

**Chicago Heights Park District
Park District Board of Commissioners
Regular Board Meeting
April 12, 2021
7:00 p.m.**

Meeting called to Order: The Regular Board meeting of the Chicago Heights Park District Board of Commissioners was called to order at 7:00 p.m.

Pledge of Allegiance: Upon roll call, the following board members were recorded present: Commissioner Leon, Commissioner Nichols-Brown, Commissioner Mancina, Commissioner Strazcek, Commissioner Zuniga. and President Benavides. Commissioner Kyles was recorded absent. A quorum was established.

Approval of Minutes: Motion to approve Regular Board Meeting minutes on March 8,2021 by Commissioner Leon, seconded by Commissioner Zuniga. The following ayes were recorded: Commissioner Leon, Commissioner Nichols-Brown, Commissioner Zuniga, and President Benavides. The following nays were recorded: Commissioner Mancina and Commissioner Strazcek. Motion passed. Discussion followed.

Commissioner Mancina stated that she would like to add the Superintendent Perez's report from the last board meeting pertaining to where she sent the emails to. She stated that she emailed the Superintendent Perez and Assistant Superintendent, Mike DeButch to their Chicago Heights Park District email addresses. She just wanted that to be make clear.

Public Participation: Attorney Tiffany Nelson-Jaworski stated that she was present to represent Commissioner Jimmy Kyles and the taxpayers of Chicago Heights Park District. She stated that on the agenda under item 9c Motion to approve the appointment and installation of LaShawn Ridley as the 1st Ward Chicago Heights Park District Commissioner to fill the vacancy created by the resignation of her client Jimmy Kyles until the next regular election for that office. She informed the board after she spoke with her client, Jimmy Kyles, he has withdrawn his resignation due to the resignation of his office was given under distress and based upon false pretenses. She stated that Mr. Kyles was told on March 19th, 2021 by Superintendent Perez that he had to resign his position because he had missed meetings. Mr. Kyles resigned because that what Mr. Perez told him to do. Therefore, he has withdrawn his resignation. She also addressed the Open Meetings Act violation that is happening during the current meeting. She stated that there is 30 people in the hallway that are not allowed to hear what is going on in the current meeting. She stated that there is a gym less than 30 feet that could accommodate the amount of people that would show for a meeting of this nature. Your citizens are being kicked out of the meeting. She understands Covid-19 restrictions, and this could have been accommodated. The agenda also violates the OMA. That is a violation of the Opens Meetings Act. Attorney Jaworski asked for additional time to speak and President Benavides agreed to her request.

David Gonzalez stated that it is disappointing to see the park district trying to pay employees for quitting or resigning which is unheard of. You have on the agenda to motion to enter Executive

Session to approve separation agreement for employees of A, B, and C. No transparency on who these individuals are and how much money they are getting paid. You want to discuss it in executive session, but you want to keep it from the public. Now you are keeping another 30 or 40 people out of the room and they cannot even hear what is being discussed in the public participation. He stated that there is no transparency with the board. He stated that a forensic audit was called back in January 2021 with all the similarities of the library director who is your board commissioner was doing. All the park districts had to do is to do your fiduciary duties. You are still not meeting your fiduciary responsibilities by paying people to quite or resign. He stated that your fiduciary responsibility is to the taxpayers not individuals A, B, and C. He told the board when you do go into executive session that you understand your responsibility individually as board members. When individuals A, B, and C take their money and get paid it is you that is responsible for paying illegal money that is taxpayers' money. He stated that he can guarantee that there are many taxpayers, including himself, that will hold each board member personally responsible for not meeting their fiduciary responsibilities.

Attorney Jaworski stated that section 2A of the Open Meeting Act states “All meetings of public bodies shall be open to the public unless accepted in subsection (c) and closed in accordance with Section 2a”. She stated that years ago in another township the board tried to move the meeting to another location. She stated that she hears people in the back talking about Covid-19 restrictions. However, the Governors orders states regarding the Open Meetings Act the board still needs to have an opportunity for the public to attend a meeting. She stated that there is nothing on the agenda that provides for a Zoom link or telephone conference. She stated that this means this meeting must be open to the public.

Superintendents Report: Superintendent Perez stated that he submitted his report to the commissioners in their board packets.

Commissioners Report

Old Business: Final Audit Report was given by Valarie Knox. She informed the board give the findings the upmost attention. She thanked Superintendent Perez and former and current auditors for their work. She stated that she would like to address the current questions. Commissioner asked why this item was not on the agenda under old business? Superintendent Perez stated that it can be pushed to the next meeting. Commissioner Mancina stated she would prefer to have time to review the packet. Ms. Knox said if it is the will of the board for her to come to the next meeting she will do so.

New Business:

Submission of Bills: On a motion to pay the bills for the month of March 2021 by Commissioner Leon, seconded Commissioner Nichols Brown. The following ayes were recorded: Commissioner Leon, Commissioner Nichols-Brown, Commissioner Zuniga, and President Benavides. The following nays were recorded: Commissioner Mancina and Commissioner Strazcek. Motion passed.

Discussion followed. Commissioner Mancina had questions about bills on page 2 and page 3. She inquired about \$350 and \$1,850 paid to Aarolil. Superintendent Perez said when the heating system goes out at the East Golf course this is the repair man that is contacted. Commissioner Straczek asked is this a company that we use? She had a question on page 9 for Fun Express from a year ago. She asked is this a mistake. She wanted to know if there was a reason for that. March and April Of 2020 bill on the bill run. Mike Debutch said he will look into it. She also stated that she sees a lot of purchases for cleaning supplies, and she asked what the status was on Clay Custodial. She wanted to know if they were currently cleaning. Superintendent Perez stated that they were not currently cleaning. She asked who are currently cleaning the buildings. Superintendent Perez stated that the staff are currently cleaning. He stated that soon he will have to look into having someone clean when the rentals start. She asked about the purchase of gift cards on page 18 for \$500. She asked when did we start handing out gift cards for Easter? Superintendent Perez stated that was a request from Commissioner Kyles. He said they were still here because they were never given to Commissioner Kyles. Commissioner Mancina asked where the gift cards were. Superintendent Perez stated that he has them in his office. Commissioner Mancina asked if this was on the same day that Commissioner Kyles resigned? He submitted the request for gift cards before he decided to resign. She asked what he planned to do with the gift cards because they were purchased out of Commissioner Kyles expense account. Superintendent Perez stated that he will try to get a refund for them. She also had a question phone payment for phones on Sprint account on page 19.

Motion: On a motion to authorize the execution of the FTA Fiscal Year 2021 Certifications and Assurances by Commissioner Leon, seconded by Commissioner Nichols Brown. The following ayes were recorded: Commissioner Leon, Commissioner Nichols-Brown, Commissioner Mancina, Commissioner Straczek, Commissioner Zuniga and President Benavides. Motion passed.

Motion: On a motion to approve the appointment and installation of Lashawn Ridley as the 1st Ward Chicago Heights Park District Commissioner to fill the vacancy created by the resignation of Jimmy Kyles until the next regular election for that office by Commissioner Nichols-Brown, seconded by President Benavides. The following ayes were recorded: Commissioner Leon, Commissioner Nichols-Brown, Commissioner Zuniga, and President Benavides. The following nays were recorded: Commissioner Mancina and Commissioner Straczek. Motion passed.

Discussion followed. Commissioner Mancina stated that Commissioner Kyles did not intend to resign. She stated that she has asked Superintendent Perez for a copy of the resignation letter from Commissioner Kyles. She stated that she still has not seen the resignation letter. She stated that based on the statement from the attorney for Commissioner Kyles that this position is not vacant. She invited the other commissioners regarding Commissioner Kyles position to consider how you would feel if you were in his position. You would not want the board to vote you out under false pretense.

Superintendent Perez informed Commissioner Mancina that he just provided a copy of the resignation letter from Commissioner Kyles provided on March 19th. Commissioner Straczek also stated that with the affidavit presented to the board for Commissioner Kyles stating he did not intend to resign. He said there is no way that he can accept his resignation with the replacement with Mr. Ridley. Commissioner Mancina asked Superintendent Perez if the letter he is passing

out for Commissioner Kyles was submitted by Commissioner Kyles or did he, Superintendent Perez, prepare the resignation letter for Commissioner Kyles? Superintendent Perez declined to answer that question he just replied it was based upon what Commissioner Kyles stated over the phone.

Oath of Office: LaShawn Ridley was sworn in at 1st Ward Commissioner by Chicago Heights Park District Clerk, Wanda Rodgers-Spruell prearranged by Superintendent Perez.

Motion: On a motion enter Executive Session for discussion of employment, compensation, discipline, performance or dismissed of certain employees 5ILCS 120 (c) (1) and pending and probable litigation involving or affecting the District under Section 5ILCS 120/2 (c) (2) (11) of the Illinois Open Meeting Act by Commissioner Leon, seconded by Commissioner Nichols-Brown. The following ayes were recorded: Commissioner Ridley, Commissioner Leon, Commissioner Nichols-Brown, Commissioner Zuniga, and President Benavides. The following nays were recorded: Commissioner Mancina and Commissioner Strazcek. Motion passed.

Commissioner Mancina and Commissioner Strazcek both asked if there are any pending and probable litigation and who the pending and probable litigations were for? President Benavides stated that this matter could not be discussed at this time.

Executive Session: Chicago Heights Park District Board entered Executive Session at 7:30 p.m.

Motion: Motion to reopen the Regular Board Meeting at 7:53 p.m. by Commissioner Nichols-Brown, seconded by Commissioner Zuniga the following ayes were recorded: Commissioner Ridley, Commissioner Leon, Commissioner Nichols-Brown, Commissioner Mancina, Commissioner Strazcek, Commissioner Zuniga and President Benavides. Motion passed.

Motion: On a motion to approve separation agreement A by Nichols-Brown, seconded by Commissioner Leon. The following ayes were recorded: Commissioner Ridley, Commissioner Leon, Commissioner Nichols-Brown, Commissioner Zuniga, and President Benavides. Motion passed.

Commissioner Mancina and Commissioner Strazcek walked out the meeting and was recorded absent for the vote. Commissioner Mancina stated that since the public was not note made aware on the agenda who the individuals are for separation agreement item A and B she stated that item A was Jose Ayala to receive \$25,500 in pay and item B was for Francisco Perez for \$212,313.85 in pay. She stated that she and Commissioner Strazcek feel that they are not included on information for the board and therefore they will not participate to vote on items 9e and 9f. She said to the board and those in attendance “God everyone and God bless our park district” She said it’s just a shame!

Motion: On a motion to approve separation agreement B by Commissioner Leon, seconded by Commissioner Nichols-Brown. The following ayes were recorded: Commissioner Ridley, Commissioner Leon, Commissioner Nichols-Brown, Commissioner Zuniga, and President Benavides. Commissioner Mancina and Commissioner Strazcek walked out the meeting and was recorded absent for the vote.

Motion: No motion on a motion to approve separation agreement C due to withdrawal by individual C.

On a motion to adjourn the Regular Board Meeting by Commissioner Leon, seconded by Commissioner Nichols-Brown at 7:57 p.m. The following ayes were recorded: Commissioner Ridley, Commissioner Leon, Commissioner Nichols-Brown, Commissioner Zuniga, and President Benavides. Commissioner Mancina and Commissioner Strazcek were recorded absent. Motion passed.

Secretary

Date