

Minutes Of The Regular Meeting Of The Board Of Trustees For The Village Of University Park, Will And Cook Counties Illinois, Held Tuesday, June 13, 2017 At #90 Town Center Drive In The Village Of University Park

A. CALL TO ORDER

Mayor Covington called this regular meeting of the Board of Trustees to order at 7:09 p.m.

B. ROLL CALL

Mayor:	Vivian E. Covington	Present
Trustees:	Elizabeth Williams	Present
	Paula C. Wilson	Present
	Theaplise Brooks	Present
	Curtis McMullan	Present
	Milton C. Payton	Present
	Oscar H. Brown, Jr.	Present

Also present were Village Attorney John Wise, Village Manager Amara Enyia, Deputy Fire Chief Brian Chellios, Public Works Director Gary Richardson, Police Chief John Pate, and Village Clerk Dorothy R. Jones.

C. PLEDGE OF ALLEGIANCE

Mayor Covington led the audience in the pledge of allegiance to the Flag of the United States of America.

D. APPROVAL OF MINUTES

Trustee Brown moved, Trustee McMullan seconded a motion to approve minutes of the regular meeting held April 25, 2017

Ayes: Trustees Williams, Wilson, McMullan, Payton, Oscar Brown, and Mayor Covington.

Nays: None.

Absent: None.

Abstained: Trustee Brooks.

Motion To Approve Carried.

Trustee Payton moved, Trustee Brown seconded a motion to approve minutes of the special meeting held May 3, 2017

Ayes: Trustees Wilson, Payton, Oscar Brown, and Mayor Covington.
Nays: None.
Absent: None.
Abstained: Trustees Williams, Brooks and McMullan.

Motion To Approve Carried.

Trustee Wilson moved, Trustee Payton seconded a motion to approve minutes of the regular meeting held May 23, 2017

Trustee Payton referred to page 2; paragraph 2 under Public Comments and asked Mayor Covington if her statement relating to TIF Transfers was correct.

Mayor Covington re-affirmed that she does not have a voice print, and cannot make TIF transfers.

Ayes: Trustees Williams, Wilson, Brooks, McMullan, Payton, Oscar Brown, and Mayor Covington.
Nays: None.
Absent: None.

Motion To Approve Carried.

E: General Public Comments

Mr. Keith Griffin addressed the Board and voiced his concerns with the proposed contract for the new Village Manager stating that he wants the contract and salary to be in line with that of the former Acting Village Manager, and not \$15,000 per month with our current financial situation; he asked if the Village could employ a firm rather than an individual for the position of Village Manager; he asked if the Village is paying two Village Manager, and why were companies in the Industrial Parks TIF District told to stop cooperating with IRH. He also voiced his concern with going back to Old Plank Bank when they would not give us a loan, and asked why the signatories on banks were being changed.

Mayor Covington responded that we are not paying two Village Managers; that they are not blocking TIF companies from cooperating, however notices were sent to some TIF companies on illegal Village letterhead.

Village Manager Enyia responded that companies in the Industrial Park contacted them regarding IRH, and the proposed salary for her contract, as referenced is incorrect.

Public Comments Continued:

Trustee Payton commented that if we are not paying the former Acting Village Manager, he wants to know if the contract with her had been canceled, if so, when and by whom, because nothing had come before the Board of Trustee for any action. He also stated that the salary proposed for Ms. Enyia is half of \$180,000 because it is for a six month contract. He also voiced his concerns regarding the closed account At Old Plank Bank, and questioned the reasons for going back to that bank.

Village Attorney Wise responded that there is no longer an account with Old Plank Bank, and a motion to amend the inclusion of old plank bank should be made when the item comes up on the agenda.

Ms. Sonja Jenkins voiced her concerns with the salary and the contract of the new Village Manager and asked if the Village will continue with youth programming, and if the community will be able to sustain the salary request of the new Village Manager.

Mrs. Debra Taylor commented on a meeting held at First Baptist Church regarding racism in one of the schools in our district. She thanked Mayor Covington, Trustees Wilson, Brooks, McMullan, and Police Chief Pate for their attendance. She also stated that use of cell phone at a public meeting is inappropriate, and that she would like to know the members of the finance committee since 2014. She also commented on the rash of crime in the community and asked for clarity on petitions circulated within the Village.

Trustee Oscar Brown responded that they had circulated petitions in certain areas regarding violations of the Open Meeting Act, which has been filed with the Office of The Attorney General.

Trustee McMullan responded that he hopes meetings relating to racial issues will continue.

Due to back and forth dialogue between the public and members of the Board, Trustee Payton asked for respect of our public comments resolution.

Mrs. Mary Truss apologized that everyone did not get an invitation to the meeting at First Baptist Church, noting that she along with School Board member Maurice Brown started discussing planning a meeting and did not have time or contact information for everyone. However, they are planning follow up meetings in the near future that will be better publicized.

Ms. Bernice O'Brien asked Trustee Brown what areas did he circulate petition.

Public Comments Continued:

Mayor Covington commented that they too had filed a complaint with the Office of the Attorney General for violation of the open meetings act for the meeting held September 25, 2015.

Ms. Sandra Heard commented that she feels that the Village Attorney should draft the contract for the Village Manager; she referred to the scope of services as drafted by Village Manager Enyia and asked to know how will she fix our financial deficit, and noted that we operate under the Managerial form of government, but it appears that we are outsourcing the functions of the Village Manager. She referred to the State Statute as it relates to bonding of officials, and asked the Village Clerk if the Village Manager or Treasurer had filed a bond with her. She also commented that the Village needs a full time Village Manager, and since the proposed contract is for a six month period she asked if there would be a search for a permanent Manager, and further stated that there is a need to set better standards.

Mayor Covington responded that she has spoken about better standards for years, and that Manager Enyia would be here full time Monday through Friday. She also stated that the former Acting Village Manager would be gone for days, and for the first time she gets daily reports from Manager Enyia. Mayor Covington referred to a lot of attorney bills and stated that Manager Enyia has saved the Village financially by addressing certain legal matters. She also announced that a Town Hall meeting is scheduled for July 8, 2017 and that currently there is no accountability.

Trustee Oscar Brown refuted the statement made by Mayor Covington regarding Johnna Townsend.

Trustee Payton commented that Ms. Townsend adjusted her salary and included contractual days off to travel out of town to take care of her ill parents. However, she took care of Village business when she was off.

Mr. Donzel Franklin proudly announced that six youth in his program carry a 3.6 GPA and represented the Village well. He noted that they had 16 wins with zero loss, and the other team has a record of 11 wins with 4 losses. He also announced that a free Strengthening and Conditioning Camp would be held at Palmer Park from June 26 through July 7, 2017 and that the annual picnic would be held at Craig Park on July 1, 2017. He also congratulated Malik Morgan, a rising star who has maintained a 4.0 GPA since first grade.

Ms. Cher`ese Williams thanked Ms. Amara Enyia for coming back to the community, and stated that with our millions of dollars deficit we need to be fiscally, financially responsible. She asked to know why are we paying the new Village Manager more than previous ones; asked to know the plans moving forward, and asked if the Board has made a strategic plan, and if the Board has done its homework; she asked if there are any checks and balances and when does the salary for the new Village Manager begin, and if we are able to make TIF payments.

Mayor Covington responded that there are no checks and balances, that they were never put into place and there is no employee policy manual; she stated there is no accountability and that we hinge on violating the HIPPA Act by divulging medical information on employees, and that we are now getting a handle on our finances.

Mr. David Sevier addressed the Board and commented on moving the Village forward, stating that based on our financial reports we are in a financial deficit, and paying a salary of this magnitude to the new Village Manager would create problems and Union nightmares. He stated that he is not knocking Ms. Enyia, but noting that the Village must be diligent in handling the situation and be careful with the situation and the impact of decisions made by the Board. He further stated that this is the time for experienced leadership.

Mayor Covington responded that last week Manager Enyia saved the Village over \$20,000 and that the Acting Village Manager was paid \$107,000 and we still spent thousands of dollars on attorney fees, and Manager Enyia has not been paid any money.

Mrs. Gloria Brookins commented that concerns with the contract has nothing to do with Ms. Enyia, but the salary appears to be that of a consultant and not a full-time employee as required by state statute. She also voiced her concerns with potential problems with Unions because employees made vast cuts in salaries. She further stated that we need to stop going back and forth with accusations of right and wrong and get it right; she referred to preparation of the agendas not being done by the Village Clerk and that public comments were moved on the agenda, and that the public has the right to speak and be heard.

Village Manager Enyia thanked the Board and residents for their comments and stated that she has been in this tentative role for less than two weeks, that the salary proposed is less than what it should be; that she averted a bond payment disaster by getting involved; that invoices in excess of \$400,000 have not been paid, although staff is working hard; that we have over \$600,000 in lawsuits because the fire and police pension funds have not been paid.

Public Comments Continued:

Manager Enyia stated that she has a plan to strategically move the Village forward with how the Village should run, stating that there is too much emphasis on salary and not enough emphasis on competency. She stated that she has been here every day, as staff can attest to, or she was on other locations cleaning up the messes. She stated that the Village needs someone with experience and she has 6 degrees, and the ability to look under the hood to see what needs to be done. Additionally she stated that she grew up in University Park and see the results of destruction of paying thousands of dollars to contractors and the inability to make sound decisions, and that the Village has one shot to get this right because this is worse and anything she has seen both here and abroad.

F-1: UNFINISHED BUSINESS

None.

F-2: NEW BUSINESS

F-2a: First, Second, and Readings – An Ordinance Amending Section 222-06 of Chapter 222, of Title Six, of Part Two of the Codified Ordinances of the Village of University Park, Will and Cook Counties, Illinois, Authorizing Signatories on Bank Accounts

Trustee Wilson moved, Trustee Brooks seconded a motion to approve first, second, and third readings of this ordinance.

Trustee Brooks, McMullan and Payton questioned the removal of the designated Trustee as a signatory on bank accounts and voiced their concerns.

Attorney Wise responded that there is no need for four signatories.

Trustee Payton commented that he does not feel that the Treasurer should have the ability to review financials and sign off on them.

Trustee Wilson commented that she does not see why we need a Trustee to sign checks when they do not have knowledge of the day-to-day operation, and not have the Treasurer sign. She further stated that we need to minimize the number of signatories.

Motion To Amend Main Motion:

Trustee Payton moved, Trustee Oscar Brown seconded a motion to amend the ordinance to remove the Treasurer and senior/designated Trustee and have only the Mayor, Clerk, and Village Manager as signatories.

F-2a Continued:

Trustee Wilson asked if the Treasurer would also be the finance director.

Village Manager Enyia responded no

Ayes: Trustees Williams, Wilson, Brooks, McMullan, Payton,
Nays: Trustee Oscar Brown, and Mayor Covington.
Absent: None.

Motion To Approve Carried.

Roll Call On Main Motion As Amended:

Ayes: Trustees Williams, Wilson, Brooks, McMullan, Payton, and Oscar
Brown
Nays: Mayor Covington.
Absent: None.

Motion To Approve Carried

Ordinance Number O2017-13.

F-2b: Resolution of the Village of University Park, Cook and Will Counties, Illinois, Authorizing and Approving the Execution of Business Signature Cards and Related Bank Documents with Midland States Bank, Old Plank Trail Community Bank, N.A., and U.S. Bancorp.

Trustee Payton moved, Trustee Wilson seconded a motion to approve this resolution.

Motion To Amend Main Motion:

Trustee Payton moved, Trustee Oscar Brown seconded a motion to amend the resolution and delete all references of the Treasurer and Old Plank Bank.

Ayes: Trustees Williams, Wilson, Brooks, McMullan, and Payton.
Nays: Mayor Covington.
Absent: Trustee Oscar Brown

Motion To Approve Carried.

Roll Call On Main Motion As Amended:

Ayes: Trustees Williams, Wilson, Brooks, McMullan, and Payton.
Nays: Mayor Covington.
Absent: Trustee Oscar Brown

Motion To Approve Carried

Resolution Number R2017-06.

F-2c: Resolution Of The Village Of University Park Will And Cook Counties, Illinois Appointing Devon Dilworth To The Office Of Village Treasurer.

Trustee Wilson moved, Trustee Brooks seconded a motion to approve this resolution.

Trustee Brooks commented that Treasurer Dilworth needs formal training, and since training has been removed from the budget he wants to see funds allocated for this training.

Trustee Payton voiced his disapproval with the appointment of Mr. Dilworth noting that he is not a CPA and has no financial experience; he feels he is not qualified and did not perform the duties as outlined in an ordinance passed in 2015 with a job description for the treasurer, and that he is disappointed with the past performance of Mr. Dilworth who for five years gave no written or verbal recommendations of the Village's financials.

Mayor Covington interrupted Trustee Payton during his comments and asked that he not continue with his comments.

Trustee Payton's entire written comments were submitted to the Clerk and are as follows:

**Reasons Why I Cannot Support Mr. Devon Dilworth's
Reappointment as Treasurer**

1. Personally like Mr. Dilworth - nice guy.
2. Originally supported Mr. Dilworth's previous appointment as Treas., because Mayor Covington claimed he had CPA. Publicly after his appointment I found out, he did not have a CPA.
3. He had no municipal, pension, banking or auditing background; but has worked in the budgeting area for Walgreens. He never previously served as a treasurer, although he has an accounting background and does taxes for people.
4. Personally, I have plant, regional and national budgeting experience for a division of a fortune 25 corporation. In addition, I taught Seminar in Public Budgeting for the graduate school at Governors State University. But, in my opinion, I am not qualified to be a Treasurer, even after participating with the Finance committee for many years.
5. Prior to his appointment, Mr. Dilworth did not attend Finance Committee meetings

6. He did not know what the job description of the Treasurer's office was, since he took 4 years to request a job description. This BOT passed an ordinance in 2015 establishing a job description. And, last year (2016) he asked for changes which directly conflict with the-essence of what the Treasurer's job are .., checks and balances
7. I was very disappointed his public criticisms of all our previous Finance Directors and Village Managers frequently when he had not even discussed his concerns with them; thus, alienating them. In my opinion, this is a fundamental process for any organization; and, quite embarrassing in unprofessional.
8. Outside of his public criticisms, during the last 5 years, he has never provided this BOT with any written or verbal counseling on the many financial problems facing the Village.
9. Mr. Dilworth has publicly stated that our bank accounts had been reconciled. This was patently not true since our last audit and upon the recommendations of our legal counsel, they recommended that we not approve the audit until the bank accounts have been reconciled.
10. In addition, the Village contracted with IRH Development to complete the reconciliation for over bank 70 accounts ... Since they had not been reconciled for years! He also argued with IRH Development that the 70 accounts were probably a "chart of accounts,, and not actual bank accounts. Needless to say that was patently untrue.
11. During a previous BOT meeting, Mr. Dilworth incorrectly stated that the tax levy was 5.2%, which exceeded the legal limit and thus required a referendum. This was untrue because he failed to consider the levy for our debt service which when included made the amount of the levy less than 5% (it was 4.6%). This was information provided in writing as part of the levy ordinance. We cannot have individuals entrusted with important responsibilities making incorrect and inaccurate public statements.
12. Despite the many problems in our audit findings, he has not worked with any of the Village administration(s) or the Finance committee on how to organize and implement the Auditors recommended changes.
13. Publicly, Mr. Dilworth adamantly said there were only two columns on the Treasurers report... There are four columns (beginning balance, revenue, expenditures, ending balance). As a treasurer, this is something you should definitely know.

14. Recently, we have discovered the depths of our financial difficulties and have been working with outside consultants to correct and identify the many problems found.
15. Members of the previous Board were criticized for leaving a Board meeting. The reason we left is that Mr. Dilworth during his public comments totally disrespected the Board by turning its back on it to speak to the audience and would not stop despite the requests from the Mayor, the trustees and the police chief. Because we would not be disrespected, we left the meeting since he and the meeting were out of control. This was both very unprofessional and very disrespectful.
16. He has subsequently apologized; however, the damage has been done!
17. Going forward, in my opinion, we need to have the individuals in place that will help move us forward in the right direction and with the competence and professionalism that we need and deserve as a community. When the public receives information it needs to be correct.
18. We need to have someone to represent the Village moving forward in the proper way. Given our current financial crisis, in my opinion, we cannot continue to make the same mistakes that we have in the past. In my opinion, Mr. Dilworth is not that individual that will lead us properly in this critical function.

Ayes: Trustees Wilson, Brooks, McMullan, and Mayor Covington.
Nays: Trustees Williams, Payton, and Oscar Brown.
Absent: None.

Motion To Approve Carried

Resolution Number R2017-07.

F-2d: Administration Of The Oath Of Office Of The Newly Appointed Treasurer.

Accompanied by Mayor Covington, Village Clerk Dee Jones administered the Oath Of Office to newly appointed Treasurer Devon Dilworth.

F-2e: Motion To Approve The Appointment Of Edward Joseph Lovelace To The Board Of Fire And Police Commissioners For A Partial Term That Shall Expire On December 31, 2017

Trustee Brooks moved, Trustee McMullan seconded a motion to approve the appointment of Edward J. Lovelace to the Board of Fire and Police Commissioners to fill the unexpired term of newly elected Trustee Theo Brooks.

Ayes: Trustees Williams, Wilson, Brooks, McMullan, Payton, Oscar Brown, and Mayor Covington.

Nays: None.

Absent: None.

Motion To Approve Carried.

F-2f: Motion To Approve The Appointment Of Christopher Humes To The Board Of Fire And Police Commissioners For A Full Term That Shall Expire On June 12, 2020

Trustee Payton moved, Trustee Wilson seconded a motion to approve the appointment of Christopher Humes to the Board of Fire and Police Commissioners for a full three (3) year term.

Ayes: Trustees Williams, Wilson, Brooks, McMullan, Payton, Oscar Brown, and Mayor Covington.

Nays: None.

Absent: None.

Motion To Approve Carried.

F-2g: Motion To Approve The Re-Appointment Of Bobbie Greer To The Board Of Fire And Police Commissioners For A Full Term That Shall Expire On June 12, 2020.

Trustee Wilson moved, Trustee Oscar Brown seconded a motion to approve the re-appointment of Bobbie Greer to the Board of Fire and Police Commissioners for a full three (3) year term.

Ayes: Trustees Williams, Wilson, Brooks, McMullan, Payton, Oscar Brown, and Mayor Covington.

Nays: None.

Absent: None.

Motion To Approve Carried.

F-2h: Administration Of The Oath Of Office To The Re-Appointed Fire and Police Commissioner Bobbie Greer

Accompanied by Mayor Covington, Fire and Police Commissioners Chair Deborah Young and Trustee Brooks, Village Clerk Dee Jones administered the Oath Of Office to Commissioner Bobbie Greer.

NOTE: *Commissioner Humes had to leave the meeting prior to being sworn in, and Commissioner Lovelace was not present at this meeting.*

F-2i: **Resolution of The Village of University Park Will and Cook Counties, Illinois Authorizing the Execution of an Agreement Between the Village of University Park and Amara Enyia for Services as Village Manager.**

Trustee Brooks moved, Trustee Wilson seconded a motion to table this item to after the executive session

Ayes: Trustees Williams, Wilson, Brooks, McMullan, Payton, and Mayor Covington.
Nays: Trustee Oscar Brown.
Absent: None.

Motion To Table Carried.

F-2j: **Resolution Of The Village Of University Park, Will And Cook Counties, Illinois Authorizing The Execution Of An Agreement By And Between M & J Underground, Inc. And The Village of University Park For The Sandra & Blackhawk Drive Storm Sewer Improvement Project**

Trustee Payton moved, Trustee Brown seconded a motion to approve this resolution.

Trustee Oscar Brown asked if this project was on the approval list of projects, and if the Village had the funds to pay the Village's portion.

Village Manager Enyia responded that the Will County Community Development Block Grant Program (CDBG) agreed to pay \$170,000.00, and the Village's portion \$97,376.00. That the Village Engineer's plan is to draw down the \$170,000 from Will County, once this resolution is approved by the Board, and use a portion of those funds to cover the Village's share.

Trustee Brooks asked if we can guarantee the funds needed for this project.

Village Manager Enyia responded that the Engineer plans to renegotiate a lower price with the contractor.

Trustee Brown asked to know the plan to repay the money.

Village Manager Enyia responded that the Village needs to address additional revenue streams.

Trustee Payton stated that a TAW would help if we got our audits up to date.

Roll Call On F-2j:

Ayes: Trustees Williams, Wilson, Brooks, McMullan, Payton, Oscar Brown, and Mayor Covington.
Nays: None.
Absent: None.

Motion To Approve Carried

Resolution Number R 2017 – 08.

F-2k: Bills List (Paid & Payables)

Trustee Brooks moved, Trustee Payton seconded a motion to approve the following bills payables:

Illinois Risk Management	\$ 12,500.00
KS State Bank	\$ 48,219.23
WCGL Member	\$ 8, 521.14
Weldstar Corporation	\$ 91.00
Baxter & Woodman	\$ 1,273.71
Montana & Welch	\$ 24,872.11
Bond Payments	\$ <u>116,338.65</u>
Total:	\$ 199, 315.84

Trustee Payton asked if the Village could apply for funding from Will County if we did not renew the membership at this time; clarity on payment to Baxter & Woodman, and requested details of services from Montana & Welch from 2015.

Public Works Director Richardson responded that the Village would need to be a member if we are to receive special rates and funding for special projects and equipment.

Mayor Covington responded that payment to Baxter & Woodman is important because she is holding onto a \$1 million grant that she does not want to lose, where our portion is 50-50.

Motion To Amend Bills Payable

Trustee Payton moved, Trustee Brown seconded a motion to withdraw payment of Montana & Welch pending notification of approved invoices.

Ayes: Trustees Williams, Payton, and Oscar Brown.

Nays: Trustees Wilson, Brooks, McMullan, and Mayor Covington.

Absent: None.

Motion Failed To Carry.

Roll Call On Bills Payable

Ayes: Trustees Williams, Wilson, Brooks, McMullan, Payton, and Mayor Covington.

Nays: Trustee Oscar Brown.

Absent: None.

Motion To Approve Carried

G. Mayor's Report

Mayor Covington delayed her report until the next meeting for presentations by the Azavar Government Solutions and Aqua Water Company.

1) Presentation by Azavar Government Solutions

A representative of Azavar Government Solutions addressed the Mayor and Board of Trustees informing them that their company does utility billing that specializes in finding and correcting GO Codes of utility companies, thereby bringing in thousands of dollars to the municipality. He stated that they ask for a 36 month contract, and the share of the revenue received is divided 55% to municipality and 45% to their company. He further stated that this differs from the gas tax utility.

2) Presentation by Aqua Water Company

Melissa, of Aqua Water Company addressed the Board and gave a PowerPoint presentation of their plans to bring soft water to the Village Of University Park. She stated that Aqua had filed a petition with the ICC for a rate increase to bring this softened water from the Kankakee River to the Village, and stated that construction of the pipe line started in 2016 and is expected to be completed by December 2017. She also stated that their company spent over \$30 million to run the pipeline into University Park and that they anticipate a monthly increase of \$38.95 for this new

system. She explained that with the softened water it would eliminate the cost of bottled drinking water, softener and salt.

Melissa also stated that the rate increase would have to be approved by the ICC and would not go into effect until next year probably around March, 2018.

Reports Of Trustees

No comments made.

H. ANNOUNCEMENT OF SCHEDULED MEETINGS

None noted.

I. EXECUTIVE SESSION

Trustee Wilson moved, Trustee McMullan seconded a motion to move into executive session at 10:35 pm.

Ayes: Trustees Williams, Wilson, Brooks, McMullan, Payton, Oscar Brown and Mayor Covington.
Nays: None.
Absent: None.

Motion To Approve Carried.

The Board returned from executive session at 12:03 AM June 14, 2017, resumed the regular meeting, and took the following action.

Trustee Payton moved, Trustee Oscar Brown seconded a motion to table action on the resolution and contract for services as Village Manager of Amara Enyia to the next Board meeting.

Ayes: Trustees Williams, Wilson, Brooks, McMullan, Payton, Oscar Brown and Mayor Covington.
Nays: None.
Absent: None.

Motion To Table Approved.

J. ADJOURNMENT

Trustee Payton moved, Trustee Oscar Brown seconded a motion to adjourn the regular meeting of the Board of Trustees at 12:10 AM June 14, 2017.

Motion to Adjourn Carried by Unanimous Voice Vote.

Respectfully Submitted,

Dorothy R. Jones

Dorothy R. Jones, MMC
Village Clerk