

Belvidere Township Park District
Board Meeting
May 25, 2021
Minutes

The Belvidere Township Park District Board of Commissioners board meeting was called to order at 5:10 p.m. Roll call was taken. Those present were Mary Marquardt, Jean Twyning, Sam An, Amy Grafton and Daniel Noble. Also, present were Kim Kirkpatrick, Melissa Merkel, Rick Wulbecker, Todd Bex, Mark Pentecost, and Attorney Scheurich.

Meeting Agenda

There was a concern on the agenda referencing XI c,d,e. Jean Twyning mentioned it was an old board's agenda and it was the 3rd time it was on the agenda. Attorney Scheurich clarified that it was added and posted in the correct time frame to be discussed and action could be taken.

Amy Grafton made a motion to approve the May 25, 2021 meeting agenda, seconded by Sam An. A roll call vote was taken. Amy Grafton voting yes, Sam An voting yes, Mary Marquardt voting no, Jean Twyning voting no and Daniel Noble voting yes. Motion carried.

Meeting Minutes May 11, 2021

Sam An asked for someone to explain how a motion fails.

Jean Twyning made a motion to approve the May 11, 2021 meeting minutes, seconded by Mary Marquardt. No roll call was taken. Motion failed.

Special Meeting Minutes April 26, 2021

Amy Grafton made a motion to approve the Special Meeting Minutes for April 26, 2021, seconded by Sam An. A roll call vote was taken. Amy Grafton voting yes, Sam An voting yes, Mary Marquardt voting no, Jean Twyning voting no and Daniel Noble voting yes. Motion carried.

Special Meeting Minutes May 13, 2021

Amy Grafton made a motion to approve the Special Meeting Minutes for May 13, 2021, seconded by Jean Twyning. A voice vote was taken with all voting yes. Motion carried.

Board correspondence

There was no board correspondence

Public Input

There was no public input

Director's Report

Mark Pentecost stated that at the last board meeting he had asked the commissioners to come up with their definition of success. Jean Twyning has given her definition, but he is still waiting to hear from the other commissioners. Mark asked the commissioners to let him know if anyone had any of their recommendations tonight. Mark said Andy Racz had asked if the Board has taken any action on General Mills Park. Mark explained to Andy that would be a matter the Park District would entertain later. Mark also told the board that he has not heard anything from the City regarding General Mills Park. Mark asked the board if they would like him to approach the City regarding General Mills Park then let Mark know. Mark talked about boot camp and asked the board to decide if they would like to be registered. He stated boot camp includes the open meetings certification also. Mark had a brief discussion about board self-evaluations with IAPD and how beneficial it would be for this board. Mark addressed the meeting minutes from the Special Meeting minutes from April 26, 2021. He stated he was not at that meeting and wanted to address some paragraphs in the minutes, so his facts are on record. Mark referenced the 1st page 6th paragraph where Muccianti stated he was directed by the Park Board on 4/13/2021 to meet personally with Pentecost prior to the 4/27/2021 board meeting. Mark said he did not receive any communication from Muccianti until the 20th. Mark also said the minutes said Muccianti emailed the documents to Pentecost on Friday at 5:00p.m. Mark Pentecost stated that it was Friday April 23, 2021. 3 days before the Special Meeting. Mark Pentecost also addressed the paragraph that said Muccianti related he was advised by Pentecost he would be giving himself a raise. Mark Pentecost stated that conversation took place on March 25, 2021. Mark stated that general statement was not true. The conversation that took place was regarding all staff members. Mark stated that his proposed increase was based on submitted evaluations calculated through district policy. Mark Pentecost made a quick point on general practice of employment issues. He stated that all of this did not come about until a month later and the accusations were told to other commissioners before Mark Pentecost was even approached about it. Mark Pentecost found that this is poor practice. The paragraph were Grafton asked if Pentecost was given a performance review by the board. Mark stated yes, he was on Dec 8, 2020. It was a combination of three completed evaluations, and it was a round table conversation. Mark also addressed the sentence of all raises at the Park District were being postponed due to uncertainty from a revenue standpoint. It was determined at that time raises to full time staff would be given at the start of the second quarter. Grafton confirmed with Muccianti that Pentecost had a proper review and was aware all raises were put on hold at the time of his review. Mark stated for the record that this recommendation came from him not from the board. The next paragraph was also addressed where is said McCaffrey reiterated Pentecost only received 4 of the 5 performance reviews in writing. Mark stated this is still true to this day. He cannot make something out of thin air. Mark addressed the sentence that said he is not authorized to spend money like that. He stated that he does have the authority to put through the raises for all other staff. He also addressed the sentence that says they should have been as of April 1, 2021. Mark explained to the board that we base it on pay periods not dates. We have 26 pay periods in a year so that pay period may not fall exactly on April 1, 2021. Mark Pentecost addressed the sentence of Muccianti saying he has a text message from Pentecost agreeing to the performance improvement plan, Mark stated that was not under ideal circumstances. Mark was on FMLA, he was being threatened with his job and was basically being told silence or we will go after your job. Mark Pentecost explained this to be a hostile work environment.

Mark Pentecost also addressed on the last page the paragraph where Grafton asked who has given Pentecost his raise over the past 4 years. Twyning said this was done by the board. Grafton said then he should not be authorized to give himself a raise since he was given the raise by the board the past 4 years. Mark explained how the board normally does this in December and they have a discussion, and no formal data is presented and then the board asks Mark to leave, and they discuss, then they have Mark come back into the room and they come back with a raise percentage. At the end of 2019, the board approved to use the evaluation tool that Mark used to review his performance.

Unfinished Business

- a. Tabled: Approve Abatement Ordinance abating debt services for 2020 Series A Bond Issuance

Jean Twyning made a motion to remove from the table the Approval of the Abatement Ordinance abating debt services for 2020 Series A Bond Issuance, seconded by Mary Marquardt. A voice vote was taken with all voting yes. Removed from table.

Jean Twyning made a motion to put the Approval of the Abatement Ordinance abating debt services for 2020 Series A Bond Issuance back on the table and to be added to the June 8, 2021 agenda, seconded by Sam An. A voice vote was taken with all voting yes. Tabled.

New Business

- a. Board discussion on Job Descriptions and Expected Vacancies per Hiring Policy

Amy Grafton asked Kim Kirkpatrick if she is recommending any adjustments or changes to these job descriptions. Kim Kirkpatrick stated that some minor adjustments needed to be made to a few of the jobs but nothing the board would need to re approve. Amy Grafton asked Kim Kirkpatrick when she would have the minor adjustments to the job posting get posted, and Kim Kirkpatrick said she would have it posted on May 26, 2021.

- b. Approval of Security Services for the 2021 season

Jean Twyning made a motion to approve the one-year contract for 2021 park security services with State Protection Services Inc, for the proposed contract of \$20,000.00, seconded by Mary Marquardt. A voice vote was taken with all voting yes. Motion carried.

Todd Bex stated we are using a new company this year not SPI. State Protection Services Inc came in with a lower bid then SPI.

c. Updated Status of 2021 Goals and Objectives

Mark Pentecost presented the board with the Goals and Objectives from December 2020 with updates from all staff on each of the items. Some of the categories are completed, in progress, or delayed. Daniel Noble asked for an explanation of some of the reasons why some items are delayed. Kim Kirkpatrick stated they were delayed because of the covid guidelines of group size, and Kim spent a lot of her time that she would normally be working on those items on covid related items instead. Kim Kirkpatrick stated that Phil Olson was used in the past to do the salary survey and he has retired. The new person that Kim reached out to was over the dollar amount the district budgeted for. It was also stated that Goals and Objectives are approved and updated once a year. Jean Twyning stated that a few of the goals and objectives are with board assistance also, an example is how to measure success.

d. Approval of Aquatic Center Feasibility Study with Perkins & Will based on submitted proposal

Mark Pentecost told the board he dropped in Dropbox the updated documents from Perkins & Will. Mark also told the board he did some reference checks on Perkins & Will from Rockford Park District and Oak Park District and both agencies stated that they both got what they paid for out of their study. Mark told the board that Perkins & Will is here to tell the Park District the facts and what the community wants. They support real goals and real answers. Mark stated that the Pool is dying. Staff has spent two weeks to get it going. We were losing 10,000 gallons an hour of water. Mark reminded the board that the district committed to keeping William Grady Pool up and running until 2022. That date is quickly approaching, and a plan needs to be put in place. Mark asked the board to consider taking action soon.

Jean Twyning made a motion to accept the revised proposal from Perkins & Will regarding the indoor community center and aquatic center feasibility study dated May 24, 2021 for \$80,850.00, seconded by Mary Marquardt. A voice vote was taken with all voting yes. Motion carried.

Next meeting agenda items

None

Executive Session

At 6:15 p.m. Amy Grafton made a motion to go into Executive Session 2 (c) (21): Discussion of minutes of prior meetings lawfully closed under the Open Meetings Act, for purpose of review, approval or release of such minutes and 2 (C) (1) discussion of the appointment, employment, compensation, discipline, performance or dismissal of specific employees, specific individuals who serve as independent contractors in a park, recreational, or educational setting, or specific volunteers of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee, a specific individual who serves as an independent contractor in a park, recreational, or educational setting, or a volunteer of the public body or against legal counsel for the public body to determine its validity, and to include Mark Muccianti to participate in the Executive Session since discussion involved time prior to Daniel Noble being President, seconded by Sam An. A brief discussion was held on the concerns of allowing someone not currently on the board to participate. A roll call vote was taken.

A roll call vote was taken. Amy Grafton voting yes, Sam An voting yes, Mary Marquardt voting no, Jean Twyning voting no and Daniel Noble voting yes. Motion carried.

At 9:15 p.m. regular session reconvened. A roll call vote was taken. Those present were Sam An, Jean Twyning, Mary Marquardt, Amy Grafton, and Daniel Noble. Also, present were Mark Pentecost, Kim Kirkpatrick, Todd Bex, Rick Wulbecker, Melissa Merkel, Attorney Scheurich, Attorney McGirk and Mark Muccianti.

Action taken as a result of Executive Session

a. Approval of Executive Session Minutes

Mary Marquardt made a motion to approve and not release Executive Session Meeting Minutes from October 13, 2020, November 24, 2020, December 8, 2020, April 27, 2021 and March 9, 2021, seconded by Jean Twyning. A roll call vote was taken with all voting yes. Motion carried.

Mary Marquardt made a motion consideration regarding the minutes from March 23, 2021 and April 13, 2021 failure to approve, seconded by Jean Twyning. A roll call vote was taken with all voting yes. Motion carried.

There was no motion for the destruction of the tapes because there were no dates provided

b. Recommendation to Approve Salary Increase for Executive Director

Jean Twyning made a motion to approve the 4.8% pay increase to Mark Pentecost for a base annual salary of \$114,121 with the effective date of the increase should retro back to the pay date of April 9, 2021 to be consistent with the district's other full time raises, seconded by Mary Marquardt. A roll call vote was taken. Jean Twyning voting yes, Mary Marquardt voting yes, Sam An voting no, Amy Grafton voting no and Daniel Noble voting yes. Motion carried.

Discussion and Action on Performance Improvement Plan for Executive Director

There was a brief discussion on developing a new Performance Improvement Plan for the Executive Director with a timeline of when it needs completed by, with a complete understanding of what is expected. There was also a small conversation on the dates in the Executive Director's contract regarding goals and objectives which are due by November 1st for the next year, and if the board choses to not renew the Executive Director's contract they must give notice by Oct 1st. Attorney McGirk stated to the board that the Executive Director must be involved in the Performance Improvement Plan per the contract to develop goals and objectives that are mutually agreeable.

Jean Twyning made a motion to table action on Performance Improvement Plan and that all board members including the ED think about what we could do together to resolve these issues and put it on June 8, 2021 agenda, seconded by Mary Marquardt. A roll call vote was taken. Jean Twyning voting yes, Mary Marquardt voting yes, Sam An voting no and Amy Grafton voting yes and Daniel Noble voting yes. Motion carried.

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Discussion, investigation, and Action on Previous Salary Increase for Executive Director prior to Board Approval

Jean Twyning stated as far as investigation goes the board needs to take a look at Mark Muccianti's recommendations and asking the auditors questions. Amy Grafton said the board needs to do their due diligence and investigate this properly. There was a discussion on the States Attorney's Office doing an investigation and give the board a report on what their findings were. There was also a discussion on Jim Pirages who specializes in Employment Law to get involved. Attorney Scheurich recommended that the board hire Jim Pirages. Sam An said the board should go through the States Attorney's Office first since there is no cost to the district and they will share their findings with the board. Attorney Scheurich said if the board would like he will contact the States Attorney's Office on behalf of the board.

Sam An made a motion to have the States Attorney's Office start an investigation on the Salary Increase that was done by the Executive Director prior to board approval. There was no second. Motion failed.

Jean Twyning made a motion that Attorney Scheurich make contact with the States Attorney, Tricia Smith and come back to the board with her recommendation of what we should do, seconded by Amy Grafton. A roll call vote was taken. Jean Twyning voting yes, Amy Grafton voting yes, Sam An voting no, Mary Marquardt voting no and Daniel Noble voting yes. Motion carried.

Mark Muccianti left at 10:01 pm.

Discussion and Action on termination for convenience of Executive Director

Jean Twyning made a motion that we take no action on item e, seconded by Mary Marquardt. Jean Twyning withdrew her motion. Mary Marquardt withdrew her second.

Sam An made a motion to terminate the Executive Director per employment contract under section 5 d. for the convenience of the district. There was no second. Motion failed.

Mary Marquardt made a motion to adjourn, seconded by Jean Twyning. A roll call vote was taken with all voting yes. Motion carried.

At 10:06 p.m. meeting adjourned.

Submitted by,
Melissa Merkel