

MINUTES OF THE PUBLIC REGULAR MEETING OF THE PLEASANT DALE PARK DISTRICT
WEDNESDAY, DECEMBER 14, 2022 – 6:00 PM
WALKER PARK RECREATION CENTER
7425 SOUTH WOLF ROAD, BURR RIDGE, ILLINOIS

1. Pledge of Allegiance

2. Call to Order/Roll Call: Present: Commissioners: Todd Davis, Brad Tertell, Patrick Gierut, & David Gallagher.
Absent: Jennifer Hennessy.

Also present: Executive Director Matt Russian & Attorney Joseph Cankar.

3. Consent Agenda items a & b. Monthly Business (Items a & b) on the consent agenda will be approved with one motion; Board Members with questions should call Matt prior to the meeting.)

a. Minutes of the November 9, 2022 meeting

b. Financial Statements presented to the Board of Park Commissioners for November, 2022 in the amount of \$108,288.62 for accounts payable and \$84,253.12 for employee payroll.

MOTION

Mr. Gallagher made a motion to approve items a & b. Seconded by Mr. Tertell. All Ayes. Motion passed.

4. Open Forum (Limited to 15 minutes, 5 minutes per speaker)

5.. Old Business

5A - Potential partnership with School District 107 update

Mr. Russian reported that there have been conversations with School District 107 and Lyons Township High School. Some of the items discussed were the Hess property, connection to White Buffalo Park, and the anticipated sale of a large parcel of property. Community input needs to be taken into consideration as well as any future land development that would best serve the park district and the community.

5B - Soehrman Park Playground Project update

Mr. Russian reported that the construction fence is up. Demolition has been done, equipment has been delivered, site prep has been done, and some concrete was poured on Tuesday. Depending on the weather, they will try to complete what they can by Christmas.

5C - Walker Park Buildings Project update

Mr. Russian reported that after the new year, the park district would reach out to the community regarding certain issues for the Walker Park Buildings Project.

6. New Business

6A - Board Action on Ordinance 2022-6: An ordinance providing for the levying, assessment, and collection of taxes for the fiscal year beginning May 1, 2022, and ending April 30, 2023

MOTION

Mr. Gallagher made a motion to approve Ordinance 2022-6, for 3.5 Percent: An ordinance providing for the levying, assessment, and collection of taxes for the fiscal year beginning May 1, 2022 and ending April 30, 2023. Seconded by Mr. Davis. All Ayes. Motion passed.

6B - Board Action on equipment invoice from Play Illinois LLC for \$158,961.00 for Soehrman Park Playground Equipment

~~Mr. Russian explained this was previously approved before the order, and the invoice has now been received.~~

MOTION

Mr. Tertell made a motion to approve the equipment invoice from Play Illinois LLC for \$158,961.00 for Soehrman Park Playground Equipment. Seconded by Mr. Gierut. All Ayes. Motion passed.

6C - Board Action on Pay Application 1 from George’s Landscaping Inc. for \$52,408.15 towards Soehrman Park Playground Project

Mr. Russian reported that George’s Landscaping has everything in order and should be a monthly occurrence.

MOTION

Mr. Gierut made a motion to approve the Pay Application 1 from George’s Landscaping Inc. for \$52,408.15 towards Soehrman Park Playground Project

6D - Fireworks discussion with ARC Pyrotechnics – Nothing heard

7. Flagg Creek Golf Course Report

The golf course was utilized during November and December. There has been positive feedback for the golf course.

8. Pleasant Dale Parks Foundation Report

Mr. C. J. Johnson appeared and reported they will be advertising on Facebook and contacting businesses for donations, and that they would be hosting the March Madness fund raiser on March 18-19, 2023. Regarding the Father’s Day golf outing in June, they may be seeking other golf courses which offer an 18-hole golf course. There was a brief discussion regarding golf fees and other fund-raising ideas.

9. Staff Reports

a. (Staff reports are provided as information only)

10. Additional Items

11. Board Member Comments

Mr. Gallagher complimented and participated in the Christmas tree decoration. Mr. Gierut suggested possibly making the tree decorating a more involved and planned event.

12. Executive Session: Kee Construction vs. Pleasant Dale Park District Case No. 2021L003899 and review of previous Executive Session minutes.

MOTION

Mr. Gallagher made a motion to go into Executive Session for the purpose of discussing the Pending Litigation and review of previous Executive Session minutes. Seconded by Mr. Tertell. All Ayes. Motion passed.

(Whereupon the Board went into Executive Session at approximately 6:30 pm)

(Whereupon the Board came out of Executive Session at approximately 6:35 pm)

13. Release of Executive Session Minutes, As Appropriate

After Executive Session discussion regarding previous Executive Session Minutes, it was decided not to release any Executive Session Minutes.

Attorney Joseph Cainkar reported on the status, that Kee filed its complaint, an answer was filed, and affirmative defenses were filed. The park district filed a counter claim, and ICS (Illinois Contracting Services), which is a subcontractor of Kee, filed their own claim against Kee and Pleasant Dale. That has been answered. Kee and Travelers attempted to dismiss the district’s counter claim once, and they lost that. We had to update that counter claim, because work had progressed significantly since originally filed.

When the district filed an amended counter claim, rather than answer it, Kee filed another motion to dismiss for basically the same reasons that they lost on before. The problem is that the Judge is very backed up, and even though we were done briefing in December, he couldn’t hear the case until February 1, 2023. The Judge asked the parties to proceed with written discovery in the meantime, because otherwise he was going to have the case on an expedited schedule. Next week Attorney Cainkar is going to send out all interrogatories, requests to produce, and subpoena all the sub- contractors.

14. Adjournment

MOTION

Mr. Tertell made a motion to adjourn. Seconded by Mr. Gierut. All Ayes. Motion passed.

(Whereupon the Regular and Executive meeting ended at 6:40 pm)

Reported by Carmella Traverso

