

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF COMMISSIONERS
OF THE PARK DISTRICT OF LA GRANGE, ILLINOIS
536 EAST AVENUE, LA GRANGE, ILLINOIS**

FEBRUARY 13, 2023

President Opyd called the meeting to order at 6:00 P.M.

PRESENT: Commissioners Vear, Posey, Chvatal, Opyd

ABSENT: Commissioner Lacey

STAFF PRESENT: Executive Director Jenny Bechtold
Director of Parks, Planning & Maintenance Blake Ertmanis
Director of Finance & Human Resources Cassandra Todd
Direction of Recreation Kevin Miller
Recording Secretary Linda Muth

OTHERS PRESENT: Attorney Derke Price
Becky Lorentzen, Bernadine Sims, Mike Remedi
Marian Honel-Wilson, Kevin McNichols
Nancy Bramson, Regina McClinton

*Commissioner Lacey arrived at 6:05 P.M.

President Opyd welcomed everyone to the meeting and asked for any announcements or changes to the agenda. He encouraged the commissioners to bring in their old board packets to be reused in the interest of sustainability.

Communications, Presentations & Declarations

Public Comments/Participation (Board Manual Section #152)

Bernadine Sims, 117 Washington, La Grange, stated that she got wind that the District plans to change the asphalt on the east side of the community center to grass. She stated that children, older people and physically challenged individuals depend on the asphalt for accessibility to enter the building for repasses, reunions, and other events. It also allows events to be set up indoors and outdoors, and grass will be a deterrent.

Director Bechtold confirmed that the District plans to convert the area to grass this spring, which will reduce maintenance costs. She stated that the building will remain accessible with the pedestrian walkway. Director Ertmanis added that the door on the south side in the back is also accessible.

Regina McClinton, 208 East Avenue, La Grange, stated that the asphalt area is also used as a social area and it will be harder for the community to enjoy with grass there, which will be trampled when people congregate. She had hoped that that side of the center would be beautified, and a seating area considered.

Consent Agenda

Commissioner Posey moved to approve Item 3.1 Approval of the Minutes of the Regular Board Meeting of January 9, 2023; Item 3.2 Approval of the Minutes of the Executive Session Meeting of January 9, 2023; Item 3.3 Approval of the Financial Reports dated January 31, 2023; and Item 3.4 Approval of the Consolidated Vouchers for February dated February 13, 2022. The motion was seconded by Commissioner Lacey and passed by unanimously by Roll Call Vote as follows:

AYES: Commissioners Posey, Lacey, Vear, Chvatal, Opyd
NAYES: None
ABSENT: None

Staff Reports

Executive Director Jenny Bechtold

- Director Bechtold reported that she is working on the 2023-2024 budget and will schedule a time to meet Friday with Commissioners Vear and Lacey of the Administration Committee.
- Jenny stated that she met with Babe Ruth on Monday as a follow-up to their meeting in November regarding maximizing field space. They did not have any quotes from Sportsfields yet so the timeframe for any field work they might do would probably be fall. Babe Ruth still wants both fields, and they discussed sharing space with Little League, converting the prep field to turf, and the District's concerns with them maintaining two large fields. She stated she does not think they understand the long-term planning and capital expense involved and asked them to prepare their plan. Jenny learned that the men's league that plays there has been renting field space from Babe Ruth for \$5,000 per year since 1998. The updated agreement states that rentals must go through the Park District. We will allow it this year but will revisit it next year, which may free up space. It was a good meeting overall and a couple of their board members understand the issues. She also reported that we have been trying to meet with Little League regarding their agreement for several months, but they wanted to wait to gauge the field use they need and are interested in a third field.

Commissioner Posey stated that it sounds like Babe Ruth and Little League are not talking to each other, which would benefit both. Jenny stated that after we meet with Little League the next step will be for all three organizations to meet.

- Jenny reported that AYSO recently installed a couple of sheds in Brookfield, and they have requested permission to install a shed at

Gordon Park. They would like to store bow nets which would eliminate goals all over the park, making maintenance easier there. It would be similar to a backyard shed and she will send the shed information to the Board. Director Ertmanis plans to talk to the Village about the proposal.

Commissioner Vear asked if it would be compatible with handball. Jenny stated that it would not be placed in the handball area. It would be placed in the northeast area and financed by AYSO. Commissioner Posey asked about the metal nets used by the Celtics and stated that groups should share so there are not multiples. Commissioner Opyd asked who would be responsible for maintaining the shed and stated that other groups could ask for the same. Jenny stated that it is all preliminary and we will explore logistics. It would be safer and more aesthetic than the current goals. She added that Brookfield has a memo of understanding regarding the sheds there.

- Jenny stated that an updated organizational chart follows her report in the packet to reflect adding the eighteenth budgeted full-time position. We will bring on a Facility & Operation Manager to fill a facility gap. Kevin has been working hard to assist in this area.
- She reported that grants have been announced and she is exploring the feasibility of applying for a PARC or OSLAD grant.
- Jenny stated that the Board must act by the May meeting to develop a Decennial Committee, which must be formed by June 10, 2023. It will consist of the current Board and two appointed residents and must meet 3 times each year. The meetings can take place at 5:30 P.M. prior to the regular board meetings but must have a separate agenda. IAPD is working on a model report for districts to use as a template to report their efficiencies, and the report must be submitted every ten years. It is an opportunity to showcase what we do. Once the committee is formed, we have eighteen months to produce the report. She encouraged the Board and staff to consider residents they know for the committee.

Attorney Price stated that IAPD is encouraging districts to wait until after the election to form the committee to know who the board members will be, but it does not apply here. This is an opportunity to form a farm team of those interested in the Park District. The annual report will contain information on what we are doing such as our annual report and intergovernmental agreements. We should not submit cookie cutter reports but should be self-marketing. As soon as the form is submitted the clock starts on the eighteenth month time period.

- Jenny reported that Willowbrook is looking to join SEASPAR, which will be beneficial to SEASPAR and all member entities.
- Jenny stated that she has been working through items for the fest and we have had a lot of pushback on the agreements for the bands and vendors. Two of the bands will not sign and state they do not carry insurance. The Board will have to decide if we want to reduce our requirements and increase our liability.

Attorney Price explained that we are a member of the PDRMA public fund pool and there are rules that members cannot waive subrogation to chase a wrong doer. He cited an example when Aces Demolition was negligent when they removed steel frames at a school and did not safeguard the wood shop, which blew up part of the school. Aces had a waiver of subrogation, so they were not held liable, and the taxpayers paid. The Sugarland stage collapse in Indiana is another example. When private entities use public land PDRMA wants us to manage risks by including a liability insurance requirement in the contract. It is not about the size of the event because any injury can be large. The District can take on more risk but could pay higher premiums or get tossed from PDRMA if there is a problem. The bands do not want to be accountable for the space. Some things they object to are required by law when public dollars are paid, such as having a sexual harassment policy. PDRMA has insurance policies available for them to purchase to assist with smaller groups and manage the risk, but the Board must decide if there is a point where we would accept increased risk. Jenny added that we sent them the link for the PDRMA insurer and that a policy would be \$600-\$800 for each vendor for our size event of 5,000 people per day.

The Board discussed the District's liability for the fest. Commissioner Posey stated that the requirement sounds reasonable to us, but the bands have indicated they do not customarily do this. They do not have attorneys to advise them, and they do not get paid a lot. We are obligated to balance our risk and have a safe event but should be prepared for the consequences if the bands refuse and consider if the event is worth the extra money. She asked if the Board is being asked to subsidize their refusal. Attorney Price answered that the District would take the risk, not purchase the policy for them. Director Bechtold added that this year is different since we dealt directly with the bands and did not use a contractor to book them, though we have learned that the contractor was not providing insurance either.

There was Board discussion of going through a promoter, though it is too late for this year, and promoters may not provide insurance either. They also discussed risks associated with the bands, vendors, and stage set-up, as well as improving our messaging in the process to explain why insurance is necessary. Jenny stated that it is the local bands that will not sign, and they say they cannot purchase insurance because they are not LLC's. We are running out of time and must come up with a solution to have the fest this year. Attorney Price stated he has not encountered this resistance of vendors to agree to things required by law in other districts. We have gotten into bad habits with the fest and must break them but are up against the wall with time this year. He added there was also pushback when the bands were asked to be aware of copyright infringements. We can argue that the law is part of every agreement, but that is not the best practice and items should be articulated in writing. The education piece is right to do, and we can cover our exposure with an event policy for the District. Jenny stated that we could have the smaller bands that do not have insurance sign a waiver.

President Opyd asked Jenny if she needed guidance from the Board. She stated she did in order to move forward and accept the risk. She added that our risk is more managed than last year. Commissioner Chvatal stated he was okay with the local bands not having insurance. Commissioner Posey added that we may be able to convince them by August. President Opyd concluded the discussion by telling Jenny to proceed down the path with legal and the Board understood we would be taking on more risk this year.

- Jenny stated that we receive requests from the community to use Park District items such as LGBA borrowing our golf carts and the Legacy Guild requesting our stage for their fundraiser. We get COI's and have no problem helping. We have recently received a request to borrow our stage for 11 days from a for-profit group that is not local. We struggled with it and discussed internally that if we agreed there would be a rental fee since they will make money on it.

Attorney Price stated that we should develop a policy. It is similar to when a for-profit uses public space, excluding the general public from using it, such as outdoor yoga or private pickleball lessons on our courts. It is worse when it is a competing organization using the space. Commissioner Vear added that if we make items accessible for use, fees should be set. Jenny stated we would investigate a policy. We want to see where this goes and make sure we are reimbursed for any damages. In the past we lent a golf cart, and the charger was missing upon its return.

Director of Finance & Human Resources Cassandra Todd

- Director Todd reported that we have yet to receive the 2022 distributions from the levy. In January we collected 99% of the 2021 property tax distributions at \$729,000.
- Cassandra stated that the administration committee has been meeting and is on track with the budget. She has been combing through items in detail with Jenny.

Jenny stated that the 2022 levy tax bill will go out in April.

Director of Recreation Kevin Miller

- Director Miller reported that we made an offer to a recreation supervisor applicant today.
- Kevin stated that we will be the premier sponsor again this summer for the LGBA summer art project.

President Opyd commented that is happy to see the numbers for the fitness center going up.

Director of Parks, Planning & Maintenance Blake Ertmanis

- Director Ertmanis reported that the auction for the surplus items approved in May brought in \$7,845 with 25 items sold. The chipper was the highest at \$3,300. A new resolution is being proposed tonight to allow the sale of additional surplus which will include vehicles, and he hopes to conduct the sale by April.

President Opyd referenced the fencing for the splash pad in Blake's written report and asked to revisit a comment he made prior to serving on the Board. He had requested seating for parents at the splash pad and was told it was not allowed due to statute, however, Ty Warner park has a splash pad with seating. He encouraged that space for a bench be considered when determining the fence location. Blake stated that the fence would not hinder the installation of a bench but he would need to explore if there was a statute preventing it.

Attorney Report

Attorney Price stated that he had nothing additional to report.

Treasurer Report

Director of Finance Todd had nothing to add to her staff report.

Action Items

Discussion and/or Approval of a Renewal of a Three-Year Agreement with Lauterbach and Amen for the Park District Audit Services

Director Bechtold stated that we have been working with Lauterbach and Amen since 2011, and they send new auditors each year for fresh eyes. With the recent finance transition from Leynette Kuniej to Cassandra Todd it would be best to remain with them. They are familiar with us, and Jamie is great. She was very helpful when we were seeking a new finance director and in aiding Cassandra. There has been a slight increase in fees.

Commissioner Vear motioned to approve the renewal of a three-year agreement with Lauterbach and Amen for the Park District Audit Services. The motion was seconded by Commissioner Chvatal and passed by unanimously by Roll Call Vote as follows:

AYES: Commissioners Vear, Chvatal, Posey, Lacey, Opyd
NAYES: None
ABSENT: None

Discussion and/or Approval of Resolution 23-01, Declaration of Surplus

President Opyd stated that Blake discussed this earlier in the meeting and provided a list of items in his written report. Blake added that many of the items have been sitting around for a long time and other newer items are not often used.

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Commissioner Posey motioned to approve Resolution 23-01, Declaration of Surplus. The motion was seconded by Commissioner Lacey and passed by unanimously by Roll Call Vote as follows:

AYES: Commissioners Posey, Lacey, Chvatal, Vear, Opyd
NAYES: None
ABSENT: None

Board Business

Old Business

None

New Business

Discussion and/or Approval of the Tree Advisory Committee Formation and Meeting Date

Director Bechtold stated that the urban forestry management plan that was previously approved requires an annual meeting, and the previous committee consisting of Commissioner Vear and former Commissioner Jacobs must be updated. It could be a Tree Committee and would fit well under the Parks and Facilities Committee manned by President Opyd and Commissioner Vear. The meeting could be held at 5:30 P.M. prior to a regular meeting, and the remaining board members could come at 6:00 P.M. Commissioner Lacey stated that she would also like to attend the Tree Committee meeting.

Commissioner Vear motioned to approve moving the Tree Committee under the Parks and Facilities Committee with the first meeting to be held April 17, 2023. The motion was seconded by Commissioner Chvatal and passed by unanimously by Roll Call Vote as follows:

AYES: Commissioners Vear, Chvatal, Posey, Lacey, Opyd
NAYES: None
ABSENT: None

Director Bechtold reminded everyone that the April board meeting will be held at the community center.

Committee Reports

Administration Committee

Commissioner Lacey had no report at this time.

Parks and Facilities Committee

President Opyd and Commissioner Vear had no report at this time.

Recreation & Cultural Programming Committee/Arts & Cultural Affairs Committee

Commissioner Posey stated that they have not met but that we are hitting pause on the yarn bombing project with the La Grange Art League; they need more education on the insurance requirements.

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Director Bechtold added that she spoke with Jan who indicated they are having a board turnover and will revisit it in January-February 2024. They also had enough squares for only two trees and want to expand. She also stated that the Community Diversity Group did not have the agreement ready yet and hopes to present it in March.

Public Comments (Board Manual Section #152)

None

Board Comments

Commissioners Vear and Posey had no additional comments.

Commissioner Chvatal stated that he was here the first couple of Saturdays for basketball and it is a great program; he cannot wait for the additional parking.

President Opyd thanked the community members for coming out to the meeting; he appreciates their attendance. He also thanked staff, and stated he is excited to start the parking lot project which should be ready for basketball in the fall.

Commissioner Lacey thanked the public for coming out; we see improvements when people get involved. She also stated she appreciates the hard work of staff.

President Opyd stated that the Board will move to executive session for Item 12.4 Personnel.

Executive Session

At 7:11 P.M. Commissioner Chvatal motioned for the Board to convene to executive session pursuant to Item 12.4 Personnel 5 ILCS 120/2 (c)(1). The motion was seconded by Commissioner Posey and passed unanimously by Roll Call Vote as follows:

AYES: Commissioners Chvatal, Posey, Lacey, Vear, Opyd
NAYES: None
ABSENT: None

At 8:36 P.M. Commissioner Lacey motioned the Board arise from Executive Session and Commissioner Posey seconded the motion, which passed unanimously by Voice Vote.


The Board resumed the regular meeting at 8:36 P.M.

Action on Items Discussed in Executive Session


None

Adjournment

Commissioner Chvatal moved for adjournment at 8:37 P.M. The motion was seconded by Commissioner Lacey and passed unanimously by Voice Vote.



Brian Opyd, President



Jennifer Bechtold, Board Secretary

Approved March 13, 2023