative Breakfast, which will be held Friday, March 3rd. in the Village of Hawthorn Woods.

D. Division Reports:

D1. Finance & Administration: Mr. Glogovsky presented his monthly written report. Commissioner Kilkelly asked if the pool deck's condition had been addressed. Mr. Stevens stated the deck meets OSHA standards for a swimming pool. Commissioner Foley asked if additional safety bars could be installed around portions of the pool, to assist patrons as they walk on the deck. Mr. Stevens stated it is something they would look into.

D2. Cultural Arts: Ms. Freeman presented her written report. She advised the Board of the upcoming Young People’s Concert which is scheduled for February 25th, and the Breakfast for a Song which is scheduled for March 5th.

D3. Parks: Mr. Trigg presented his monthly written report. Mr. Trigg advised the Board he had received notification from the Morton Arboretum that the District had been approved for funding in the amount of \$7,777 for tree replacement and planting. Mr. Trigg, along with Mr. Girmscheid, presented an update of the Clearview Project.

Commissioner Kilkelly inquired if they were moving ahead with installing ADA automatic door openers at the Bonnie Brook Clubhouse. Mr. Trigg responded the project has been approved and is in progress. Commissioner Kilkelly asked why did the Fieldhouse steam room fail, and what is the life expectancy of the replacement one. Mr. Bejster responded that the steam room was more adapted for residential use as opposed to a commercial application. He further stated the old unit had exceeded its life expectancy and needs to be replaced with a commercial model. Commissioner Sarocka asked if the ongoing pool maintenance issues been resolved. Mr. Trigg responded that they have outlined a number of problems with Stuckey Construction and William Architects and that all matters are being addressed.

D4. Recreation: Mr. Lerner presented his written report, along with a report on the Halloween Fest of 2016. Commissioner Jones asked if they had established the new hours for child care. Mr. Lerner stated they are first conducting a survey to determine the best hours for the patrons.

VII. REVIEW / DISCUSS / DECIDE

A. Interfund Transfers: Mr. Glogovsky presented his memorandum seeking authorization to perform a number of Interfund Transfers from the Memorial End Funds as listed.

<u>Funds</u>	From	To
Mem/Endow (#53 AT&T) (16-11-11-583-9999)	\$1,000.00	
Recreation (08-48-24-583-9999)		\$1,000.00
Purpose: Sponsorship of the 2016 Eclipse Fall Soccer Tournament.		
Mem/Endow (#43 Rec Scholar) (16-11-11-583-9999)	\$45.00	
Recreation (02-46-92-473-9999)		\$45.00
Purpose: To cover two scholarships for Jr. Bulldogs Basketball		
Mem/Endow (#43 Rec Scholar) (16-11-11-583-9999)	\$40.00	
Recreation (02-46-92-473-9999)		\$40.00
Purpose: To cover two scholarships for All Around Basketball.		

Motion by Commissioner Sarocka, seconded by Commissioner Foley, to approve the Interfund Transfers as submitted. There was no discussion on the matter. On the roll call, the vote was as follows:

AYE: Sarocka, Jones, Foley, Kilkelly, Bridges

NAY: None
ABSTAIN: None
ABSENT: None

Motion carried.

B. Yeoman Park Playground Equipment Bid.

Mr. Trigg recommended the Board waive the bidding requirements and accept the quote from Parkreation, Inc., for the Little Tikes Commercial Playground Equipment. Mr. MacLean stated the equipment they are recommending is unique and ideal for Yeoman Park. Mr. Trigg stated there are no competitors with the same product and only one bidder for said equipment, and that it would be in the best interest of the Park District to waive the bid requirement and accept the quote from Parkreation, Inc., in the amount of \$53,932.70.

Motion by Commissioner Jones, seconded by Commissioner Sarocka, to waive the bid requirement and accept the quote from Parkreation, Inc., as a sole source and in the best interest of the Park District, in the amount of \$53,932.70. There was no discussion on this matter. On the roll call, the vote was as follows:

AYE: Sarocka, Jones, Foley, Kilkelly, Bridges
NAY: None
ABSTAIN: None
ABSENT: None

Motion carried.

C. Steam Room Replacement Bid.

Mr. Trigg recommended the Board accept the low bid from Efraim Carlson & Son, for the replacement of the Fieldhouse Men's and Women's Steam Room in the amount of \$65,215.

Motion by Commissioner Sarocka, seconded by Commissioner Jones, to accept the low bid from Efraim Carlson & Son, for the replacement of the Men's and Women's Steam Room, in the amount of \$65,215. There was no discussion on this matter. On the roll call, the vote was as follows:

AYE: Sarocka, Jones, Foley, Kilkelly, Bridges
NAY: None
ABSTAIN: None
ABSENT: None

Motion carried.

D. Program Guide Printing Bid.

Ms. Anderson recommended the Board accept the low bid from K.K. Stevens Publishing Co., from Astoria, Illinois, for the printing of the Quarterly Guide Program, in the amount of \$60,119.42.

Motion by Commissioner Sarocka, seconded by Commissioner Foley, to accept the low bid from K.K. Stevens Publishing Co., from Astoria, Illinois, for the printing of the Quarterly Guide Program, in the amount of \$60,119.42. There was no discussion on this matter. On the roll call, the vote was as follows:

AYE: Sarocka, Jones, Foley, Kilkelly, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

E. Adoption of Resolution 2017-02 Change Order.

Mr. Trigg asked the Board to approve Resolution 2017-02 Change Order for the replacement of four (4) sheets of metal decking on the Park Maintenance Facility roof, in the amount of \$1,200.

Motion by Commissioner Sarocka, seconded by Commissioner Foley, to approve Resolution 2017-02 Change Order for the replacement of four (4) sheets of metal decking on the Park Maintenance Facility roof, in the amount of \$1,200. There was no discussion on this matter. On the roll call, the vote was as follows:

AYE: Sarocka, Jones, Foley, Kilkelly, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

F. Ordinance Abating the Tax.

Mr. Glogovsky presented Ordinance 17-01, to abate the tax heretofore levied for the year 2016 to pay debt service on, \$4,000,000 General Obligation Refunding Park Bonds (Alternate Revenue Source), Series 2012B, \$4,915,000 General Obligation Refunding Park Bonds (Alternate Revenue Source), Series 2013A, and \$9,035,000 General Obligation Refunding Park Bonds (Alternate Revenue Source), Series 2015A.. Motion by Commissioner Sarocka, seconded by Commissioner Foley, to approve Ordinance 17-01 abating the tax heretofore levied for the year 2016 to pay debt service on, \$4,000,000 General Obligation Refunding Park Bonds (Alternate Revenue Source), Series 2012B, \$4,915,000 General Obligation Refunding Park Bonds (Alternate Revenue Source), Series 2013A, and \$9,035,000 General Obligation Refunding Park Bonds (Alternate Revenue Source), Series 2015A. No further discussion was had on this matter. On the roll call, the vote was as follows:

AYE: Sarocka, Jones, Foley, Kilkelly, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

G. Ordinance Disposal of Surplus Property.

Mr. Trigg presented Ordinance 17-02, authorizing the disposal of surplus property owned by the District. He asked the Board to find that the existing Yeoman Park playground equipment is no longer necessary, useful, or in the best interest of the District to keep and maintain, and that said property be declared surplus. Motion by Commissioner Foley, seconded by Commissioner Jones, to approve Ordinance 17-02, authorizing the disposal of surplus property owned by the District. Commissioner Kilkelly asked if the new playground equipment would fit in the existing location. Mr. Trigg said that the new equipment would fit. No further discussion was had on this matter. On the roll call, the vote was as follows:

AYE: Sarocka, Jones, Foley, Kilkelly, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

H. Belvidere Park Aquatic Project Update.

Doug Holzrichter of PHN Architects and Ted Haug of Legat Architects, appeared before the Board and presented preliminary plans of aquatic facility design options and discussed the projected costs of each design.

I. Jeff Ellis Management Agreement of Ganster Outdoor Pool.

Mr. Lerner recommended the Board approve and accept the Agreement between the Waukegan Park District and Jeff Ellis Management, LLC for management of the Howard Ganster Pool for the total amount of \$77,877.70. The Agreement is not subject to competitive bidding requirements due to the high degree of professional skills, technical ability and expertise of Jeff Ellis Management, LLC.

Motion by Commissioner Kilkelly, seconded by Commissioner Foley, to approve the Agreement between the Waukegan Park District and Jeff Ellis Management, LLC for management of the Howard Ganster Pool for the total amount of \$77,877.70. There was no discussion on this matter. On the roll call, the vote was as follows:

AYE: Sarocka, Jones, Foley, Kilkelly, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

J. Investigation of Harassment Claim.

Motion by Commissioner Kilkelly, seconded by Commissioner Foley, directing Attorney Bridges to conduct an investigation into the harassment claim and report the findings to the Board. There was no discussion on this matter. On the roll call, the vote was as follows:

AYE: Jones, Foley, Kilkelly, Bridges

NAY: None

ABSTAIN: Sarocka

ABSENT: None

Motion carried.

K. Discussion involving the Attorney General in the issue surrounding the issuance of a 1099.

Motion by Commissioner Kilkelly, seconded by Commissioner Foley, to draft a letter to the Attorney General seeking an opinion in light of a Commissioner receiving a 1099, to determine if it violates Park Code, "70 ILCS 1205/4-1." Commissioner Jones asked if the opinion she was seeking was to have the Attorney General determine if the Commissioner was warranted the 1099 or if the receipt of the 1099 violated the code. Commissioner Jones then asked if we have enough proof to believe that the Commissioner had violated the Code. Commissioner Kilkelly stated she was not prepared to discuss whether or not the Commissioner should have been issued the 1099, but if the issuance of the 1099 is a violation of the Code.

President Bridges asked the Board's Attorney if this was a matter the Board could consider. Attorney Bridges advised the Board this was a matter they could consider and if they believed there had been a violation of Code they could request the Attorney General's involvement. Commissioner Sarocka stated he believes this as an item of harassment and, an attempt to disqualify him as a Commissioner. Commissioner Jones asked the Board Attorney what could the Attorney General do with such a request. Attorney Bridges advised him that based on the Motion, if approve, the Attorney General could review the issuance of the 1099 and 1) find it to be a violation of the Code and seek removal of the Commissioner from the Board; 2) the Attorney General could review the matter and find that it is not compensation and take no action; 3) the Attorney General could find it as a technical violation and issue a cease and desist order on future displacement of revenue by Commissioners. There was no further discussion on this matter. On the roll call, the vote was as follows:

AYE: Foley, Kilkelly

NAY: Sarocka

ABSTAIN: Jones, Bridges

ABSENT: None

No action was taken.

Commissioner Kilkelly then asked the Board Attorney if the Commissioners Abstain votes, could now be considered a yes vote. Attorney Bridges responded no.

VIII. NEXT MEETING

Commissioner Foley and Commissioner Kilkelly then called for a for a Special Board meeting for February 21st, to approve the Executive Director's contract. Attorney Bridges reviewed the Board's Policy and Procedures and advised the Board that either the President or two (2) Commissioners can call for a Special Meeting and that no vote need be taken on the matter. Commissioner Kilkelly then

asked the Commissioners if they were available to attend a meeting on February 21st. Commissioners Jones, Sarocka, and Bridges indicated they were not available on February 21st.

Commissioner Foley stated she wanted this matter addressed as soon as possible because of the timelines involved with the Executive Director's contract. Commissioner Kilkelly asked Attorney Bridges of the status of the Executive Director's contract. Attorney Bridges advised the Board that after having reviewed the contract and discussed the same with the Executive Director, and in light of the Board's decision to remove the automatic renewal provision, that it was his opinion the contract will expire in January 2019.

Commissioner Sarocka then voiced his dissatisfaction with the Executive Director and why he believes the issuance of the 1099 was both disrespectful and harassment. Commissioner Foley then asked the Board Attorney if she could cut off Commissioner Sarocka's comments about the Executive Director. Attorney Bridges advised her that the President or any Commissioner could call for the debate to end, at any time. Commissioner Foley asked if she could call for an adjournment. Attorney Bridges advised her that any Commissioner could at any time make a Motion to Adjourn and, that said Motion would then have priority over all other matters pending before the Board. Commissioner Foley then made a Motion to Adjourn. She then asked if any Commissioner would second her Motion. No Commissioner responded. No action was taken on the Motion.

IX. COMMISSIONERS QUESTIONS & COMMENTS

Commissioner Foley commended staff on the operation of the aquatic center. She advised them of the numerous accolades she has received regarding the therapy pool, and how it is such a tremendous benefit to the facility. President Bridges also thanked Staff for their participation and organizational efforts, in making the Chili Cook-Off such a success.

X. CLOSED SESSION

None

XI. ADJOURNMENT

There being no further business, President Bridges moved, seconded by Commissioner Sarocka to adjourn the meeting at 6:53 p.m. The motion carried by unanimous vote.

Respectfully submitted,

George Bridges
Secretary