

Remote Regular Board Meeting July 22, 2020

A Remote Regular Board Meeting of the Mt. Prospect Park District, Cook County, Illinois, was held on Wednesday, July 22, 2020, as a remote call-in Regular Park Board Meeting.

Call to Order

President Kurka called to order the Remote Regular Park Board Meeting of the Mt. Prospect Board of Commissioners, on Wednesday, July 22, 2020 at 7 p.m.

President Kurka reads the following statement:

"As President of the Park Board and due to the recent changes to the Open Meetings Act, it falls upon me to make a determination as to the reason tonight's Park Board meeting is being held remotely and not "in-person". It is my determination that it is neither practical nor prudent to have tonight's Board meeting "in-person", my reasoning being the continuing pandemic and its attendant health risks as well as the current restrictions on gatherings imposed by the Gubernatorial Executive Orders and the existing health-related disaster declarations. For these reasons I have also concluded that it is also unfeasible to hold tonight's Board meeting on an in-person basis at the regular location for Board meetings, Central Community Center (CCC).

Therefore tonight's Board meeting is being held by remote virtual means, and specifically through the use of the audio capacities of the Zoom platform.

I wish to note for the record that I reasonably expect to make the same determination at the beginning of each subsequent remote-means meeting of the Park Board while the disaster declaration remains in effect. I invite any Commissioner who might instead wish to resume "in-person Park Board meetings sooner than I am suggesting, to contact me between Board meetings to inform me of such.

Thank you very much.

Commissioner Starr calls Roll Call for the Board:

On roll call, the following commissioners were present by phone:

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

Identification of Attendees online by IT monitor, Jon Zgoda

Administrative Staff/Recreation Staff

Jim Jarog, Executive Director
Teri Wirkus, Executive Compliance Officer
Mary Kiaupa, Human Resource & Risk Manager
Ruth Yueill Director of Community Relations and Marketing
Brett Barcel, Director of Golf Operations
Scott Elman, Director of Parks & Planning
George Giese, Superintendent of Business & IT Services
Nick Troy, Director of Recreation
Kevin O'Donnell, Athletic Coordinator
Kristina Winans, Early Childhood Youth Coordinator
Nancy Prosser, Facility Manager
Ann Zimmerman, Cultural Arts Manager
Brian Hecker, CCC Facility Coordinator
Mike Azzaretto, Aquatic & Fitness Manager
Jason Hickman, Athletic Manager
Linda Zalewski, Aquatics Coordinator
Jon Zgoda, IT / Remote Meeting Moderator

Professionals

Tom Hoffman, District Attorney
Lee Howard, GAI-District Financial Advisor

Visitors

None

Commissioner Starr led the Pledge of Allegiance.

CHANGES OR ADDITIONS TO REGULAR MEETING AGENDA

None

APPROVAL OF AGENDA

President Kurka motion to approve the agenda:

Commissioner Starr called Roll Call

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

APPROVAL OF CONSENT AGENDA

President Kurka asked for a motion for approval of the Consent Agenda as follows:

*Approval of Minutes: Remote Special Board Meeting, June 17, 2020

*Approval of Minutes: Remote Regular Board Minutes, June 24, 2020

*Ratification of Accounts Payable, June 2020 Checks and EFT's in the amount of \$327,479.80 as listed on check register

*Ratification of Payroll, June 2020 Checks and Direct Deposits in the amount of \$223,222.09 listed on this report

*Amendment to Agreement on Previously Approved RecPlex Playground Project

MOTION

Commissioner Starr moved to approve the Consent Agenda as presented; seconded by Commissioner Massie

Commissioner Starr called for a Roll Call vote:

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

PUBLIC COMMENT

None

ADOPTION ITEMS

- A. Ordinance No. 785- An Ordinance authorizing and directing the destruction of verbatim audio recordings of certain closed session meetings of the Board of Park Commissioners of the Mt. Prospect Park District.

Teri Wirkus, Executive Compliance Officer presented a brief history under the Act of 5 ILCS 120/2.06 for the approval consideration of Ordinance No. 785.

MOTION

Commissioner Starr moved to approve Ordinance No. 785- An Ordinance authorizing and directing the destruction of verbatim audio recordings of certain closed session meetings of the Board of Park Commissioners of the Mt. Prospect Park District; seconded by Commissioner Massie.

Discussion: None

Commissioner Starr called Roll Call

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

APPROVAL ITEM

- A. Recommendation to Approve Suggested Revisions from IDHR to the Mt. Prospect Park District Personnel Manual

Mary Kiaupa, Human Resource & Risk Manager explained that the Illinois Department of Human Rights (IDHR) periodically asks for information from organizations in order to determine the compliance with the IDHR department rules. On June 8, 2020, the Park District received the acknowledgement of receipt and request that the District update its personnel policy and in addition to the IDHR changes staff would like to update contact and reporting information from the District.

MOTION

Commissioner Doherty moved to approve staff's recommendation that the Mt. Prospect Park District's Personnel Policy be changed to (1) Include contact information for agencies where employees may report sexual harassment complaints, (2) to update the contact and reporting information for Human Resources to reflect changes at the District since the last Personnel Policy update, and (3) to formally add information regarding pregnancy rights to the Personnel Policy Manual; seconded by Commissioner Starr.

Discussion: None

Commissioner Starr called for a Roll Call vote:

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

B. Recommendation to Revise the Mt. Prospect Park District Personnel Policy Manual

Mary Kiaupa, Human Resource & Risk Manager reviewed the following:

Section 20 of the Park District Personnel Policy Manual states that employees may request a personal conference with the Executive Director to review within seven days following the notification of dismissal, the situation leading to the recommendation for dismissal. For an employee reporting directly to the Executive Director, the employee may currently request a review by the Board of Commissioners. Thinking that the Board wanted to change the process it was suggested to change the process for employees directly responsible to the Executive Director, to give such employees the right to appeal and to have a review of a disciplinary dismissal by the head of Human Resources. Human Resources would inform Park District Legal Counsel of any request received for such an appeal and review and seek advice from Legal Counsel in the review process. In the case where a dismissed employee was the head of Human Resources and dismissed for disciplinary reasons, the right of appeal and review would be to legal counsel referred by MRMA but not involved in the initial decision making process, and whose contact information for purposes of such appeal and review shall be provided to the dismissed employee upon request .

Discussion:

Commissioner Starr asked why these changes have suddenly come up and the reason/thinking for the suggested revisions of the personnel policy manual. Attorney Tom Hoffman said the matter came up now because the subject of making changes to the personnel policy manual per the previous motion had served to remind of a prior appeal to the Board and his recollection (apparently incorrect) that a change to the appeal process for the dismissal of an employee accountable directly to the Executive Director was desired by the Board. Discussion ensued and it became clear that the suggested changes lacked solid support from the Board. Commissioner Doherty remarked that he asked last month for the revision of the personnel manual to be tabled and didn't agree with the changes. He feels that the personnel policy manual in general allows for park district employees when terminated to go to the next level with the option to meet with the Executive Director. He doesn't think it would be fair for the executive level (employees who report directly to the Executive Director) not to have the option to go to the next level which would be the Board. The Board only oversees one employee and that is the Executive Director. He understands that it might not be comfortable for the Board but it is their responsibility to give the executive level employees the respect to be able to come to the Board. Commissioner Doherty is fine with tabling this again and coming back with new language that would clarify that upon request of an executive level employee his or her dismissal would be reviewed by the Board as the last level of appeal.

MOTION

Commissioner Starr moved to table the subject regarding the appeal rights of executive level employees who upon dismissal; seconded by Commissioner Massie.

Commissioner Starr called for a Roll Call vote:

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

- C. Amendment to Agreement on Previously Approved RecPlex Playground Project was Approved under the Consent Agenda.

D. Proposed Increase to the Internal Service Fund

George Giese, Superintendent of Business & IT Services and Lee Howard, GAI reviewed the proposed increase to the Internal Service Fund. The Park District annually identifies eligible and necessary park improvements and projects with in house staff and resources. The widespread disruption of operations caused by the COVID resulted in an opportunity for staff to focus their efforts on these projects that were previously deferred.

Discussion: Lee Howard, GAI discussed with President Kurka the reasoning behind the proposed increase to the Internal Service Fund and how the internal construction company can be done in house instead of contracting projects out. We do have limits of funding and amount of staff that the park carries on a limited basis-so with the closing of the facilities the staff has time to devote to the projects and get caught up on deferred projects. Executive Director Jarog explained that during normal circumstances we would budget for an anticipated amount for this fund and staff would only accomplish some of the many projects due to other daily responsibilities. This year, due to recreation programming being limited, due to COVID -19 related restrictions, staff had the opportunity to complete many of the previously deferred projects now making it appropriate to increase the ISF fund balance to allow those projects to be paid for. Lee Howard also explained where the additional funds would be coming from.

MOTION

Commissioner Starr moved to approve Internal Service Fund Billings completed through June 2020, plus additional (deferred) projects for 2020 in the combined amount of \$474,092, and to approve and direct the payment of not-to-exceed \$324,092 from the Series 2019A Capital Improvement Fund and not-to-exceed \$150,000 from the Non-Bond Capital Improvement Fund; seconded by Commissioner Doherty.

Commissioner Starr called for a Roll Call vote:

<u>Roll Call Vote</u>	Ayes	Absent	Nays
Commissioner Kurka	X		
Commissioner Tenuta		X	

Commissioner Starr	X	
Commissioner Klicka		X
Commissioner Doherty	X	
Commissioner Massie	X	
Commissioner Murphy		X
Motion passed		

FINANCIAL ADVISOR'S REPORT

Lee Howard, Financial Advisor-GAI, summary of all funds; attached the year- to- date departmental expenditures analysis, revenue and the District's key revenue facilities in the packet and the impact of COVID 19 and projections/look for year end.

Mr. Howard and Executive Director Jarog answered questions from the Board.

EXECUTIVE REPORT

Executive Director Jarog reported on the following:

- Staff is doing their best to provide programming opportunities wherever possible- July 9th was a very successful concert at Lions Park in a safe manner using the circle concept. Participants abided by the requirements. Staff is considering one more concert at the end of July.
- Sikich will be coming before the board on August 19, 2020 remotely to present the annual financial audit for the Board's review.
- The RecPlex Playground project is in compliance with the IDOL new state law that requires the workforce on all public work projects to be composed of a minimum of 90% Illinois residents.
- Next Board Meeting will be held on August 19, 2020.

Commissioner Massie asked if they will be opening the CCC facility on Sunday. Executive Director Jarog stated that there aren't enough patrons to support opening at this time for Sunday. Director Troy also stated that they might increase the hours first and wait to see, since some patrons still have their membership frozen.

Public Comments:

None

COMMISSIONER COMMENTS/MATTERS FROM THE COMMISSIONERS

President Kurka would like to have the August 19, 2020 Board of Commissioners Meeting in-person with all accommodations.

Commissioner Doherty remarked the Park District has had to make tough decisions regarding the budget and employee decisions and as a Board whether they agreed or not have supported the District. One key to keep this park district moving forward is doing more with less, how we treat and work with our employees. Once we lose employee morale as a district we are done. Our growth, our potential -we made decisions with staff changes, decisions that had to happen for the good of this district and how the conversations and discussions with employees happened. I hope the Leadership Team realizes the

situation and corrects it in the future. We always said this district is like a family and we shouldn't treat family like that. Hopefully the Leadership Team will discuss going forward on how to make changes in the future if more difficult decisions need to be made.

Commissioner Starr, having read all the department reports, thanked the staff for all their details of snapshot of the efforts of what is going on and that he appreciates the staff and the people of the Village also appreciates the park district as well.

ADJOURNMENT TO CLOSED SESSION

Commissioner Doherty moved to adjourn to Closed Session at 8:29 pm for discussion of:

SECTION 2(c) (5): The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.

SECTION 2(c) (21): Discussion of Minutes of Meetings Lawfully Closed Under this Act, whether for Purposes of Approval of the Body of Minutes of Semi-Annual Review of the Minutes as Mandated by Section 2.06.

Seconded by Commissioner Klicka

Commissioner Starr called Roll Call

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

RECONVENE open session at 8:53pm

Commissioner Starr called the Roll:

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

TAKE ACTION, IF ANY ON MATTERS DISCUSSED IN CLOSED SESSION

The following minutes were recommended for approval by Commissioner Doherty:

January 22, 2020, February 12, 2020, April 30, 2020, May 20, 2020.

Commissioner Starr called the Roll:

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

The following minutes were recommended for release by Commissioner Starr and seconded by Commissioner Doherty:

January 22, 2020, February 12, 2020, February 25, 2015, March 18, 2015, April 29, 2015, September 23, 2015, October 21, 2015, June 28, 2017, January 17, 2018, March 21, 2018
April 25, 2018, May 23, 2018 Part 1, May 23, 2018 Part 2, May 29, 2018, May 30, 2018,
June 06, 2018, July 25, 2018, December 19, 2018

Commissioner Starr called the Roll:

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

Commissioner Klicka moved to adjourn the meeting; seconded by Commissioner Starr at 8:59 pm.

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

Respectfully submitted,

William J. Starr, Secretary