

Board of Education
COMMUNITY HIGH SCHOOL DISTRICT 94
June 15, 2004 – 7:30 p.m.

Community High School
326 Joliet Street
West Chicago, Illinois

5952

OPENING ACTIVITIES

1. Call to Order
2. Mrs. Stott led the Board membership in the Pledge of Allegiance
3. Mr. Jensen read the Mission Statement:
Community High School strives to promote and provide growth experiences in Learning, Leadership and Living.
4. Encouraging Words Quotation –
Mr. Nagel read the following quotation: "A book is like a garden carried in the pocket." – Chinese Proverb
5. Roll Call – Present were:
Mrs. Davidson, Mr. Jensen, Mr. Nagel, Mrs. Owens, Mrs. Stott, and Mrs. Westrom.

Member(s) Absent – Tony A. Reyes
6. Additions to Agenda – None

APPROVAL OF MINUTES

1. Regular Board of Education Meeting – May 18, 2004
RECOMMENDED MOTION: That the Board of Education approve the minutes of the Regular Meeting of the Board of Education held on May 18, 2004, as corrected to reflect that the motion for item 5 (Technology Network Engineer) was made by Mrs. Westrom and seconded by Mrs. Davidson; as well as the minutes of the Executive Session of the May 18th Regular Meeting .
MOTION: Mr. Jensen
SECOND: Mrs. Davidson
VOTE: Unanimous Approval 6 - 0
2. Special Board of Education Meeting – May 25, 2004
RECOMMENDED MOTION: That the Board of Education approve the minutes of the Special Board of Education Meeting and the minutes of the Executive Session of the Special Board of Education Meeting held on

May 25, 2004, called for the purpose of the sale of real estate and personnel matters.

MOTION: Mrs. Davidson
SECOND: Mrs. Stott
VOTE: Unanimous Approval 6 - 0

3. Special Board of Education Meeting – June 1, 2004

RECOMMENDED MOTION: That the Board of Education approve the minutes of the Special Board of Education Meeting and the minutes of the Executive Session of the Special Board of Education Meeting held on June 1, 2004, called for the purpose of personnel and collective bargaining matters.

MOTION: Mrs. Stott
SECOND: Mrs. Davidson
VOTE: Unanimous Approval 6 - 0

APPROVAL OF FINANCIAL REPORTS

1. Approve Current Expenditures

RECOMMENDED MOTION: That the Board of Education approve the expenditures from May 13, 2004, to June 9, 2004.

MOTION: Mrs. Stott
SECOND: Mrs. Westrom
VOTE: Unanimous Approval 6 - 0

2. Imprest Fund
3. Treasurer's Report
4. Statement of Position
5. Financial Statement
6. Cash Fund
7. Activity Account Fund Balance

STUDENT RECOGNITION

1. Students-of-the-Months –
Nils Higdon (May, 2004)
Kim Rovtar (June, 2004)

PUBLIC PARTICIPATION (Agenda Items Only)

The Board recognized Mr. John Norman, from the High Lake Condominiums, who expressed concern over the lack of information given to the public on the proposed development of the High Lake property; the apparent acceptance of the lowest of the 4 bids; as well as the possibility of mitigation being accomplished with a lake in the middle of the property. He also mentioned Sunshine Laws in Florida and the failure of 3 of the bidders to reveal details of their development plans.

In response, Dr. Rieck stated that all four bidders submitted proposals for what they intended to build pending successful negotiation with the Village of Winfield. He also stated that bids were advertised in local newspapers for three consecutive weeks and that those notices included the dates and times of bid openings which are open to the public; agendas for Board of Education meetings were posted on the District's web page and given to local newspapers; and that various articles had appeared in newspapers of general circulation covering the subject. He advised that the so-called Sunshine Laws allow public bodies to negotiate in closed session; that invitations were extended on more than one occasion to the Winfield Village Trustees to attend the meetings, but that only Mr. Cole had accepted. He noted that communication with the Village of Winfield seemed to have improved considerably with Mr. Cole.

Vice President Nagel stated that it was not the intent of this Board to make a quick cash sale on the land but rather that the Board was seeking a combination of a sales price and anticipated increases in market value, e.g., EAV in order to optimize the value that would flow back to the school district. He advised that under consideration at this meeting is a contract that includes a contingency stating the plan has to win the approval of the Winfield Annexation and Zoning Board before the District 94 Board makes any sale final. The goal is to build lots of homes that will generate lots of tax dollars but result in only a few students attending school within the district. If the plan does not fulfill those goals the deal would be rescinded.

Discussion continued regarding the number of single family homes and town houses to be constructed; the availability of the site plan only after approval by the Village; and the existence of a parking area designated by the Park District that runs adjacent to the property on High Lake Road.

The Board then recognized Claudine Moscinski, president of the High Lake Condominium Association, who was seeking further clarification on the District's request to rebid the property to include contingencies which were later removed and the Board's rationale for not accepting the highest bidder; the Association's desire for residential development vs. commercial development; and the general impression that the Board would be voting on the sale of the property tonight and that it is a "done deal."

Mr. Nagel reiterated the School Board's intent to maximize revenue back into the District and the District's need to make a decision. Because this Board's discussions with the developers were conducted in closed session, Mrs. Owens encouraged the homeowners association to check with the Village of Winfield and/or Creekside Builders to see if they could share specific information more freely.

The Board then recognized Mr. Ron Barzo whose concerns included increased population density and congestion due to construction of town homes on the site; the possibility of a public hearing to discuss issues; his general feeling that Creekside will get whatever they want from the Village of Winfield; his fear that Winfield will become a Naperville; and his impression that no one at the Village had seen any plan. He sought, and was given, assurance that no conflict of interest occurred between any District 94 Board members and Creekside. It was noted that those Board members present could not speak for Mr. Reyes who was absent from the meeting.

Mr. Nagel responded that it was the impression of the Board members that at least three of the four bidders had had meetings with various people within the Village and had come to the District 94 closed session meeting with some background discussions having already taken place. Each presented a proposal based on what they felt would be agreed to by Winfield. Mr. Nagel suggested that the decision on a public hearing rests with the City of Winfield; that this Board also represents Carol Stream, Warrenville, West Chicago, and Wheaton and must consider the entire District in its decision.

President Owens thanked the individuals who addressed the Board this evening as well as those who attended from the High Lake Homeowners' Association. She advised that the contract was scheduled for discussion later on the agenda and that it would be voted on in open session.

REPORTS AND INFORMATION

1. Bid Awards – (Roll Call)

Gary Grizaffi

- a. Climbing Wall – Mr. Grizaffi referred the Board to the bids received for the climbing wall that had been previously presented at the June 1st Special Board of Education Meeting. He had been asked to obtain some additional information on a climbing wall program. The provider advised that the climbing wall increases balance, agility, strength, and that the routes develop courage, interests a wide variety of ability levels because it is non-competitive, and helps to develop interdisciplinary relationships based on trust between the participants. The Athletic Director at Naperville Central advised him that their climbing wall has created cooperation among students; instilled trust; and that based on his experience, if he were to do it again, the only thing he would change is to build it higher.

Mr. Grizaffi advised that the wall would be inspected annually and minor repairs would be made free of charge. Instructors would need to be re-certified every couple of years. Our liability carrier advises that they have several clients with climbing walls and that it should not result in an increase in our rates. Mr. Jensen affirmed that Naperville is extremely

pleased. The Board expressed its appreciation to General Mills for its generous donation to this endeavor.

- b. Student Transportation – Mr. Grizaffi began by stating that the rate for regular student transportation routes and TCD routes as indicated in the packet should be 2.75% for 2004-05; 3.75% for 2005-06; and 3.00% for 2006-07. The Extracurricular rates remain unchanged. He noted that the increase does not reflect fuel costs and that there is a fuel cost escalator included with the contract of the difference between the wholesale purchase rate and \$1 per gallon for diesel fuel. Laidlaw was the only vendor who bid for the contract. The Administration will pursue the possibility of having the DVC Athletic Directors consolidate and coordinate the transportation of student athletes to events in an effort to save money.

RECOMMENDED MOTION: That the Board of Education award the bid for Traverse/Climbing Wall Equipment to Cliffs and Cables LLC, Chicago, Illinois in the amount of \$32,884.40, as presented in Att. §C – pp. 3 -4 and made a part hereof; and the bid for student transportation services to Laidlaw Transit, Inc., for FY 2005-07, as presented in Exhibit A and B as presented in the packet in Att. §C – pp. 5 - 9, and made a part hereof

MOTION: Mr. Jensen

SECOND: Mrs. Davidson

VOTE: Unanimous Approval 6 - 0

- c. Food Service – Mr. Grizaffi advised that the Food service bid would be presented at a later date.
2. Report on Lincoln School – Mr. Grizaffi advised that the weather has played a major roll in holding up the final grading and seeding of the land vacated by Lincoln School. It is hoped that work would be completed by the end of next week, weather permitting.
3. Report on TIF Meeting – Dr. Rieck reported that the TIF meeting was held on June 11, 2004, and included representatives from the various taxing entities within the district. The area under discussion was the property located on the northeast corner of Route 59 and North Avenue bounded by the Prairie Path to the rear. This recommendation was based on the property meeting many of the 13 reasons for qualification as a TIF designation including: a lag in the EAV, number of excessive vacancies; a lack of community planning; code violations; and a general deterioration of building(s) due to lack of use. It will be recommended that the City Council move forward on this designation.

4. IASA Dues – (Roll Call) Lee Rieck
Dr. Rieck noted that the Board is requested to approve these dues for payment as part of the Superintendent's contract
RECOMMENDED MOTION: That the Board of Education approve for payment the IASA dues for 2004-05 in the amount of \$1,357, as shown on Att. §C – p. 9.
MOTION: Mrs. Stott
SECOND: Mrs. Westrom
VOTE: Unanimous Approval 6 - 0

5. Progress on Sale of High Lake – Mrs. Owens began by thanking Mr. Jensen and Mr. Nagel for all of their hard work on the anticipated sale of the High Lake property. She then introduced Mr. Christopher Petrarca, the District's attorney in this matter.

Mr. Nagel stated that the main purpose of the meeting with Creekside Partners on Monday, June 14th was to present the District's issues and concerns and to let them know we are planning on putting together a contract that would allow Creekside to work with the Zoning and Annexation Committee of the Village of Winfield but would not yet give him title to the land. The District presented some of the issues it deemed important such as the land not being purchased and then resold to a tax exempt entity such as a park district, church, or hospital; impact fees; building restrictions into both the deed and the contract; maintaining title and control of the land until all restrictions are met and approval is reached by the Zoning and Annexation Committee.

Attorney Petrarca stated that the draft agreement began with "boiler plate" provisions with specific concerns added. He reviewed Creekside's responses, including: the intent to develop the land as a PUD which would be a maintenance-free community with a "fairly stiff" monthly assessment to property owners; the design is intended to discourage families by limiting the number of 3-bedroom units to 20%, whether town homes or condominiums; the title policy; the addition of language to assure that the property would be residential; the property reverting back to District 94 in the event of condemnation proceedings; conditions under which earnest money would be refunded as it relates to the November 30th deadline; lack of performance penalties, if any; the use of "units" versus "condos" in paragraph 8 of the contract; the current rate of taxation on the property; revision to the liquidated damages clause to include language outlining graduated penalty fees for not adhering to the limitation of 3-bedroom units at levels that would dissuade the developer from doing so; and the assignment of rights clause mandating the prior approval of District. The attorneys for Creekside and District 94 will meet once more to finalize the agreement. No action is required this evening.

Dr. Rieck stated that the Village of Winfield is not current on the payment of impact fees to the district. Mr. Grizaffi stated that the village has informed him that they are lagging behind in the collection of land cash ordinance fees.

6. Committee-of-the-Whole Meeting on July 6, 2004 Lee Rieck
Based on the above, the Committee-of-the-Whole meeting will be cancelled for June 6th and instead a Special Board of Education Meeting will be scheduled at 7:00 p.m. for the purpose of the purchase or lease of real property.
7. Prevailing Wage Rate – (Roll Call)
Mr. Grizaffi reviewed with the Board that this is an annual occurrence required by the State of Illinois and the Department of Labor
RECOMMENDED MOTION: That the Board of Education approve the prevailing wage rates and resolutions as shown on Att. §C – pp. 11 - 24.
MOTION: Mrs. Stott
SECOND: Mrs. Westrom
VOTE: Unanimous Approval 6 - 0
8. May/June, 2004 Student Attendance and Suspension Report
Dr. Rieck briefly reviewed the Student Attendance Reports for May and June, 2004, noting that the attendance report aligned with other years but that the Suspension Report was elevated due to the number of participants in senior prank activities.
9. June, 2004 Project Goals Progress Report
Dr. Rieck directed the Board's attention to this month's report, revised to include the latest updated information. He noted that next month's report would include the 2004-05 goals and that some of the 2003-04 goals would be removed to the Goal Completion Bank document.
10. Board Representative Reports
 - Business/Community Education Partnership – Mrs. Westrom referred the Board to the Dr. Rieck's summary in the Update on this topic.
 - SASSED – Mrs. Westrom reported that the focus of these meetings continues to be the replacement of Mr. McCollum. Officers and appointments remain the same as last year
 - West Chicago Park District – No Report
 - West Chicago Council of Governments – No Report
 - Class Size Committee – No Report
 - Supervision Committee – No Report
 - CHS District 94 Educational Foundation – Patricia Davidson also referred the Board to the summary in the Update, adding that work is underway on the annual fundraiser at King James on August 20th.

- Wildcat Sports and Activity Council – No Report
 - Negotiations Committee – No Report
 - Open Comments – Board members commented on the Graduation Ceremony and the need to begin looking at safety issues regarding parents crowding the stage to take photographs of their graduates; the Girls Regional Softball Game, and a request to the Board to help recoup the cost of fencing which was not covered because of the low turnout due to inclement weather.
11. Future Dates
- a. Committee-of-the-Whole Meeting – July 6, 2004 at 7:00 p.m. in the Administration Conference Room is **Cancelled**.
 - b. **Special Board of Education Meeting** – July 6, 2004 at 7:00 p.m. in the Administration Conference Room for the purpose of the purchase or lease of real property.
 - c. Board of Education Meeting – July 20, 2004 at 7:30 p.m. in the Administrative Conference Room

CONSENT AGENDA

Committee meeting action and/or other action items considered routine and/or which have been previously discussed by the Board will be enacted under one roll call motion unless removed for separate action upon Board request. They are enumerated under the heading “Recommended Action from Committee-of-the-Whole Meetings.”

1. Items Removed from Consent Agenda for Separate Action:
 2. State Officials and Ethics Act
 4. Welcome Center Agreement
2. Consent Agenda Action for All items Except those listed in 1. Above.
RECOMMENDED MOTION: That the Board of Education approve all items on the Consent Agenda which have not been specifically removed for separate action as shown in line 1. immediately above
MOTION: Mr. Nagel
SECOND: Mrs. Davidson
VOTE: Unanimous Approval 6 - 0

RECOMMENDED ACTION FROM COMMITTEE-OF-THE-WHOLE

1. **Personnel Reports – (Roll Call)**
RECOMMENDED MOTION: That the Board of Education approve the Personnel and Supplemental Contract reports as presented in the packet (Att. §C – pp. 31 - 33), and at table.

CONSENT AGENDA MOTION APPROVAL

3. **IASB Membership – (Roll Call)**

RECOMMENDED MOTION: That the Board of Education approve membership in IASB for the 2004-05 school year under the terms set forth in (Att. §C – pp. 47 - 56).

CONSENT AGENDA MOTION APPROVAL

5. **District Goals for 2004-05 – (Roll Call)**

RECOMMENDED MOTION: That the Board of Education approve the District Goals for 2004-05, as shown in Att. §C – pp. 59 - 60.

CONSENT AGENDA MOTION APPROVAL

2. **State Officials and Ethics Act – (Roll Call)**

Following discussion, it was the consensus of the Board that the changes in "compensated time" language would be deleted.

4. **Welcome Center Agreement – (Roll Call)**

Following discussion, it was the consensus of the Board that paragraph 6 of this Agreement would be amended to include language that both districts would share equally the cost of the Welcome Center Secretary
RECOMMENDED MOTION: That the Board of Education approve Item 2 and Item 4 of the Consent agenda with the changes noted above.

MOTION: Mr. Nagel
SECOND: Mrs. Davidson
VOTE: Unanimous Approval 6 - 0

NEW BUSINESS

1. Administrator Contracts
2. Support Staff Contracts

OLD BUSINESS

PUBLIC PARTICIPATION (Any Item)

In response to a question from Mr. Barzo, Mr. Grizaffi responded that the District has not collected any money from Creekside Partners for any of their developments in Winfield. He further stated that the responsibility for collection and payment of impact fees rested with the Village.

In response to questions from Mr. Rudy Czech, a Winfield Village Trustee, Mr. Jensen advised that the purchase of High Lake was rebid in an attempt to limit the variety of contingencies included in the various bids. Questions were asked of, and answered by, Board Members/Administrators regarding the timeframe of the bid process; what happened to the other two bidders; whether or not the Village of Winfield had received plans; proper notice to Village officials to attend meetings; and the availability of site plans. Dr. Rieck advised that copies of the agreement to proceed would be available at the Special Board Meeting scheduled for July 6, 2004.

The Board recognized Mr. Rocky Rockett, a Winfield Resident, who stated he was very impressed with the contract discussions. He also stated that the development in Winfield had generated a tremendous amount of discussion including a groundswell movement against the prevailing philosophy of the Winfield Village Board, the sentiment against diverse population developments and the affiliation of Mr. Russo/Creekside with them; and his expectation that there would be a fair amount of public reaction to the District awarding the contract to the lowest bidder. Mr. Nagel responded that for every \$3 of market value results in \$1 of EAV which is taxed. If one developer offers 50% more market value than another developer, and that is looked at over 20 years, the additional dollars that would accrue to the District as tax revenue are significant. Mrs. Owens stated that the District had not merely jumped into this but had spent many hours looking at spreadsheets 20 years into the future and what was in the best interests of our constituents. Mr. Nagel stated that the Village of Winfield is in control of what is built there. The Board was looking to generate on-going revenue so that we can do things for kids.

EXECUTIVE SESSION (only if needed)

RECOMMENDED MOTION: That the Board of Education hold a Closed Session at 10:18 p.m. for the purpose the appointment, employment, compensation, discipline, performance, or dismissal of specific employees

MOTION: Mrs. Stott

SECOND: Mrs. Westrom

VOTE: Unanimous Approval 6 - 0

RECOMMENDED MOTION: That the Board of Education return to open session at 11:30 p.m.

MOTION: Mrs. Westrom

SECOND: Mrs. Davidson

VOTE: Unanimous Approval 6 - 0

ACTION AFTER RETURN TO OPEN SESSION

1. Administrative Contracts, Support Staff Contracts, and Miscellaneous Salary Adjustments – (Roll Call)

RECOMMENDED MOTION: That the Board of Education approve:

- A.1 administrative salary ranges for 2004-05, as shown in Section D of the Administrative Contract Proposal dated May 24, 2004, and revised June 15, 2004, attached hereto and made a part hereof;
 - A.2 the recommended Administrative salaries for 2004-05 as determined by the Superintendent with an overall average increase not to exceed 5.0%, as shown in Section F of the Administrative Contract Proposal dated May 24, 2004, and revised June 15, 2004, attached hereto and made a part hereof; and
 - A.3 the salary increase for the Community Relations Coordinator for 2004-05, as shown in Section G Administrative Contract Proposal dated May 24, 2004, and revised June 15, 2004, attached hereto and made a part hereof.
- B. the salaries for non-represented staff for the 2004-05 school year, as shown in the Support Staff Salary Recommendations for 2004-05 dated May 21, 2004, attached hereto and made a part hereof.
- C. the Miscellaneous Salary Adjustments for 2004-05 as shown in the Memorandum dated May 21, 2004, attached hereto and made a part hereof.

MOTION: Mr. Nagel

SECOND: Mrs. Davidson

VOTE: Ayes: Nagel, Davidson, Owens, Westrom and Stott

Nays: Jensen

Motion Carried: 5 - 1

ADJOURNMENT

RECOMMENDED MOTION: That the Board of Education meeting be adjourned at 11:35 p.m.

MOTION: Mrs. Davidson

SECOND: Mrs. Westrom

VOTE: Unanimous Approval on Voice Vote

Maria F. Owens, President

ATTEST:

Patricia K. Davidson, Secretary