

**Minutes of the Waukegan Park District
Meeting of the Board of Commissioners
January 12, 2010**

The Board of Commissioners of the Waukegan Park District met in a regular meeting on January 12, 2010 in the Rose Administrative Center, 2000 Belvidere Street, Waukegan, Illinois.

I. Call to Order

The meeting was called to order at 3:45 p.m. by President Durkin who directed a call of the roll.

II. Roll Call

Present: Commissioners Motley, Duffy, Sarocka, Foley, President Durkin.
Absent: None. Also present was Board Attorney Charles Smith, Mike Shrake of Gewalt-Hamilton and Dan Polfuss from W.B. Olson.

III. Consent Items

- A. Minutes
November 30, 2009 (Board of Commissioner Meeting)
December 3, 2009 (Special Meeting/Golf Advisory)
December 8, 2009 (Board of Commissioner Meeting)
December 28, 2009 (Special Board Meeting)
- B. Bills
- C. Payroll
- D. Financial Statements

Motion by Commissioner Motley, seconded by Commissioner Foley, to approve the Consent Items and to pay the bills as presented. Roll call to the motion: Ayes: Motley, Duffy, Sarocka, Foley, Durkin. Nays: None. Motion carried unanimously.

IV. Public Portion

Julie Schneider presented, on behalf of the Park District, a plaque acknowledging Binish Desai for raising \$600 in pledges for the Special Recreation Services of Northern Lake County-Waukegan by his participation in the January 1 Polar Bear Plunge. President Durkin joined in presenting the plaque to Binish, a high school student with the Rotary Club of Waukegan's Youth Exchange Program, who was born in India and is experiencing his first winter weather.

VI. Progress Reports

A. Executive Director

Greg Petry presented a written report and advised that a great amount of his time over the past month has been spent working on the outdoor sports complex. Mr. Petry explained that the outside work has been shut down for the winter, but interior work is continuing.

Discussion was held as to a possible grant for new construction for Waukegan Township's seniors at Belvidere Park. This would be a cooperative venture with Waukegan Township.

Commissioner Foley reported to the Board on the Silver Sneakers program and how well it is being received.

Mr. Petry advised that he had a lunch meeting with Mayor Sabonjian and is working to establish a regular schedule of meetings with the mayor.

Mr. Petry reported that Commissioner Foley is the liaison for the Strategic Planning Committee and suggested hiring Barbara Heller with Pros Consulting to facilitate the initial meeting. He stated that after the initial meeting, he felt that he and staff could put together the balance of the material needed for a Strategic Plan.

The Board was presented with documents prepared by Pros Consulting for the Vernon Hills Park District so they could review the type of product that Pros Consulting can provide to a park district.

The Board favors moving forward and retaining Barbara Heller to develop a strategic plan and asked staff to prepare a proposal.

Mr. Petry stated that the Commissioners will need to make recommendations of involved citizens to be part of the strategic plan and suggested calling upon Bob Morrison who has been active in civil affairs in Waukegan for a number of years and who helped secure the approval of the referendum for the bond in the 1990's.

Commissioner Foley suggested Colonel Barry Gallagher, as well as Diane Veratti and Patrick Gallagher.

The Commissioners were urged to submit other names to Mr. Petry who might envision of what the Park District should look like in the coming years.

B. Attorney

Board Attorney Charles Smith reported that he and Mike Trigg had met at the ravine behind the Vakili residence with representatives from Hey and Associates. Hey and Associates had indicated that their initial report would be ready by December 31, 2009. Mr. Smith also reported that illegal dumping is occurring on the opposite side of the ravine from the Vakili property and that the Waukegan Police Department and Building Department had been notified of the illegal dumping.

Mr. Smith reported concerning recent amendments to the Freedom of Information Act by the legislature effective January 1, 2010, and that amendments to Board policy would be taken up later in the agenda. Mr. Smith advised that Mr. Petry and staff are well acquainted with charges to the FOIA and that the Park District is in compliance with the new requirements.

C. IAPD/Legislation Update – The Board was advised that the legislature has now returned and will be in session until early May. No grants have been paid by the State due to the fiscal crisis and accordingly, neither the Waukegan Park District nor

other governmental agencies are moving forward on any plans to be funded by grants until the grant money is in hand.

D. Division Reports.

D1. Finance & Administration. Jim Glogovsky presented a written report and answered questions from the Commissioners. Commissioner Duffy asked about the portion of his report indicating that the BMX Association is seeking a concession stand. Staff advised that if a concession stand is constructed and manned it will be at the Association's cost.

Commissioner Motley further pointed out that a conditional use permit will be needed to construct the concession stand and he was uncertain as to whether that would support from Waukegan's Community Development Department.

Commissioner Duffy requested that staff provide attendance at all banquets and events held at Bonnie Brook Clubhouse as part of the report.

Commissioner Motley followed up and asked for the attendance figures for the Wednesday night dinners, as well.

Mr. Glogovsky requested that the Committee of the Whole meeting on January 25, 2010 be used to discuss a budget workshop. Mr. Petry said there are two other meetings that need to be scheduled that will be discussed in the agenda.

Commissioner Sarocka asked about the opening of the indoor golf practice facility and was advised by staff that it should be opened as of February 15, 2010. Staff will coordinate a grand opening with publicity and invitations to members of the golf community.

D2. Cultural Arts. Claudia Freeman presented a written report and orally reported that a grant proposal has been submitted to USEPA for Bowen Park and she is optimistic that a portion of this grant request will be funded. Ms. Freeman stated that she will keep the Board updated as to the status of the grant.

Ms. Freeman thanked Commissioner Foley for doing the introduction at the Do It Yourself Messiah concert held in December and was a near sellout.

D3. Parks. Michael Trigg was unavailable for the meeting but his written report was received.

D4. Recreation. Alicia Mentell presented a written report and reported that approximately 450 people attended the Polar Bear Plunge on January 1. Final figures will be available soon. This event is in need of additional citizen and corporate sponsorship as sponsorships were down significantly in 2010 due to the economy. Ms. Mentell reminded the Commissioners that the WinterFest is scheduled for January 23, 2010 in Belvidere Park.

VII. Review, Discuss, Decide

A. Authorization to Accept Bids/Quotes

B. Interfund Transfers –

<u>Fund</u>	<u>From</u>	<u>To</u>
Memorial/Endowment (M50) Recreation (02-13-13-493-0999)	\$5,680.00	\$5,680.00

Purpose: Offset Halloweenfest expenses.

<u>Fund</u>	<u>From</u>	<u>To</u>
Memorial/Endowment (M52) Recreation (02-26-51-601-1500)	\$4,390.78	\$4,390.78

Purpose: To pay for Howie Robinson Simulator/Instruction equipment & software

<u>Fund</u>	<u>From</u>	<u>To</u>
Corporate (01-11-11-583-9999) Debt Service (17-11-11-413-3000)	\$815,000.00	\$815,000.00

Purpose: To pay principal & interest on G.O. Limited Refunding Park Bond 2008A Series.

<u>Fund</u>	<u>From</u>	<u>To</u>
Capital Projects (30-11-11-583-9999) Debt Service (17-11-11-413-3000)	540,000.00	\$540,000.00

Purpose: To pay principal & interest on G.O. Limited Refunding Park Bond 2008A Series

<u>Fund</u>	<u>From</u>	<u>To</u>
Recreation (02-13-13-491-0775) Memorial/Endowment (M51)	\$460.00	\$460.00

Purpose: Turkey Trot Sponsorship funds

Motion by Commissioner Duffy, seconded by Commissioner Sarocka, to approve the interfund transfers as presented. Roll call to the motion: Ayes: Motley, Duffy, Sarocka, Foley, Durkin. Nays: None. Motion carried unanimously.

C. Sports Complex Change Orders. Mike Shrake of Gewalt-Hamilton and Dan Polfuss of W.B. Olson, were present to discuss Change Orders 36-46.

Change Order 036, installation of sprinklers required by Waukegan ordinances over open flames of water heaters and furnaces. **Motion by Commissioner Duffy, seconded by Commissioner Motley, to approve Change Order 036 in the amount of \$1,440.** Discussion on the motion: Commissioner Sarocka commented that based on his experience in the construction industry, the amount charged for Change Order 036 is excessive and the work could have been completed for substantially less money. Mr. Polfuss explained that there are

requirements when a contract is awarded and if other vendors are used to make the change orders, then the contractor will not guarantee the work. Following discussion, **roll call to the Motion: Ayes: Motley, Duffy, Foley, Durkin. Nays: Sarocka. Motion passed 4-1.**

Change Order 037, provided a credit to the Park District in the amount of \$3,995 that deletes the prime coat for binder pavement on the west portion of the entrance drive, the south parking along the west drive and southern $\frac{3}{4}$ of softball parking lot. **Motion by Commissioner Foley, seconded by Commissioner Sarocka, to approve Change Order 037. Roll call to the motion: Ayes: Motley, Duffy, Sarocka, Foley, Durkin. Nays: None. Motion carried unanimously.**

Change Order 038, to remove and replace the aluminum entrance door, frame and glass at maintenance building damaged by vandals. Mr. Petry commented that this appears to have been a very professional burglar who broke into the building to steal contractors' tools. Those losses are the responsibility of the contractors and their insurance, but there was \$3,536 in damage to the building. **Motion by Commissioner Foley, seconded by Commissioner Motley, to approve Change Order 038 in the amount of \$3,536. Roll call to the motion: Ayes: Motley, Duffy, Sarocka, Foley, Durkin. Nays: None. Motion carried unanimously.**

Change Order 039, to remove and dispose of unsuitable soil and provide 3" and CA6 stone for undercuts at locations in entrance drive and parking lots, in the amount of \$191,918. Dan Polfuss and Mike Shrake explained that a large portion of this expense came from late October, 2009, to lay the stone in order to avoid the cost of installing a temporary stone road. They asserted that the cost of a temporary stone road would have far exceeded the cost represented in this change order. This work was necessitated due to the extremely wet fall and to dry out the fields before winter weather and freezing. The consultants further advised that the alternative to doing this work was to wait until the fields dry, which would significantly delay the project. The Commissioners unanimously expressed displeasure in being given such a high change order with no advance notice or warning. They stated that if this problem was going to be so expensive to fix, they should have been notified before all the work was completed so they would have the option of looking at alternatives. They further expressed their concern about Change Order 039,040, and 041 which will use up a significant amount of the contingency for the project. **Motion by Commissioner Foley, seconded by Duffy, to approve Change Order 039 in the amount of \$191,918. Roll call to the motion: Ayes: Motley, Duffy, Foley, Durkin. Nays: Sarocka. Motion carried 4-1.**

Change Order 040, to provide additional erosion blanket to avoid any fines from Stormwater Management by allowing silt and dirty water to discharge into streams, and drain the detention ponds after October rains, in the amount of \$36,954. Mr. Shrake advised that Stormwater Management has very aggressively imposed fines when there have been discharges into streams and that these regulations have increased construction costs throughout the area. Mr. Shrake explained the process of putting on floc and how this absorbs sediments and is then disposed of. The Commissioners again expressed displeasure that this was not included in the original bid and Mr. Shrake explained that if the contractor's are made responsible for this as part of their bids, that they will excessively increase the bid quotes in order to cover this unknown express, which can vary greatly from project to project. **Motion by Commissioner Motley, seconded by Commissioner Foley, to approve Change**

Order 040 in the amount of \$36,954. Roll call to the motion: Ayes: Motley, Duffy, Sarocka, Foley, Durkin. Nays: None. Motion carried unanimously.

Change Order 041, to haul excess soils to the east side of the creek to the existing pond, in the amount of \$58,918. Mr. Shrake again explained that this change order was necessitated in part by the extremely wet weather and that this was the least expensive alternative to the problem. The Commissioners again expressed their displeasure as to how this change order was handled and lack of advance notice to the Park Board as to these costs. **Motion by Commissioner Duffy, seconded by Commissioner Foley, to approve Change Order 041 in the amount of \$48,918. Roll call to the motion: Ayes: Motley, Duffy, Foley, Durkin. Nays: Sarocka. Motion carried 4-1.**

Change Orders 042 and 043 involved no net change of costs to the project. **Motion by Commissioner Sarocka, seconded by Commissioner Foley, to approve Change Orders 042 and 043. Roll call to the motion: Ayes: Motley, Duffy, Sarocka, Foley, Durkin. Nays: None. Motion carried unanimously.**

Change Order 044, to construct an additional gypsum board partition to create a closet, revise acoustical ceiling, delete underground PVC soda chase conduits, provide a hand sink and trench drain, and revise plumbing and electrical in the concession building, in the amount of \$26,855, was deferred until a later date.

Change Order 045, to provide RPZs at maintenance and concession building incoming water service, provide vacuum breaker at storage building hose bibb, delete drain down pit at concession building, in the amount of \$2,766. **Motion by Commissioner Sarocka, seconded by Commissioner Foley, to approve Change Order 045 in the amount of \$2,766. Roll call to the motion: Ayes: Motley, Duffy, Sarocka, Foley, Durkin. Nays: None. Motion carried unanimously.**

Change Order 046, to provide power to four motorized dampers in maintenance building, in the amount of \$2,114. **Motion by Commissioner Foley, seconded by Commissioner Motley, to approve Change Order 046 in the amount of \$2,144. Roll call to the motion: Ayes: Motley, Duffy, Sarocka, Foley, Durkin. Nays: None. Motion carried unanimously.**

The Commissioners then discussed five potential change orders that will be submitted at later meetings. They are: (1) revisions and upgrades to the toilet buildings; (2) raising of pole bases for lighting; (3) relocate spoils pile; (4) revise grading at the softball fields; and (5) provide custodian locks on fire hydrants. These revisions were discussed with the Board and the consultants and the Board asked that the consultants provide information as to the requirements being imposed by the city of Waukegan relative to the changes to the toilet buildings.

Mr. Petry expressed his displeasure with the appearance of the raised light poles and stated that they were aesthetically not pleasing. The consultants explained that they felt that the light poles needed a raised base in order to protect them from being hit by snow plows. Mr. Petry highlighted that the poles in the bioswales are nowhere near the roadway.

D. Semi-Annual Review of Closed Session Minutes (Resolution 2010-01) – **Motion by Commissioner Duffy, seconded by Commissioner Foley, to approve**

Resolution 2010-01, a semi-annual review of closed session minutes and authorizing the release of minutes and destruction of tapes after 18 months. Roll call to the motion: Ayes: Motley, Duffy, Sarocka, Foley, Durkin. Nays: None. Motion carried unanimously.

E. Arts and Humanities Award Nomination **Motion by Commissioner Duffy, seconded by Commissioner Foley, to approve the award of the Jack Benny Arts and Humanities Award posthumously to Joan Pfau Callahan. Roll call to the motion: Ayes: Motley, Duffy, Sarocka, Foley, Durkin. Nays: None. Motion carried unanimously.**

F. Proposal for Bonnie Brook Design Services – The Board was presented with a proposal for design services for Bonnie Brook Clubhouse from Mary Cook & Associates. Mr. Petry explained that he felt that it was necessary. President Durkin expressed his disagreement with spending money for a consultant for decorating the Clubhouse and stated his opinion that the commissioners should be able to give staff adequate direction during Committee of the Whole meetings. Commissioners Motley and Foley expressed their support for the proposal, which Commissioners Duffy and Sarocka indicated that they agreed with President Durkin that this is not a necessary expense. **Motion by Commissioner Duffy, seconded by Commissioner Motley, to defer the consideration of Mary Cook & Associates' proposal. Roll call to the motion: Ayes: Motley, Duffy, Sarocka, Durkin. Nays: Foley. Motion carried 4-1.**

G. Policy Amendment – 1.03 Freedom of Information Act – **Motion by Commissioner Sarocka, seconded by Commissioner Foley, to approve amendments to Section 1.03 of the policies of the Waukegan Park District to conform to the Freedom of Information Act state statute effective January 1, 2010. Motion carried unanimously.**

H. Executive Director Evaluation – Mr. Petry advised that the date for the executive director's evaluation needs to be scheduled. He also pointed out that his three year compensation package has ended. However, in light of the current economic conditions and other actions of the Board concerning finances, he would recommend deferring any discussion about his salary package. The Board concurred.

I. Naming of Sports Complex – Discussion took place about the proposed Waukegan SportsPark name for the sports complex. Following discussion, **motion by Commissioner Motley, seconded by Commissioner Foley, to adopt the name Waukegan SportsPark. Motion carried unanimously.**

Motion by Commissioner Duffy, seconded by Commissioner Foley, to name the entrance road after "Wayne Motley". Motion carried unanimously. Suggestions were Wayne Motley Way, Wayne Motley Drive.

VII. Closed Session

The Board did not adjourn into closed session

VIII. Questions from Commissioners.

Commissioner Motley expressed his disappointment at the lack of communication and notification regarding the change orders.

Commissioner Foley noted that despite the rainy months of September and October, she too agreed that information concerning the change orders should have been communicated to the Board.

In addition, Commissioner Foley thanked staff for following up on her suggestion that a clock should be installed in the women's locker room area of the fitness center. She then described hearing what sounded like "crashing weights" while at the fitness center and noted that while at Condell and Lake Forest's centers, a staff person checks in with patrons to see if everything is okay or if they need any assistance. She said that this is done routinely, and staff signs in and notes the time that they checked each area. She also noted seeing fully clothed persons in the sauna at one point and suggested perhaps signage be installed informing people of proper attire.

Commissioner Sarocka concurred with Commissioner Motley's disappointment with the change orders, noting nothing can be done as the work has already been completed and the money already spent. He stated that word needs to be given to the company that this will not be tolerated and that they will be held accountable. He hoped that a watchful eye will be kept over the project going forward.

Commissioner Sarocka also indicated his disappointment with the cancellation of the Friday fish fry and was concerned that staff was put through preparing a presentation when the fish fry was going to be done.

Commissioner Duffy showed the group a brochure for the Polar Bear Plunge and, noting that it was created by David Motley, asked that he be commended on his work for the event. A plaque will be obtained and presented at the City Council meeting when the one for the city is presented. Commissioner Duffy also noted that in visiting several area businesses, they were also excited about the event and the additional business it generated.

President Durkin noted he was proud that the sports park entrance was being named for Commissioner Motley. He also stated that he feels the sports park insert for the brochure looks great.

The Board then discussed the calendar for upcoming meetings. It was decided that the Committee of the Whole meeting on January 25 at 3:45 p.m. will begin with the budget workshop and be followed by commissioner training, while Mr. Petry's evaluation will take place at the February 9 regular Board of Commissioner's meeting, which starts at 3:45 p.m.

Finally, a "hold the date" mention was made and it was noted that invitations will be sent to all commissioners for the Special Recreation Annual Dinner which will be held on February 16 at 6:00 p.m.

IX. Adjournment

Motion by Commissioner Duffy, seconded by Commissioner Foley to adjourn. Motion carried unanimously. Meeting adjourned at 6:30 p.m.

Respectfully submitted,

Charles W. Smith
Secretary