

REGULAR BOARD MEETING MINUTES

A Regular Board Meeting of the Mt. Prospect Park District, Cook County, Illinois, was held on Wednesday, December 18, 2013 at Central Community Center Facility of said Park District.

President Doherty called the meeting to order at 7:00 p.m. On roll call, the following

Commissioners were present:

Tim Doherty
Bill Klicka
Steve Kurka
Bill Starr
Lisa Tenuta
Susan Walsh

Administration Staff:

Greg Kuhs, Executive Director
Lee Howard, Financial Advisor
Cathy Miller, Director of External Affairs
Brett Barcel, Director of Golf Operations
Jim Jarog, Director of Parks & Planning
Brian Taylor, Director of Recreation
Barry Kurcz, Director of Business Services and Human Resources
Teri Wirkus, Executive Professional Compliance Manager
Jeff Langguth, Head Professional

Professionals:

John Green, Groundworks, Inc.
Dave Esler, Esler Golf Designs
Nick Paponicholas, Nicholas & Associates
Thomas Hoffman, Corporate Counsel

Visitors:

Youlian Banev
Ed DeVaney
Fred Durler
Chas. Weitterling
Julie Maslanka
R. Kawalek
Robert Jur
Joe Maslanka

CHANGES OR ADDITIONS TO AGENDA

Commissioner Kurka made a motion to move the Approval Items up after the Approval of Minutes and wave the reading of the Financial Advisor Report; second by Commissioner Tenuta and carried by unanimous voice approval.

Commissioner Walsh made a motion to table the discussion of the Audit until the January Board Meeting; seconded by Commissioner Kurka and carried by unanimous voice approval.

APPROVAL OF MINUTES

Commissioner Starr motioned to approve the Special Board Minutes of November 5, 2013; seconded by Commissioner Klicka and carried by unanimous voice approval.

Commissioner Starr motioned to approve the Regular Board Minutes of November 13, 2013 as amended; seconded by Commissioner Klicka and carried by unanimous voice approval.

RATIFICATION OF ACCOUNTS PAYABLE

Commissioner Klicka motioned to ratify payments of accounts payable for the month of November 2013 for checks numbers 167513 through 167803 in the amount of \$3,215,641.57; second by Commissioner Kurka.

Discussion: None

<u>Roll Call Vote</u>	Ayes	Nays	Absent
Commissioner Doherty	X		
Commissioner Klicka	X		
Commissioner Kurka	X		
Commissioner Massie			X
Commissioner Starr	X		
Commissioner Tenuta	X		
Commissioner Walsh	X		

Motion carried.

RATIFICATION OF PAYROLL

Commissioner Klicka motioned to ratify the payment of the salaries and wages for 11/06/13,11/20/13; check numbers 204621 through 205328 in the amount of \$295,879.48; seconded by Commissioner Tenuta.

Discussion: None

<u>Roll Call Vote</u>	Ayes	Nays	Absent
Commissioner Doherty	X		
Commissioner Klicka	X		
Commissioner Kurka	X		
Commissioner Massie			X
Commissioner Starr	X		
Commissioner Tenuta	X		
Commissioner Walsh	X		

Motion carried.

APPROVAL ITEMS

Barry Kurcz, Director of Business Services& HR reviewed the recommendation for the purchase of the payroll and time tracking system:

- This solution will cut the amount of time spent by our managers on payroll
- The tracking of YTD hours will be easily accessible to the managers.
- Simplifies the process in which to keep the district in compliance with PPACA, IMRF, EEOC, etc.
- System will provide access to real time attendance and payroll data.
- Streamlined process for tracking time off/vacation requests, etc. Currently this information is tracked by paper and not automated (labor intensive).
- Visited other Park Districts that help narrow down the three vendors and the team identified a series of questions for the vendors to answer.
- Provided a review of what the system could do for our park district. The District will use a cloud based data storage system – information will not be stored on premises.

Commissioner Walsh asked if all part-time employees clocked out for lunch and Jim Jarog explained: when his staff is out in the field they will not drive all the way back to the maintenance building to clock out – there is a deduction made for their the lunch time.

MOTION

Commissioner Tenuta made the motion:

To purchase the Time Pro Payroll Time Keeping system from Commeg Systems, Inc at the cost of \$29,437 which includes the first year service and support annual fee (\$3,275).

Seconded by Commissioner Kurka.

Discussion: Commissioner Walsh asked if this system will be included in the budget, Executive Director Kuhs stated that this has been included. Tom Hoffman, District Council asked if this product was proprietary and only available through one source and this company. Barry Kurcz, Director of HR stated that was true.

<u>Roll Call Vote</u>	Ayes	Nays	Absent
Commissioner Doherty	X		
Commissioner Klicka	X		
Commissioner Kurka	X		
Commissioner Massie			X
Commissioner Starr	X		
Commissioner Tenuta	X		
Commissioner Walsh	X		

Motion carried.

PUBLIC COMMENT

Fred Durler stated that he knows an IT person that works with the Naperville Park District and would be happy to give us the information.

PARKS FOUNDATION

Commissioner Tenuta stated:

- No formal announcement.
- Next Foundation annual meeting at CCC on January 8th, 2014 at 6:30p.m.
- Looking for new members and all are welcome.

FINANCIAL ADVISOR'S REPORT

There was no verbal report this meeting since there will be a year-end report.

EXECUTIVE REPORT

Greg Kuhs, Executive Director reviewed and informed the Board on the following items:

- The Park District Brochure is now four colors inside the booklet.

- Open Forum on January 9th at 7p.m. for the shared dog park discussion in the Board Room at CCC.
- IMRF audit is complete and additional information has been handed out.
- Annual report from the Recreation Department-great job.
- Celestial Celebration will be held on Friday, February 7 at 6p.m., if you would like to attend let us know as soon as possible.

Commissioner Tenuta: how the District will be getting the information out about the Dog Park Open Forum. Brian Taylor, Director of Recreation stated that Arlington Heights Park District will be getting the word out and we will be sending out an email blast.

Commissioner Walsh: who sends the email blast out? Cathy Miller, Director of External Affairs: email blast goes out to those who have signed up from the website and/or given us their email address over the years.

Commissioner Doherty: developing a policy for the District and their vehicles on the new conceal and carry act. Tom Hoffman, Council stated we could develop a policy to supplement the law with signage and be more descriptive under the control ordinance.

Commissioner Walsh: separating the IMRF and Social Security line item for 2014.

Lee Howard, Financial Advisor stated that moving forward (as discussed) previously will be broken down in 2014 in January. We are in compliance with IMRF.

Commissioner Walsh: any encumbrances for 2014? Lee Howard explained that encumbrances are not actual expenditures and do not count as actual expenditures either in budget or for the audit (help management note to what open PO's they have).

UNFINISHED BUSINESS

John Green, Groundwork, Inc. reviewed and updated the Board on the following items:

- The maintenance plans are complete and moving into the bidding phase.
- Some permits have been submitted; Cook County, IEPA for example are being processed.
- Working with Nicholas and Associates to bring Phase I elements together.
- Sizing the drainage pipes for the building to the detention ponds have been determined.
- Landscaping plans are prepared for the maintenance building; the berm will be included in Phase I since we do not want to move the dirt twice.

Commissioner Walsh: this phase is being done first-no matter what? Last night at the Village Board meeting they said there was no Pan B. John Green explained in order to do the rest of the golf course part of Phase I involves removal of the existing maintenance building which is in the

middle of the development area. This has to be completed so that building has to come down. Our schedule indicates Phase I would be prepared to go out to bid and obtain permits in early 2014. Commissioner Walsh asked if this would be taking care of the zoning problems and Mr. Green stated yes.

The following individuals addressed the Board:

Julie Maslanka and Robert Kawalek

The following is a collective of comments/questions:

- Which maintenance structure is being torn down?
- What happens in the space with the cell phone tower, maintenance building since the driving range was a package?
- What kind of outreach has there been along Busse Road to the residents.
- Would like the maintenance building to stay and just be updated.

John Green, Groundwork: the maintenance building closest to the club house will be torn down.

Commissioner Tenuta: initial delivery of letters to everyone surrounding the golf course; variance signs posted and information on the website.

Nick Papanicholas, Nicholas & Associates reviewed and updated the Board on the following items:

- Developed a draft of the design, development, bidding and recommended project schedule for the next couple of months.
- Working with the designing teams: identify cost value engineering ideas; meeting with the team and staff tomorrow.
- Esler Design will be giving us the design development documents; to do a cost estimate for the golf course phase the project.
- The purpose of Nicholas completing a cost estimate would be to add some validity to the initial cost estimates from the architects by contacting sub-contractors for their estimates. We have reach out to numerous sub-contractors to get real numbers and will be discussing this information at our upcoming meeting with the designers and staff.

Commissioner Walsh: when the bids would be coming back? President Doherty: bids go out in January and will come back in February. Commissioner Walsh: asked when the bids come back, could the price of the maintenance building be changed. Nick Papanicholas: that is what is being worked on with the designers (John Green, Dave Esler and staff).

The Board also discussed that price is very important. John Green: stated when the maintenance project started his team designed (right sized the project) based on the need to accommodate specific existing equipment, so every square foot of the maintenance building is accountable.

Commissioner Starr: the beautiful original tree staying? John Green: stated yes - that particular tree was one of the driving forces for the design. The discussion continued on the garden wall, parking lot and trailer trucks.

The following individuals addressed the Board:

Robert Kawalek and Fred Durler

The following is a collective of comments/questions:

- In the Final Stage of design, contacting sub-contractors (with questions) for pricing would not be fair in competitive bidding: Tom Hoffman, Counsel explained that the District will go out for competitive bidding and qualified contractors will have an equal opportunity to start at the same point and see the documents.
- Does the District have a package of information for insurance requirements, coverage's and performances payments: the answer was absolutely!

Dave Esler, Esler Design Inc. reviewed and updated the Board on the following items:

- Handed out a Golf Course Aerial View on the proposed netting variance.
- The 75ft variance request was turned down at the Village Board Meeting.

The Park Board discussion with Dave Esler & John Green concerning the following:

- Still moving forward with a thirty foot net option (went for variance for safety reasons).
- Some additional options to provide protection from the driving range would be constructing berms and planting fast growing willow or poplar trees just outside the 30 foot net. This would also help camouflage the nets and provide a buffer within three years.
- The driving range tee could be in the line of fire; need to be thoughtful and protective of the golfers on the course.
- Water tank distance (225-250 yards) from the back of the tee line; deepest point of the driving range back edge of the tee and the back edge of practice tee is 330 yards; golfers could hit the tank whether on purpose or by accident.
- The number of trees being removed; only one tree is being removed for the netting; hundreds of trees will be removed and then replaced by new ones around the course (the plan was to keep some trees to prevent golf balls from hitting the water tank).
- The width between the maintenance shed and water tower in the back of the range: Dave Esler stated it is about 65-70 yards (first fairway and left of the first fairway-long landing area).
- Commissioner Walsh: Originally the driving range was right along the large trees-what happen to that plan: Dave Esler explained we ended up leaving the storage building in place.

- Commissioner Kurka: this question was asked at a prior meeting and it was stated that this storage was integral for the entire park district (other equipment in addition to golf equipment is stored in that building).
- Commissioner Walsh: who determines what the risk is at the current driving range; never heard of accidents or staff proposing to make the current range less dangerous.
- Greg Kuhs, Executive Director: the reason for the netting is all about managing the risk going with a 30 ft. net is better than no net on the range.
- Commissioner Kurka: we are now legally bound by a 30 foot net, to mitigate as much the risk as possible by putting up a net.
- Commissioner Tenuta: as Dave Esler explained -using landscaping, berms and netting will help to make this a safe range.
- Commissioner Kurka: during our several meetings with the public there was an overwhelming support to keep the driving range at the golf course (Dave had previous drawings with other options). The current driving range is useless, not big enough; the current plan for the golf range land is being better utilize; using land that was previous wasted golf course land (flood plain).
- Commissioner Kurka; residents are very well aware and have voiced their opinions previously at the Village meeting and our Board meetings.
- Commissioner Starr: What about a 10 foot berm and 30 ft. fence on top of berm: John Green stated artificial elevation cannot be used and this would exceed the height the Village allows without a variance.
- Commissioner Walsh: asked if the District ever ran the potential risk of the current range by MRMA: Tom Hoffman has been MRMA's General Counsel for 27 years and stated there has never been any problems that he can recall with driving range claims; Mr. Hoffman explained that at any golf course anyone could get hit by a golf ball-but the Board should be mindful in managing this risk. The Board seems to be reasonable exercising this discretions on this approach (of safety) - looking into netting, trees, etc. This is a reasonable approach to the safety of the users.

The following individuals addressed the Board:

Ed Devaney and Robert Kawalek

The following is a collective of comments/questions:

- Have gone to all the Park Board meetings & Village meetings.
- Aesthetically netting/fencing looks ugly & doesn't belong at this golf course.
- Anyone ever been hit at the training range: golf staff has been hit.
- Solution is to forget about netting/fencing; fix it with trees, bushes and berms.

- Heard nothing but safety at Village meetings; the driving range is an extraordinary hazard, now you are willing to compromise with a 30ft. height for safety.
- Can't believe what he's hearing; after going on record that a 75ft. net is absolutely for safety to perceive anything less will open the district (taxpayers) to a possible lawsuit; Esler Design better have his liability and malpractice in place; this will only make the lawyers rich.

UNFINISHED BUSINESS

The Tentative Budget & Appropriations Ordinance-FY2014 was not being approved but up for discussion/questions from the Board. This document (draft) will be available for public review at least 30 days prior to approval (CCC, Mt. Prospect & Des Plaines Library). Commissioner Walsh asked what the district capital labor is. Lee Howard explained that it is the projects that are done in-house by staff labor and called the Internal Service Fund (the funds come from the bonds proceeds) and the Bond fund has its own separate appropriation when they are sold.

NEW BUSINESS

Board Committee of the Whole (C.O.W.) Special Meetings discussion:

- Commissioner Walsh: stated meetings go too long; should have C.O.W. meetings to discuss the finances or projects prior to a Board Meeting.
- President Doherty: stated when the new board met in May, discussed that the Board would hold special meetings when items were needed; special meetings were held for Commissioner Orientation, golf course and the budget. Two meetings a month would be just as long, discussing the same information over and over. Each Commissioner gets the packet in due time and should do their homework and call staff if there are questions.
- Commissioner Walsh remarked that getting the packets and Agenda the Friday before meetings isn't enough time to review the materials.
- Commissioner Kurka stated the structure we have - calling Special Meetings (as needed) works and staying on point during the meetings is the problem.
- Commissioner Tenuta: remarked that when we did have Board Committees, the individual Committees rarely met. The Special Meetings (as needed) was a good idea, need to give this idea another six months and then revisit if it's not working.
- Commissioner Starr agrees with holding Special Meetings as needed.
- Commissioner Klicka agrees with the Special Meetings; when calling the Special Meeting the public will know it is important.

Policy/Procedure-Presentation Materials to Governmental Agencies discussion:

- Executive Director, Greg Kuhs stated that he recently neglected to send information to the board prior to the submitting the variance request to the Village. Since the error, copies of the information provided to the Village have been sent to the Board of Commissioners.
- Commissioner Walsh would like to see who was copied and can't imagine that would be in violation of the Open Meetings Act. This may help with communication.

MPPD Counsel, Tom Hoffman would like to revisit concerning the motion earlier about the approval of minutes for the November 13, 2013 and need specific language on what was amended about the concept of coupons.

Commissioner Walsh made a motion to amend the minutes (November 13, 2013) to say instead of Commissioner Walsh discussed the coupon it says the residents discussed the coupons. Commissioner Kurka seconded the motion and carried by unanimous voice approval.

CLOSED SESSION

Commissioner Kurka motion adjourn to Closed Session, Section 2(c) (11): Litigation-to discuss threatened and probable or imminent litigation against the Park District as well as litigation that is pending against the Park District and other Public Bodies and Section 2(c) (1): Personnel-to discuss the appointment, employment, compensation, discipline, performance, or dismissal of one or more specific employees of the public body.

Seconded by Commissioner Tenuta,

<u>Roll Call Vote</u>	Ayes	Nays	Absent
Commissioner Doherty	X		
Commissioner Klicka	X		
Commissioner Kurka	X		
Commissioner Massie			X
Commissioner Starr	X		
Commissioner Tenuta	X		

Commissioner Walsh X
Motion carried.

Adjournment to Closed Session.

RECONVENE TO OPEN SESSION

Open Session was reconvened at 9:25 p.m.

ADJOURNMENT

There being no further business to discuss, Commissioner Starr moved to adjourn the Regular Board Meeting at 9:25 p.m.; seconded by Commissioner Klicka and carried by unanimous voice vote.

Respectfully submitted,

Bill Starr, Secretary