



Kankakee Valley

PARK DISTRICT

Kankakee Valley Park District Board of Commissioners Meeting June 22, 2020

The Board Meeting was called to order at pm 5by President Bill Spriggs. Those present (in person or via Zoom) for roll call were Commissioners D. Mullady, D. Palmer, A. Hollis (arrived at 5:52pm), D. Skelly, and B. Spriggs. Staff present: Executive Director, Dayna Heitz; Superintendent of Buildings & Grounds, Rick Collins; Attorney David Freeman; Superintendent of Recreation, Melissa Woodard.

Public Present (in person or via electronic means): Chris Breach, Mayor Chasity Wells-Armstrong, Andy Wheeler, Neil Piggush, AJ Ruthenbeck, Bruce Brown, Jeff Montanari, Ariana Padilla, Kyle Burton, Nick Petroski

PUBLIC COMMENT

NA

COMMUNICATIONS

Leopardo Construction & Farnsworth Group Inc.

Project Manager – Leopardo, Jeff Montanari & Tyler Nassar

Jeff: Thankful for the opportunity to present. General update of what's going on at Splash Valley and what's left to finish up. Pretty much completed with base contract work. Couple leaks that were detected that could have been due to a failed winterization in the plunge pool and other various. Can make 100% of the repairs so won't be any headaches with leaks next year. Lots of local trades. New concession windows. Cleaned up where there was a racoon infestation. Locker room building has updates. Most of the work was in the filter room. Lazy river is not there anymore. Demolished and refilled. The volleyball court was moved to the east side. New fencing and patio. Overall facelift of Splash Valley. Thought the team worked well and appreciate Dayna's communication and collaboration. Was able to get ahead of issues early on. Moving forward and are taking care of the leaks. Had some contingencies set aside but there are always things that come up. Didn't end up spending all of that so looking at other things to take care. Training will be set up soon. There will be a lot of time for KVPD to train and practice and dial down on chemical levels and mechanical.

Site Supervisor – Leopardo, AJ Ruthenbeck

Local companies have been great.

Design & Engineering – Farnsworth Group, Bruce Brown

Very impressed. Knew it would be a difficult project from the beginning. No one envisioned Covid. This project has been able to keep going and Leopardo has done a great job. Did run into some things that weren't anticipated. Issues have been minimal. Pretty happy with where we are. Hoping we don't find any more leaks or issues. Know there is a pretty shallow water table there and will have more knowledge on how to manage that.

Commissioner Mullady asked if with the unforeseen issues, what does the budget look like? Jeff said there were some things we took out at the beginning so there was a contingency. We are covered for the leaks that came up. If there are things that can be added later, it was covered from the beginning and we have stayed within budget. Bruce said that's huge that it stayed at budget. It's rare for that to happen.

AJ Ruthenbeck described some pictures from Splash Valley. Commissioner Skelly thanked Dayna for keeping it under budget, know it took a lot of time and managin. Thanks to construction management team for using local companies and getting everything done. Bruce said we dodged a bullet with the lazy river. Turned out a lot better than they thought originally. Lazy rivers are normally high maintenance and you did a good thing by getting rid of it. Commissioner Mullady asked about winterization with concrete. AJ answered. Dayna said Rick has the CPO and Melissa has the AFO. Bruce said you are in great shape then.

City of Kankakee Hobbie Rd. Improvements

Mayor Chasity Wells-Armstrong – City of Kankakee

Very excited about the project. There is an area of that road that floods when it rains. Some curbs are not ADA accessible. Will add lighting for public safety. City adopted bike lanes. We are not asking for money for this project.

Neil Piggush – Piggush Engineers on behalf of the City of Kankakee

Lots of truck traffic. Adopted a bike plan. Proposed section has been broken up in 2 sections. Court Street to Willow will have 5-foot bike lanes and will have center turn lanes and dedicated lefts. Will make it much safer. Sidewalks down the entire stretch. Parking along Hobbie will be eliminated. Really want to encourage safety. Will to Fair will widen drive lanes and shared bike lanes. Dedicated left. Commissioner Spriggs asked what is expected of the park district? Neil said right now just wanted to keep you updated. Just a preliminary plan right now. Director Heitz asked how we would do the right away dedication? Neil said they would handle that.

Lighting improvements and pedestrian improvements will make things safer. It is federal funds so don't need a letter of support from the district.

CONSENT AGENDA

Consent agenda for Monday, June 22, 2020 consists of special meeting minutes, board meeting minutes, bills payable, financial statements, change order Maverick Pools, change order for extension to project schedule, and Splash Valley construction contractor's payment.

A motion to receive consent agenda was made by Commissioner Skelly, seconded by Commissioner Spriggs. Upon roll call vote the following Commissioners voted aye: D. Mullady, D. Skelly, and B. Spriggs, D. Palmer. With 4 ayes, 0 nays, motion carried. Absent: A. Hollis

A motion to approve special meeting minutes (May 11, 2020) and board meeting minutes (May 26, 2020) was made by Commissioner Skelly, seconded by Commissioner Spriggs. Upon roll call vote the following Commissioners voted aye: D. Mullady, D. Skelly, and B. Spriggs, D. Palmer. With 4 ayes, 0 nays, motion carried. A. Hollis absent

A motion to approve bills payable was made by Commissioner Palmer, seconded by Commissioner Spriggs. Upon roll call vote the following Commissioners voted aye: D. Mullady, D. Skelly, and B. Spriggs, D. Palmer. With 4 ayes, 0 nays, motion carried. Absent: A. Hollis

A motion to approve financial statements was made by Commissioner Skelly, seconded by Commissioner Spriggs. Upon roll call vote the following Commissioner voted aye: D. Mullady, D. Skelly, B. Spriggs. Nay: D. Palmer. With 3 ayes, 1 nay, motion carried. Absent: A. Hollis

A motion to approve change order Maverick Pools, Inc. material and labor fiberglass for grating for gutters of \$15,700 was made by Commissioner Skelly, seconded by Commissioner Spriggs. Discussion: Director Heitz said this is the fiberglass grates within the gutter. It is a combination with the clip and bar. Should be easy to remove for winterization. That is supplies and install, all inclusive. Jeff said it also includes removal too.

Commissioner Hollis arrived at 5:52pm.

Upon roll call vote the following Commissioners voted aye: D. Mullady, D. Skelly, A. Hollis, and B. Spriggs, D. Palmer. With 5 ayes, 0 nays, motion carried.

A motion to approve change order-extension to project schedule and substantial completion due to unforeseen pool piping leaks underneath the concrete slab (6 week extension 7/31/20 new substantial completion date) was made by Commissioner Skelly, seconded by Commissioner Spriggs. Discussion: Director Heitz said these are changes due to the unforeseen leaks. Does extend it 6 weeks to July 31. Don't see this as an issue since we aren't opening this year and are getting things taken care of correctly. Jeff said the extension is due to the leaks we encountered. Upon roll call vote the following Commissioners voted aye: D. Mullady, D. Skelly, A. Hollis, and B. Spriggs, D. Palmer. With 5 ayes, 0 nays, motion carried.

A motion to approve Splash Valley Construction contractor's payment was made by Commissioner Palmer, seconded by Commissioner Hollis. Discussion: Director Heitz highlighted the current invoice. \$278,273 will be paid. Upon roll call vote the following Commissioners voted aye: D. Mullady, D. Skelly, A. Hollis, and B. Spriggs, D. Palmer. With 5 ayes, 0 nays, motion carried.

OLD BUSINESS

Riverfront Update

No update

Board Policy

On hold.

KCC Fitness Center

On hold.

45/52 Sign

Director Heitz spoke to Dr. Boyd and both agreed this is more complex. Their marketing students are not capable at this time and agreed this shouldn't be a priority. With Covid-19, there is too much going on. Their lease expires December 31, 2020. The lease is a different subject matter than creating a sign for the corner but will be bring the lease up closer to the expire. Commissioner Mullady asked about the fitness center lease. The original lease is for 20 years and doesn't expire until 2025. Commissioner Palmer said it started in 2005. The first 3 years was \$37,500. The 4th & 5th lease went down to \$1. KCC had the right to renew but the Park District did not have the right to withdrawn but didn't stop the district from raising the rent above \$1. Attorney Freeman will review the contract. Commissioner Palmer asked the contract to be sent out to all commissioners.

Cell Towers

Director Heitz said the tower at Potawatomi is a 15 year agreement. We were paid up front for that. Nothing that can happen with that. Did get ahold of the other 2 lease agreements. Haven't gotten a change to read yet. Commissioner Palmer asked if they have the responsibility for removal? Will look into that.

Employee Policy Manual

Still in draft form. Making some changes. Discovered we were missing some policies that we approved last January. Want to make sure it's up to date and all inclusive with state laws.

Splash Valley

See report

Comprehensive Master Plan

Did go out for RFP. Sent out 9 invites. Received 1 back from Design Perspectives out of Naperville. Know they do a good job and it's all inclusive. It would cost \$60,000. Only one company responded with why they wouldn't submit. Hitchcock said there was no way they would be competitive. They were talking about over \$100,000. Commissioner Palmer doesn't feel comfortable moving forward. Would like to provide a file from Lisle to other commissioners. Look at price point for usage. Gets the board focused to know what the right cost is to charge. Recommend holding off. Commissioner Skelly asked if the board wants to be more reactive or 100% proactive. Proactive costs a lot and not sure we are ready to be that yet.

Executive Director's Contract

Pending

Discussion of facilities and operations-COVID-19

Did receive the information from the Governor for Phase 4 reopening. All pavilions. Bird building, Goselin and Jeffers could allow for rentals under 50. Also looking at what to do with Ice Valley. Do we bring back staff? Did meet with KYHC but have not heard anything back from them regarding registration. Might not even be able to have games until October or November. They could do practice. We could split the ice and service them and continue social distancing. Commissioner Mullady said if the leagues don't come back you don't get enough money. Hate to rush it. Attorney Freeman suggested letting the hockey club know what your drop-dead date is for them to either commit. Commissioner Mullady said we could postpone until we know for sure. Save the money. Director Heitz said we aren't just hockey and we service the community. Are we taking away another piece of recreation? Should we be supplement.

Commissioner Skelly said justifiable so and we can't supplement right now. We would be crazy to open the ice arena. The league may not play games even though they are practicing. Director Heitz said we are slowly going to start adding portolets in parks, as needed, because they are so costly. If people are renting pavilion, they need a bathroom.

NEW BUSINESS

Union Agreement 2020-2023

A motion to approve the Union agreement 2020-2023 was made by Commissioner Hollis, seconded by Commissioner Skelly. Discussion: Commissioner Mullady thought we were in agreeance and thought we should be giving them 5%. District gave 2.5% which is not even cost of living. Can justify taking 5% for yourself but not for employees. Why is it good for you and not them? Director Heitz said her position is much different. It was never agreed on or a directive given. You said it but that's not a directive. I work for the board as a whole. Commissioner Mullady said no one disagreed. Director Heitz said that doesn't mean it's a vote. Attorney Freeman said this should be discussed in executive session. Table until then. Commissioner Mullady said you are only as good as your employees and that's a spit in the face. Director Heitz said when you go into negotiations you don't start at the top.

Kankakee Riverfront Society Board

A motion to approve someone as representative to the Kankakee Riverfront Society Board was made by Commissioner Skelly, seconded by Commissioner Hollis. Commissioner Hollis asked how many board members can we have? 1. Executive Director is on both. Commissioner Skelly asked if there might be someone from the community that would do this. Director Heitz will let them know we don't have anyone at this time.

Kankakee Riverfront Implementation Team-KRIT

A motion to appoint Commissioner Dave Skelly as representative to the Kankakee Riverfront Implementation Team-KRIT was made by Commissioner Hollis, seconded by Commissioner Spriggs. Upon roll call vote the following Commissioners voted aye: D. Skelly, A. Hollis, and B. Spriggs, D. Palmer. With 4 ayes, 1 nay, motion carried. D. Mullady: nay.

Melrose Pyrotechnics Agreement

Also have Chairman Andy Wheeler here. We are going to be able to do fireworks for the 4th of July. Thanks to the funds from Chairman Wheeler. Commissioner Skelly thanked him for doing this. Chairman Wheeler said this is a partnership. Director Heitz said we have met several

times. There is a lot of planning. Working on signage now. No one from the public. Received verbal direction from commissioners prior. This is ratification.

A motion to approve Melrose Pyrotechnics agreement for fireworks on July 4, 2020 was made by Commissioner Skelly, seconded by Commissioner Mullady. Upon roll call vote the following Commissioners voted aye: D. Mullady, D. Skelly, A. Hollis, B. Spriggs, and D. Palmer. With 5 ayes, 0 nays, motion carried.

Heil Park Basketball

Director Heitz said we had a situation at Heil Park. There is a basketball hoop there. We are being told that kids are speeding down the street to get to the court. This time it was reported that the sheriff was there. Kids were playing and one of the neighbors called and said the hoop was taken down. We called and made a police report. When our staff were there for the report, a different neighbor stated that the person that took them down is mad because the kids are speeding. Have had emails asking when the hoops were going back up. This is not a city issue, it's sheriff. Commissioner Mullady asked if we can get special bolts to put them up that would prevent theft. Rick will look in to that since we don't have any. Commissioner Hollis said people shouldn't be penalized. Need to get the hoops back up. Then we will be doing everything we can to service the community. Commissioner Mullady said get the license plates and turn them in. Commissioner Skelly said you would need a witness to write a citation and this is out of our jurisdiction. Continue to monitor with our staff, if possible. Commissioner Mullady asked if we could get a trail cam? Commissioner Skelly said we still want to be able to provide recreation.

STAFF REPORTS

Superintendent of Buildings & Grounds

Rick Collins: Will look into rims with locks but will put rims back up. Continue to service the parks with garbage and mowing. Eliminated pot holes at River Road with cold patch. Assisting with 4th of July. Opened up the campground. Commissioner Spriggs asked about the trees at the Civic that were stump grinded, can they be filled in? Yes. Can we also get a couple picnic tables at the Civic? Yes. Commissioner Spriggs asked for when you get more staff, can they work on the river banks and Quarry? Will work on that.

Superintendent of Recreation

Melissa Woodard: Worked with SKDO on cleaning up QuickBooks and closing things out for fiscal year. Been preparing for the audit. Pulling paperwork and the records that will be needed for their field work. Also preparing for IMRF audit.

Executive Director

Dayna Heitz: KCCVB continue to amend their budget. Will be approving a new budget year. Cleaning and purging their office. Inventory and then move out. Received current financials. Held back on finishing budget. Can't possibly finish when don't know what direction we are going. Working on adding to chart of accounts to drill down and print different reports. There are multiple categories. Then will program them within QuickBooks. Also have the recreation fund as a whole. Worked with Marcie at SKDO and they will be out in a couple weeks for audit fieldwork. Also have an IMRF field audit. They do not come on site anymore. Speer financial info was in packet. Working on our bonding. In light of not knowing where our taxes are and not receiving much recreation, be conservative with a rollover bond. Not sure that will cover the compressors next year. Do have to do a rollover bond. The next year we would have more flexibility. Commissioner Hollis asked if the audit will be on time? We are starting earlier than we did last year. Field work will be in a couple weeks. Campground is open. Will move forward on working with Speer.

COMMITTEE REPORTS

KCCVB Report

D. Heitz: See staff report.

Historical Society Report

Commissioner Spriggs: No update.

SRA

Commissioner Palmer: Approved the budget. Tom has been doing virtual programming and trying to engage the participants. Social distancing makes it difficult. Starting a small summer camp.

COMMISSIONERS FORUM

Commissioner Spriggs said Director Heitz and her spoke. She was very upset. Communications between her and a board member that may cause her not to want to renew her contract. Director Heitz would like to request the board to not have communication with Commissioner Mullady outside of this board meeting because he is a bully, harasses, and calls names. In an email he called her a liar several times regarding the union contract. Quoted the email. Continuously is called a liar. I am not. Was called a liar because of a comprehensive capital plan. Never said we had that. We put together a capital list by staff and board members. Tired of being bullied or harassed. He can email questions and she will respond in a board meeting. This is not the way you treat people. This is supposed to be a professional board.

Commissioner Hollis said if you don't want to deal with him, there still should be communication. Is there any way he could talk to the board president and he could bring it to Executive Director? Yes, that works. Still want his concern to be met. Commissioner Skelly is uncomfortable without hearing Commissioner Mullady's side before we vote on communication with the director. Commissioner Mullady said has caught her in non-truths. Talked about the staff saving a life at ice valley which was a lie. It was a mother that was a nurse that brought him back to life. Why even lie about it? She tells partial truths and not telling you everything. He continues to bring up facts but no one wants to hear it. When we voted on her raise, he said to remember this when it comes time for the union. Very clear on it. Then she went and did whatever she wanted anyway. If I call her out on it then I supposedly want a job at the ice rink when I don't. I continue to point out the non-truths but you don't want to hear it. Now she feels victimized. The numbers she gave isn't jiving and she goes back to redo them, that's not how things work in the real world. Don't get to change things to make them right. Commissioner Spriggs read the email. There is a way to state your complaint and there is no excuse for this. Commissioner Mullady has caught her in several lies. Director Heitz said you feel that I tell partial truths? I'm giving you the information that I have. Commissioner Mullady asked how many times before you get it right? Call her a liar on several things. The union thing upset him. Not generous to the 2 union employees you have but it's ok for her to get 5%. She lied about the freon at Ice Valley too. Commissioner Spriggs said there is no excuse for this email. Even if what you said was true, if you changed your approach you might be more successful. Commissioner Mullady said I'm not apologizing for it. Commissioner Spriggs said I didn't ask you to. Commissioner Mullady said so that means you'll listen and stand up for what's right if I'm nicer? You haven't done it all year. Commissioner Spriggs said why would I? You complain about everything and you just name call and why would I waste my time. Attorney Freeman said Commissioner Hollis made a suggestion. How do the other members feel?

Commissioner Palmer said we don't reside in Russia to try to sensor people. Understands the open meeting acts but to have one on one dialog with a board member, whole heartedly support. This is like 1st grade where you can't do this or can't do that, and it's not reality.

Commissioner Skelly asked if the board has a right to sensor a board member? Attorney Freeman said they do have the authority to sensor. But they don't have a right to force him to communicate a certain way.

Commissioner Mullady said didn't you get a nasty letter from Susan about Commissioner Hollis and the union? Isn't that more important? Commissioner Hollis said he talked to Mike Smith,

and he made a recommendation that he didn't agree with. He wanted to give our lower worker a double raise from our other worker. We had words. Didn't agree and told him that. They wanted to give him double the raise he gave the long-time employee. That was it. Wasn't anything big.

Attorney Freeman asked if the board wanted to make a recommendation as far as communications between him and Executive Director. Commissioner Hollis gave his recommendation. Commissioner Skelly thinks as the Executive Director of a park district, you have a lot of responsibility. You have a lot going on. You know everything that is going on. You are supervisor and you are the one we have given the authority to operate the business. Wish there was a way we could become a professional board and have a productive meeting. Lots of bickering and arguing. Don't like functioning like that and don't like giving up my Monday night for that. Support that you should not feel like you are being bullied. Also had issues previously with the board with the prior Executive Director where I felt like I had no say. If everyone could be more civil or have someone else review an email before it sent. Commissioner Spriggs kind of agrees on that. Doesn't want to get emails from a board member that's having issues with our Executive Director. Commissioner Hollis said at the same time, you are the board president so you are the go-to person. You are the leader of the board. He may not have to send an email. He might be able to call you and discuss it and you can choose to do what you want with it. We are trying to make this board professional. We can get it back just by doing that. Don't want to say his points aren't valid or that he has nothing to say, we need to hear him out. Hate she is feeling that way but need to accommodate him and her. That's a way to accommodate both and get some of our professionalism back. We are 2 hours in and haven't gotten much done. Commissioner Skelly said when Mullady came on the board, he didn't know how to approach issues in the correct way. Possible he has a frustration and he doesn't know how to get it out. Derek is Derek. Certainly, don't want any more issues with this board, don't want to be on the front page of the paper or legal issues. Maybe have someone read an email before it's sent. Or cool off before. Truly want Dayna to feel supported. Get the feeling you feel like you aren't. Executive Director said she doesn't feel that from all the members. Commissioner Mullady said that is earned. Executive Director does feel truly harassed and bullied. Said it for a while. Commissioner Palmer said this dynamic is not unfamiliar. Feel pretty comfortable with it. May not be for everyone else. Been in an environment where you had to fight like hell to get your point across. Understand and have been in environments where he felt undermined, but asked myself if I learned something from it. He's learned a lot from Commissioner Mullady. His methodology may have some rough edges to it. I have to own that I put my own shield and don't have to take in how someone reacts. Don't have to buy in. Unless someone is threatening. Attorney Freeman said with all due respect, that's just not the way the law looks

in 2020. The law doesn't look at it. If she feels harassed or bullied, that's going to be a problem with liability for the district. Commissioner Mullady has brought up some interesting points but what this is about is not whether it's a good point, it's the way he does it. As an attorney, a lot of what we talk about is civility. Doesn't mean that in the courtroom I don't argue. It means that I respectfully disagree with his argument because of.... If you say things in a different way, it comes across better. Would be concerned with saying that it doesn't mean if she's not being physically threatened, that it's not valid. Whether you want to go with Commissioner Hollis' suggestion or the Executive Director's suggestion, not sure. Where are we going to go from here so that we don't have these problems? Commissioner Mullady said he is stepping back he would never do harm. Not bullying her and am offended. Don't appreciate being called it and it's far out of line. Attorney Freeman suggested see what happens between now and July meeting. If another issue will bring it to the board. Commissioner Mullady said you are basing the bullying off one email? Director Heitz said she has text messages, emails and been in multiple meetings. Attorney Freeman said this is how you feel, no matter how others see it. Suggestion, play it month by month. All the Commissioners are now aware. That works. Commissioner Mullady said (sarcastically) he's a bully and he has no say.

Chris Breach asked if the playgrounds are open? Friday they will open. Director Heitz said we will post signs for social distancing and hand washing and limits up to 50 people.

EXECUTIVE SESSION

A motion to go into Executive Session regarding collective bargaining and personnel at 7:20pm was made by Commissioner Skelly, seconded by Commissioner Spriggs. Roll call. All ayes. Upon roll call vote the following Commissioners voted aye: D. Mullady, D. Skelly, A. Hollis, and B. Spriggs, D. Palmer. With 5 ayes, 0 nays, motion carried.

Director Heitz departed the meeting at 8:00 pm

Director Heitz rejoined the meeting at 8:55 pm

A motion to close executive and reopen the regular meeting was made at 8:57 pm by Commissioner Skelly and Seconded by Commissioner Spriggs. Upon voice vote, all ayes, motion carried.

A general census and direction were given to Director Heitz in agreement for the collective bargaining unit employees to each receive a 3% increase per year for the 3-year agreement.

ADJOURN MEETING

A motion to adjourn the meeting was made at 8:59 pm by Commissioner Skelly, seconded by Commissioner Spriggs. Upon voice vote, all ayes, motion carried.

OFFICIAL REPORTS:

1. Special Meeting Minutes (May 11, 2020)
2. Board Meeting Minutes (May 26 2020)
3. Bills payable
4. Financial Statements
5. Change order Maverick Pools
6. Change order-extension of Splash Valley Project Schedule and Substantial completion
7. Splash Valley Construction contractors' payment
8. Union Agreement
9. Melrose Pyrotechnics Agreement
10. Staff Reports (Superintendent of Building & Grounds, Superintendent of Recreation & Executive Director)

Respectfully submitted: Melissa Woodard