

MINUTES OF THE REGULAR MEETING
BOARD OF PARK COMMISSIONERS
WAUKEGAN PARK DISTRICT
Administration Center
2000 Belvidere Road
Waukegan, Illinois
June 14, 2016

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
William Sarocka

COMMISSIONERS ABSENT

Marc Jones

STAFF PRESENT:

Executive Director Greg Petry
Superintendent of Cultural Arts Claudia Freeman, Superintendent of Parks Michael Trigg,
Superintendent of Finance & Administration Jim Glogovsky, Superintendent of Recreation Jay
Lerner, and Community Relations Manager Teddy Anderson.

III. PUBLIC HEARING FY 2016-17 APPROPRIATION ORDINANCE

A. PURPOSE OF PUBLIC HEARING

Jim Glogovsky stated that the purpose of the Public Hearing is to review and receive public comment on the proposed Appropriation Ordinance for the fiscal year beginning on the 1st day of May, 2016 and ending on the 30th day of April, 2017, pursuant to Illinois Municipal Budget Law.

Attorney Bridges stated at this portion of the hearing the public is invited to respond to the FY 2016-2017 Appropriation Ordinance, which outlines the maximum amount of expenditures the Park District can make. The total amount of the appropriation is \$31,610,415. He further announced that copies of the Annual Budget and Appropriation Ordinance have been conveniently available and that notice of said hearing had been given at least one week prior to today's hearing by publication in a newspaper. Attorney Bridges then called for comments from members of the public.

At 4:05 p.m., Commissioner Jones arrived at the meeting. Motion by Commissioner Sarocka, seconded by Commissioner Foley to seat Commissioner Jones. The motion carried by unanimous voice vote.

B. PUBLIC COMMENTS

There were no public comments or questions.

C. COMMISSIONER COMMENTS

Attorney Bridges then called for comments from the Commissioners present. There were no comments or questions from the Commissioners.

D. PUBLIC HEARING ADJOURNMENT

There being no further discussion, Commissioner Sarocka moved, seconded by Commissioner Foley, to adjourn the Public Hearing. On a roll call, the vote was as follows:

AYE: Kilkelly, Foley, Jones, Sarocka, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried. The Public Hearing was adjourned at 4:10 p.m.

IV. CONSENT AGENDA

The Consent Agenda Items which includes the Minutes of the May 10, 2016 Regular Meeting and the May 24, 2016 Special Board Meetings, the Accounts Payable, Payroll, and Financial Reports were presented.

Commissioner Foley commented on the Special Board Meeting minutes regarding the problems encountered by staff in hiring personnel. She advised the board of her experience when she was a member of the school board, where they too would receive inaccurate and incomplete applications. Mr. Petry stated that he and staff will be reviewing the HR position and will submit a proposal at a later date.

Motion by Commissioner Kilkelly, seconded by Commissioner Jones to approve the Consent Agenda Items as presented. On the roll call, the vote was as follows:

AYE: Kilkelly, Foley, Jones, Sarocka, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

V. PUBLIC PORTION

A. The following new staff and interns introduced themselves to the Board: Account Assistant Jean Williams, Horticulturist Brad Wedge, Recreation Specialist/Aquatic Programs Christine Pfau; and interns Kara Miller, Gina Williamson, and Leslie Siegmund.

B. Lori Nerheim appeared before the Board on behalf of the Waukegan Arts Council, to express their heartfelt appreciation for the Park District's incredible programming in the Arts and their

generous support to the Waukegan Arts Council. She advised the Board that because of their support they have been able to advance Waukegan in the Arts. She also highlighted some upcoming events for the City of Waukegan.

C. President Bridges presented Waukegan Park District Resolution (2016-15) to Jan Keller to recognize her 45 years of Exemplary Service to the Waukegan Park District. Mrs. Keller informed the board of her earlier trepidation when she learned of her invitation to attend this meeting because her initial thought was that the Board would be retiring her. She said she was so elated that it wasn't a retirement ceremony, but rather one where she would be recognized. She further thanked the Board for giving her the opportunity to teach a subject she so greatly loves, dance, and for allowing her to be part of such a marvelous organization as the Waukegan Park District.

D. There was no public comment.

VI. PROGRESS REPORTS

A. Executive Director: Mr. Petry presented his written report. Mr. Petry advised the Board he had spoken with former Board Attorney Charles Smith in an effort to schedule his recognition dinner and that Judge Smith indicated he would like to have his recognition dinner on Thursday, June 30 at 5:30 p.m. at Bonnie Brook.

Mr. Petry also advised the Board that he was excited about the Lake County Health Initiative which is a collaborative effort that brings the Park District and the Health Department together in leveraging and enhancing our current programs at the Field House. Mr. Petry stated he has had numerous discussions and emails with Jon Ashworth, the Health Equity Coordinator at Lake County Health Department, wherein they discussed a recent study conducted by the Health Department (2015-16) that identified the health issues and diseases that are prevalent throughout the county. He stated because Waukegan is the largest community in the county, they would like to focus their initial efforts in Waukegan. He further stated that there is a tremendous synergy to get this initiative up and running and he would like for the Park District to integrate health services with the Health Department in order to make a big impact on the health and wellness of our community.

B. Attorney Report: Attorney George Bridges informed the Board he met with Mr. Petry a number of times in the past weeks to review a proposed Intergovernmental Agreement with the Forest Preserve District and a proposed management agreement from Jeff Ellis concerning the Aquatic Center. He then provided the Board with an update on a number of bills that had been introduced in Springfield: HB 200 which became law allows the Park District to be a recipient of a grant for the Automated External Defibrillator; HB 319 which would have allowed "Concealed Carry" license holders to store or retrieve their firearm while in the parking lot of Park District property, did not become law as the Bill was returned to the rules committee; and SB007 which became law, and now mandates that park districts comply with the "Youth Sports Concussion Study Act."

C. Legislation/ IAPD Update: Mr. Petry stated as a result of recent legislation the Board will eventually have to pass a resolution ordinance that addresses conference and entertainment spending. Lastly, he stated there was some FOIA and Open Meetings legislation that passed. However, because of the District's current policy and procedures, none of the legislation should have any drastic impact on the Park District operation.

D. Division Reports:

D1. Finance & Administration: Mr. Glogovsky presented his written report and asked if there were any questions.

Commissioner Kilkelly pointed to an item in his report (submitted by Tanya Brady) that touched on a transgender youth attending camp and asked what special accommodations were being made to address this issue. Mr. Glogovsky stated there is a 6 year old girl who is transgender and wants to use the boys' restroom and locker room. Mr. Petry indicated that at this moment they have no definitive plans to address this issue. He also stated Staff has adequately handled all requests for transgender accommodations thus far, and there hasn't been any negative repercussion from any member seeking transgender accommodations. He told the Board in addition to this most recent request, they have had at least two adults request transgender accommodation while using the Field House. At which time Staff advised those who requested such accommodations that we have family changing rooms they could use.

Attorney Bridges reminded the Board of the recent litigation involving Palatine High School where a transgender male wanted to use both the girls' restroom and locker room, even though the school district had provided him with his own private restroom/locker room. Attorney Bridges stated that as a result of the lawsuit the school district was forced to allow the transgender male access/use of the girls' restroom and locker room facilities. Atty. Bridges wanted the board to understand this is an area of the law in flux, with no clear precedent, which clearly puts the Park District in a Catch-22 situation. He explained that if the Park District's special accommodations consist of only allowing transgender individuals to use a "Family Changing Room" that this may not be enough as in the Palatine situation. If the individual isn't satisfied with the accommodation, he or she will simply file a lawsuit. He told the Board that the reason he indicated they were in a Catch-22 situation was because if they honor the request to allow someone to use a restroom that does not match their birth gender they may very well infringe upon the privacy rights of one who biologically matches the gender designation of the restroom. As illustrated by a recent lawsuit filed a few weeks ago involving the same high school in Palatine where a number of female students have filed a lawsuit against the school district alleging that by allowing a male to use their restroom and locker facilities that their privacy is being invaded, creating a hostile school environment.

Mr. Petry indicated he has been in contact with PDRMA and that their recommendation is for Staff to continue to make special accommodations to address these situations.

Commissioner Sarocka questioned why the recent criminal activity and thefts listed in the report had not been captured by the video surveillance equipment. Mr. Glogovsky indicated one of their cameras was out of service and has only recently been put back in service and that another camera is not capturing any data because it had to be moved due to the Aquatic Center construction.

Mr. Glogovsky clarified the purpose of hourly tracking for part-time and seasonal employees, by explaining there are essentially four purposes in which he must track the hours worked and he identified those four ways: IMRF Participation, Patient Protection under the Affordable Care Act, Union Membership, and for Budgetary reasons.

D2. Cultural Arts: Ms. Freeman presented her written report. Ms. Freeman reminded the Board to attend the Jazz Wave at Washington Park. She also declared that the Dandelion Wine Festival was a success in spite of the rain.

D3. Parks: Mr. Trigg presented his written report. Commissioner Sarocka asked if construction was back on-track at Bevier Park for the Pickleball and Tennis Courts, and wanted to know if there is a completion date. Mr. Trigg responded that construction is progressing; they are finalizing the base completion and then applying the asphalt. The tentative completion date is August, 1, 2016.

Commissioner Jones commended Mr. Trigg for the progress at King Park Playground. Mr. Trigg responded that the structure has been put in place but they have other amenities that need to be added before the project is completed. Commissioner Jones then asked Mr. Trigg and if he knew why the basketball court that was formerly at Bowen Park had been removed. Mr. Trigg said he would look into the matter and get back to him.

President Bridges asked Mr. Trigg if the additional trash receptacle had been placed at Bowen Park and Mr. Trigg responded that he believed it had been put in place. President Bridges then asked about the situation at Graham Park and Mr. Trigg advised him they were in the process of cleaning up that area and getting it back into shape.

D4. Recreation: Mr. Lerner presented his written report and reminded the Board of the upcoming Fourth of July Parade which is scheduled on July 3rd this year. President Bridges suggested the Park District have more candy on hand this year and additional wet sponges, which seem to be the crowd favorite. Commissioner Sarocka thanked Mr. Lerner for following through on the hiring initiative and said he was hopeful that next year they could get a few interns from Waukegan.

VII. REVIEW / DISCUSS / DECIDE

- A. Interfund Transfers: None
- B. Permission to Accept Bids / Quotes
 - 1. Field House Water Booster Pump.

Motion by Commissioner Sarocka, seconded by Commissioner Foley, to approve the low bid from Altra Plumbing Solutions of Gurnee, Illinois for Field House Water Booster Pump, in the amount of \$35,000.00. There was no discussion on this matter. On the roll call, the vote was as follows:

AYE: Kilkelly, Foley, Jones, Sarocka, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

2. Request to purchase a Final Skid Steer Loader.

Motion by Commissioner Foley, seconded by Commissioner Sarocka, to approve the purchase of the Final Skid Steer Loader through the National Joint Powers Alliance (NJPA) Contract #032515 –CNH, from Burris Equipment, Waukegan, Illinois, in the amount of \$41,730.00. There was no discussion on this matter. On the roll call, the vote was as follows:

AYE: Kilkelly, Foley, Jones, Sarocka, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

3. Request to accept proposal for Architectural Services.

Motion by Commissioner Foley, seconded by Commissioner Sarocka, to accept the proposal for Architectural Services, from Legat Architects, Inc., Oak Brook, Illinois, in the lump sum amount of \$40,000.00. The following discussion was had on this matter:

Commissioner Kilkelly questioned why Architectural Services for a roof bid would cost \$40,000. Mr. Trigg explained that neither he, nor any member of his staff had the background or expertise to put together a bid package for such a large flat roof project. He stated the Park District has always used outside architectural services when the replacement project is over 40,000 square feet. Mr. Petry stated there is a significant amount of detail that must be covered in this project and because this isn't the typical residential roof replacement, it requires architectural services to compile the proper roof dimensions.

President Bridges questioned if the \$40,000 proposal was the maximum amount that would be paid for the architectural services. Mr. Petry advised the Board the proposal called for lump sum amount of \$40,000 and that it would also include incidentals; such as for copying. He went on to say if the project would require significantly more expenditures, they would first have to be approved by the Park District before they would be part of the contract. President Bridges asked why the price would go up when all they're preparing are specifications for a bid proposal and that he doesn't want this \$40,000 project to turn into \$60,000. Commissioner Sarocka then commented that from personal experience he knows architectural drawings are very expensive and that this project is quite complicated, very important, and therefore expensive.

President Bridges asked the Attorney if the proposal was something the Board should be concerned with. Attorney Bridges responded the proposal calls for a \$40,000 lump-sum payment and that under provisions of the proposal identified as 6.0 additional reimbursable expenses may be required as part of the proposal. He went on to explain that some of those additional expenses are for matters as simple as the copying and postage costs; however, that there are additional reimbursable expenses that call for engineering services that could be invoiced as much as one and a quarter times (1.25 times) the value of the proposal. Consequently, the total cost of the proposal could not be ascertained from the proposal itself. Mr. Petry advised the Board that if he (Legat) came to the Park District with a \$60,000 bill that it would not be paid unless the additional amount had been approved and was in writing.

That concluded the discussion. On the roll call, the vote was as follows

AYE: Kilkelly, Foley, Jones, Sarocka, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

C. Ordinances.

1. Budget and Appropriation Ordinance Number 16-03.

Motion by Commissioner Jones, seconded by Commissioner Sarocka, to approve the Annual Budget and Appropriation Ordinance, Ordinance Number 16-03, for the fiscal year beginning on the 1st day of May, 2016 and ending on the 30th day of April, 2017. No further discussion was had on this matter. On the roll call, the vote was as follows

AYE: Kilkelly, Foley, Jones, Sarocka, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

2. Prevailing Wage Ordinance Number 16-04.

Motion by Commissioner Foley, seconded by Commissioner Jones, to approve the Ordinance adopting the Prevailing Wage Rates, Ordinance Number 16-04.

Commissioner Sarocka inquired as to whether an increase to the minimum wage would have any impact on the prevailing wage rates. Mr. Glogovsky stated if the minimum wage was to go up to \$15 per hour, it would have an effect on the prevailing wage rates for next year.

No further discussion was had on this matter. On the roll call, the vote was as follows

AYE: Kilkelly, Foley, Jones, Sarocka, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

D. Resolutions

Resolution in recognition of outgoing President Patricia Foley, Resolution Number 2016-12. President Bridges presented Waukegan Park District Resolution (2016-12) to Commissioner Foley for her leadership and her outstanding job in guiding the Waukegan Park District Board during her tenure as President.

E. Annual Debt and Bond Administrative Update and Review.

Mr. Glogovsky, as the Compliance Officer, presented to the Board the Annual Debt and Bond Issues for their review pursuant to the Debt Management and Bond Policy. No discussion was had on this matter.

F. Hinkston Park Indoor Pool Project Updates and Change Orders.

1. Hinkston Pool Deck Finish Upgrade.

Mr. Petry presented several change orders to address upgrades to the Hinkston Pool Project. He presented the first item, in the amount of \$76,000 to Stuckey Construction Company, for the pool deck's finish upgrade. Mr. Petry stated this change was for painting the pool with an epoxy coating instead of just a concrete brush finishing. He further stated this upgrade was previously bid out in Package No. 2.

Commissioner Sarocka inquired why the Board wasn't obtaining bids for this upgrade. Mr. Petry informed him that this upgrade had previously been let for bids and was originally part of the bid package from Stuckey as an alternate. He stated the alternate was not accepted at that time because they wanted to make sure sufficient funds would be available to cover the upgrade. Commissioner Sarocka stated in the future situations like this; he would prefer to have the original bid made a part of the board packet.

Motion by Commissioner Foley, seconded by Commissioner Sarocka, to accept the low bid from Stuckey Construction Company of Waukegan, Illinois for Aquatic Center pool deck finish upgrade, in the amount of \$76,000.00. There was no further discussion on this matter. On the roll call, the vote was as follows:

AYE: Kilkelly, Foley, Jones, Sarocka, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

2. Hinkston Pool Sound System Upgrade.

Motion by Commissioner Sarocka, seconded by Commissioner Jones, to approve Resolution 2016-14, ratifying and approving the change order with Ridgeview Electric for the sound system upgrade in an amount not to exceed \$50,572.13. There was no discussion on this matter. On the roll call, the vote was as follows:

AYE: Kilkelly, Foley, Jones, Sarocka, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

3. Hinkston Pool Change in Pipe Material.

Motion by Commissioner Sarocka, seconded by Commissioner Foley, to approve the change order with Hartwig Plumbing & Heating for piping change from cast-iron to PVC, at the Aquatic Center in the decreased amount of \$12,878.52. There was no discussion on this matter. On the roll call, the vote was as follows:

AYE: Kilkelly, Foley, Jones, Sarocka, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

G. Hinkston Aquatic Center Update

Both Paul and Ed Stuckey provided the Board with an update on the Hinkston Aquatic Center construction progress.

H. Extension of Field House Hours of Operation.

Mr. Lerner presented the Board with the extended Field House hours of operation. No discussion was had on this matter.

I. Religious ceremony approval.

Motion by Commissioner Sarocka, seconded by Commissioner Foley, to grant Latin Pentecostal Church of God use of Belvidere Park for Sunday morning on July 10, 2016. There was no discussion on this matter. The motion carried by unanimous voice vote.

VIII. COMMISSIONERS QUESTIONS & COMMENTS

Commissioner Sarocka commended the golf management staff for an exceptional job with the District's golf courses. He further voiced his concerns regarding the recent violence in the parks. He requested law enforcement increase their efforts to keep our Parks safe.

Commissioner Foley also brought up the subject of the recent brawl in Bowen Park and inquired if the individuals involved would be allowed to return to the park. Mr. Petry informed her that because it is a public park only exceptional circumstances would allow the District to prevent individuals from entering the park. Commissioner Sarocka asked if it would be appropriate to send a warning letter to

those involved in the fight. Attorney Bridges responded that the more prudent approach to address this matter would be to convey the Board's concern to the prosecuting authority and stress the need for strict enforcement. Attorney Bridges indicated he would provide them with an update at the next board meeting as to his discussions with the States Attorney's office.

Commissioner Jones commended staff for the excellent services they provide to the Waukegan residents, specifically commented on the Dandelion Wine Festival and the Sports Park Complex.

Commissioner Kilkelly informed the Board she attended the Foundation for the Parks meeting earlier this month, where she learned the Foundation would like to hold a reception when the aquatic center opens and they need a firm date to schedule the event. The Foundation also wanted to know if the Commissioners had a problem with them being able to serve alcohol, beer and wine, at this upcoming reception. Commissioner Kilkelly discussed a recent Tribune article that addressed the hiring of Autistic youths. She pointed out the fact Waukegan has a number of Autistic youth within our district in need of employment and wanted the Park District to look at targeting a few positions for these deserving young people. Lastly, she asked why the Park District was not interested in the AEDs being provided by the State grant. Mr. Petry stated the District is currently involved in an initiative with the Fire Department and others where they have identified the AED that's best for the District and it is not one of those provided in the grant.

IX. CLOSED SESSION

Motion by Commissioner Sarocka, seconded by Commissioner Jones, to enter into closed session to discuss collective bargaining pursuant to 5 ILCS 120/2(c)(2), semi-annual review of closed meetings pursuant to 5 ILCS 120/2.06(d), and a personnel matter. On a roll called vote, the vote was as follows:

AYE: Kilkelly, Foley, Jones, Sarocka, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

The following persons entered the Closed Session: Commissioners Kilkelly, Foley, Jones, Sarocka, Bridges, Mr. Petry, Board Attorney Bridges, and Mr. Robert McCabe, of counsel with Ancel Glink. The Closed Session commenced at 6:10 p.m.

The Closed Session ended at 6:57 p.m.

The regular meeting reconvened at 6:57 p.m. with the following persons present: Commissioners Kilkelly, Foley, Jones, Sarocka, Bridges, Mr. Petry and Board Attorney Bridges.

X. ACTION, IF ANY, ON MATTERS DISCUSSED IN CLOSED SESSION

Motion by Commissioner Sarocka, seconded by Commissioner Foley, to approve Resolution 2016-13, ratifying and approving the Semi-Annual review of the closed session minutes. There was no discussion on this matter. On the roll call, the vote was as follows:

AYE: Kilkelly, Foley, Jones, Sarocka, Bridges

NAY: None

ABSTAIN: None

ABSENT: None

Motion carried.

X. ADJOURNMENT

There being no further business, Commissioner Sarocka moved, seconded by Commissioner Bridges, to adjourn the meeting at 6:58 p.m. The motion carried by unanimous voice vote.

Respectfully submitted,

George Bridges
Secretary