

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

SEPTEMBER 18, 2008

President Metzger called the meeting to order at 7:43 P.M.

PRESENT: Commissioners Walsh, Penicook, Metzger, Ashby
Kelpsas

ABSENT: None

STAFF PRESENT: Executive Director Dean Bissias

OTHERS PRESENT: Susan Friend from Seaspar, Kevin Shields, Harlan
Hirt, Jim Pluta, Thorn Rae

President Metzger welcomed everyone to the meeting and asked for changes to the agenda.

Public Hearing Regarding the Intent of the Board of Park Commissioners to Sell \$288,000 Non-Referendum General Obligation Limited Tax Bonds (Bina Hearing)

President Metzger explained the bonds would pay off \$210,000 debt of the Rec Center and \$78,000 would pay for other capital projects. These bonds are sold every year to raise monies to retire debt obligations. They do not increase taxes.

Communications

Addresses from the Audience

Harlan Hirt, a resident of La Grange, discussed the following:

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Statement for Park District of La Grange Sept 18, 2008

I began this statement with two points in mind, but it has been expanded as I discovered the announcement of the referendum regarding Gordon Park. My first part has several questions, which I will specifically repeat at the conclusion, to see if I can get answers tonight, or if I have to pursue other action.

In my attempt to get caught up on the District events, I accessed the list of available minutes on the web site last week. Only those through May were listed. Therefore I stopped at the office and requested to see the June and July minutes. I was asked to fill out a freedom of information form. I do not think one should have to do that to access approved Board minutes.

The good news is that this week, the June and July minutes have been posted on the web site. However, reviewing these raises several more questions. There is a pattern of adjourning each meeting to an executive session, and minutes of those sessions are approved at the subsequent meeting. However, nothing appears to be done at the regular meetings as a result of the executive sessions. As I understand the process, if something is agreed to in executive session, it must also be introduced and acted upon at an open meeting. I have trouble finding any actions over the past four months that would have justified having an executive session. One therefore must ask if these approved minutes are available to the public, so we can learn the nature of the sessions.

Then I note that there was a special meeting of the Board on July 7, and those minutes were approved at the August meeting. However, they have not been posted for public information.

As of noon today the agenda for tonight's meeting was not available, even though the site said it would be up on Sept 15, so I am assuming, based on the past pattern that minutes of these past two meetings are on the agenda.

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My second purpose of attending tonight was to get ready access to the minutes of the August regular meeting and the special meeting of August 30, which was addressed in the local paper and cited in the announcement that canceled a special meeting, so I might understand the pending referendum. Perhaps these might add nothing to what I found on the web site this week, but still would be of interest.

While the paper identified that there would be a referendum, it appeared to link this to the fact that a court had ruled that

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indeed more than 3 acres was being sold, and therefore this was a requirement in IL statutes i.e., "that a portion of Shawmut Avenue vacated by the village in 1952 should be considered part of the parcel of land for sale." - (quoted from Sept 3 Suburban Life) Needless to say, it was very surprising that the referendum only addresses 2.82 acres. This would appear to be a continuation of the ruse that the trading of additional land to the Village does not constitute a sale. As long as the District is going to a referendum, it should acknowledge that the effective loss of park land is currently defined as 3.58 acres and should seek the public's approval of this amount. (One reasonable design option would increase this by an additional 0.10 acres, but I'll pursue that with the Village.) While I still am neutral as to how T will vote regarding the sale of land (if it were the 3.6 acres), I feel I must continue to oppose the scheme to suggest that the Village should cede a parking lot to the District to facilitate the development. The Village has not yet debated or approved this swap, and I will continue to recommend that they not trade away a parking lot to seal the deal. Why the District wants to acquire the parking lot and assume the responsibility to maintain it has never been made clear.

The District received an evaluation that 3.9 acres of Gordon Park was worth \$6,070,000. Without getting specific as to whether some part is worth more than others, an estimate for 2.82 acres would be \$4.4 million or 3.6 acres would be \$5,600,000. Therefore, one can conclude that the developer has recognized the deal that was hatched to avoid the direct sale of 3.0 acres, and is willing to pay for the land it should have bought, but will instead get for free.

While I will note that the District has identified on the web site that it will receive between \$6 and \$6.5 million in compensation, and does list the contingencies; because this is now in the public arena, it is timely for the District to release the specific information on how much cash and how much is the other considerations. Also as a member of the District, I think it would be reasonable to have a clear definition of what the District plans to do with the funds, and most citizens who may vote for approval should expect that information.

The proposed development defined that three parcels would be purchased from the Park District, but the referendum information only includes two. While this third parcel was small, defined as 0.01 acres, it was key to giving the developer contiguous properties. It is not clear if this is a requirement, but it would appear to have ramifications regarding re-zoning since if

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the developer will not own it, they cannot ask for it to be rezoned as they have done.

It might help communicate if there were an explanation of why the two parcels are described as Parcel 2 and 3, i.e., what happened to it? It is interesting to note that these current descriptions are the same as in the developer's survey, although they have been edited to specify that vacated Shawmut Ave is excluded, even though it is not included in the survey descriptions provided by the developer. Parcel 4 is described on the survey as the small, third parcel discussed previously.

And finally, in the interest of truthful information, it is noted that the web site states that the building and pavement occupy 1.1 acres of the smaller site. This cannot be, since the acreage of that parcel is only 0.78, and it is doubtful that even one-half is covered by the building and pavement.

As identified earlier, the specific questions arising at this time from this exploration of information are:

1. Can one inspect minutes of Board meetings without filing a freedom of information request or is it Board policy that even such public documents require that paperwork?
2. Are approved minutes of executive sessions available for review by the public?
3. Is it correct that preliminary actions at executive sessions require final action at open meetings?
4. Has the Board defined a policy that minutes of special meetings should or should not be posted along with regular meetings?
5. Can I inspect approved minutes at the meeting during which they are approved, or if not, how soon will it be until they are posted?
6. And the biggest question is, Why is the District continuing the charade of 2.8 acres, when in fact the effective reduction of park land for this development is 3.6 acres?
7. Is there some unstated reason why the District wants to acquire the parking lot?

Harlan Hirt
421 S. Spring Avenue

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Thom Rae discussed the reopening of Shawmut and the land swap. He noted how valuable Gordon Park land is and should be preserved.

Written Correspondences

Harlan Hirt submitted a written copy of his presentation to the board.

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SEASPAR - Sue Friend, Executive Director to address Board

Sue Friend, the Executive Director of SEASPAR gave a yearly update of their programs, camps, and activities. She thanked the Park District for our contributions.

Park Pals Presentation to the Recreation Department (by Kevin Shields)

Kevin Shields presented the Park District with a \$100 donation from Park Pals Foundation to be used for recreation equipment for children 4 years of age and under.

Consent Agenda

Commissioner Walsh motioned to accept *Item 4.1 Approval of the Minutes of the Regular Board Meeting of August 21, 2008 & Special Board Meeting August 30, 2008; Item 4.2 Acceptance of the Treasurer's Report August 31, 2008; Item 4.3 Approval of the Consolidated Vouchers dated September 18, 2008.* Commissioner Ashby seconded the motion, which passed unanimously on a Roll Call Vote as follows:

AYES: Commissioners Metzger, Penicook, Walsh, Kelpsas, Ashby
NAYS: None
ABSENT: None

Action Items

Approval of Capital Budget for Fiscal Year 2008-2009

Commissioner Ashby reviewed and discussed the Capital Budget. He recommended approval of the Capital Budget with the exception of the cost of moving Learning Ladders, buying 2 pieces of summer maintenance equipment, and an informational sign for the Recreation Center. Commissioner Penicook motioned to approve the Capital Budget for Fiscal year 2008-2009 as amended. Commissioner Kelpsas seconded the motion, which passed unanimously by Roll Call Vote as follows:

AYES: Commissioners Metzger, Kelpsas, Penicook, Walsh, Ashby
NAYES: None
ABSENT: None

Board Business

Discussion of Hazard Young Agreement

President Metzger suggested putting the mentoring agreement on hold at this time due to other board obligations. The board can decide later whether to continue or not.

Park Pals (Park Foundation) Request Permission to Assist with Demolition of Gordon Park Maintenance Buildings

Kevin Shields discussed his idea of selling the metal maintenance sheds and dismantling the brick building at Gordon Park and selling the brick pavers to

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La Grange residents. The profits from this would go to the Park Pals Foundation. President Metzger stated his idea was very creative and innovative however a lot is contingent on what happens to the property after the referendum. He stated it is premature to approve or disapprove at this time.

Committee Reports

Administration Committee

None

Marketing Committee

None

Finance and Capital Projects Committee

None

Recreation Committee

None

Attorney Report

None

Staff Reports

Director Bissias stated softball was coded incorrectly which resulted in fees down only \$ 10,000 from last year. Pass registrations were up compared to last year, which leaves the monies about even.

Director Bissias stated he would compose a letter with Commissioner Ashby for the Lyons Township Timber Trails Bond fund. He would like two Commissioners to give the presentation.

Director Bissias met with La Grange Little League at Sedgwick Park to mark the placement of the transformer for Corn Ed. Little League is lighting both fields for next year.

Board Member Comments

Commissioner Kelpsas thanked Harlan Hirt, Kevin Shields, Thom, Susan, and Jim for attending the meeting tonight.

Executive Session

At 9:40 P.M. Commissioner Kelpsas moved that the Board go into Executive Session, pursuant to Sections (a) (c) (5 86 6), (a) (c) 11 and (B)(1) of Chapter 5 ILCS 120/1.01 et seq., in accordance with the *Illinois Open Meetings Act*, to discuss acquisition, lease and/or disposition of real property, potential claims and/or litigation and personnel, review closed session minutes, security procedures and response plans, self evaluation \legislative practices and procedures, and any other subject matters as allowed. Commissioner Walsh seconded the motion, which passed unanimously by a Roll Call Vote as follows:

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AYES: Commissioners Penicook, Kelpsas, Walsh, Ashby
NAYS: None
ABSENT: Commissioner Metzger

The regular meeting resumed at 11:14 P.M.

Commissioner Walsh motioned to forward a marked up copy of the exchange agreement that was discussed in Executive Session to the village to be considered at the Village board meeting. Commissioner Ashby seconded the motion, which passed unanimously by Roll Call Vote as follows:

AYES: Commissioners Kelpsas, Penicook, Ashby, Walsh
NAYES: None
ABSENT: Commissioner Metzger

Commissioner Walsh motioned the contract for purchase and sale of real property also indicated as Parcel 2 to be given to Atlantic Realty Partners for their signature and approval by us. Commissioner Ashby seconded the motion, which passed unanimously by Roll Call Vote as follows:

AYES: Commissioners Penicook, Kelpsas, Walsh, Ashby
NAYES: None
ABSENT: Commissioner Metzger


Commissioner Walsh motioned the contract for purchase and sale of real property also indicated as Parcel 3 to be approved by the board and forwarded to ARP for execution by them. Commissioner Ashby seconded the motion, which passed unanimously by Roll Call Vote as follows:

AYES: Commissioners Penicook, Kelpsas, Walsh, Ashby
NAYES: None
ABSENT: Commissioner Metzger

Adjournment

Commissioner Walsh moved for adjournment at 11:19 P.M. The motion was seconded by Commissioner Ashby and carried.



Constantine Bissias, Secretary

Robert Metzger, President

Approved 10/ 23/ 08