

**PARK DISTRICT OF HIGHLAND PARK  
BOARD OF PARK COMMISSIONERS  
MINUTES OF REGULAR MEETING  
NOVEMBER 17, 2020**

The Regular Meeting of the Board of Park Commissioners of the Park District of Highland Park was conducted remotely due to the Governor’s Declaration of Emergency as a result of the COVID-19 Pandemic. Members of the public were able to view a live stream of the Regular Board Meeting.

The meeting was called to order at 6:03 p.m. by President Ruttenberg.

**ROLL CALL**

**Present:** Commissioner Bernstein, Commissioner Grossberg, Commissioner Flores Weisskopf, Vice President Kaplan, President Ruttenberg

**Absent:** None

**Staff Present:** Executive Director Romes; Director Smith, Director Voss, Director Dunn, Director Peters, Director Gogola, Director Carr; Assistant Director Maliszewski; General Manager/Superintendent of Golf Operations Ochs; Manager Johnson, Coordinator Hejnowski

**CLOSED SESSION**

A motion was made by Commissioner Bernstein, seconded by Vice President Kaplan to adjourn into Closed Session for discussion of Section 2(c)8 – security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property; - for discussions between internal or external auditors and the Board.

**Roll Call:**

**Aye:** Commissioner Bernstein, Commissioner Grossberg, Commissioner Flores Weisskopf, Vice President Kaplan, President Ruttenberg

**Nay:** None

**Absent:** None

**Abstain:** None

**Motion Carried**

The meeting adjourned into Closed Session at 6:06 p.m.

The meeting reconvened into Open Session at 7:05 p.m.

**ACTION FROM CLOSED SESSION IF ANY**

President Ruttenberg reported that the Park Board of Commissioners met in Closed Session under Section 2(c)8 – security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property; - for discussions between internal or external auditors and the Board regarding the impacts from the Governors new restrictions and the local Order issued by the Mayor of Highland Park. President Ruttenberg welcomed Mayor Rotering and Councilman Blumberg to the meeting and reported that there is a pending motion to approve the Governors new restrictions which limit many of the Park District’s indoor facility operations however it permits health clubs/fitness centers to operate at no more than 25% capacity. Since the local order is more stringent, asking that indoor workout facilities and dance studios close due to the increased positivity rate and rate of hospitalization cases which occurred over the past weekend in Highland Park, President Ruttenberg proposed an amendment to the pending motion which complies with the Mayor’s local order requiring the Recreation Center of Highland Park to close. President Ruttenberg asked Mayor Rotering to provide a brief update as to why the City of Highland issued this order since it conflicts with the Governor’s restrictions.

Mayor Rotering reported that both the City of Highland Park and the Park District’s priorities are to keep our constituents safe and healthy, and while she recognizes recreation as a critical component, the Infectious Diseases Society of America, categorizes health clubs/fitness centers as high-risk establishments/activities. While she understands the importance of fitness, the positivity rate in our region is 17.1% vs. the 12.5% positivity rate of the state. More importantly, she reported that Highland Park had 177 new cases of COVID-19 over the weekend, vs. the 729 cases which accumulated over the past 8months, reporting that our region is averaging 91 cases per month. Mayor Rotering reported that our region is at a crisis level, suggesting that hospitals will meet or exceed capacity limits within 3 weeks if this region does not change its behavior, so she asked the Park Board of Commissioners and Park District staff to close the Recreation Center of Highland Park for 30days, as stated in the local order, to help flatten the curve. She reported that while her local order may be more stringent, the decision was made based on scientific data and with the best of intentions.

Commissioner Grossberg reported that he has two issues he would like to address, the first issue is regarding the scientific data presented by Mayor Rotering, as the Governor’s data reports that an individual is more likely to catch the virus from a family member vs. a 20,000 sq. foot health club/fitness center which is only permitting usage for 10 individuals at a time. The second issue is regarding freedom of choice, stating that the Park District is not mandating or forcing individuals to come and use the Recreation Center of Highland Park if they are uncomfortable. He reported that his highest priority is and always will be focused on health and safety, however, he does not support the Mayor’s decision and would prefer to follow the Governor’s restrictions.

Mayor Rotering reported that this is a matter of health and safety, and when an individual's actions can increase the spread of an infectious and deadly disease to the community, that’s where the Public Health Department and the Infectious Disease Society of America provide recommendations to the local

municipalities to help combat the spread of disease, regardless of how difficult these decisions and sacrifices may be.

Commissioner Grossberg would like to know if the City of Highland Park corresponded with Park District officials before issuing this local order since the order significantly impacts Park District operations and staffing.

Mayor Rotering reported that she had a conversation with President Ruttenberg, and a member of the City Council had a conversation with Executive Director Romes.

Commissioner Grossberg reported that the local order was issued before the Park Board of Commissioners were able to meet as a unit to discuss the operational and staffing impacts.

Executive Director Romes reported that he expressed his concerns to City Manager Neukirch regarding the impacts to Park District operations as a result of the local order, however, that was the extent of the conversation.

Commissioner Grossberg would like to know if a delay of the local order was proposed.

Executive Director Romes reported that informed City Manager Neukirch that the proposed local order would significantly impact operations and he would like to pursue the Governor's order, as their team of specialists deems health clubs/fitness centers as essential and safe environments permitted the recommended sanitation and social distancing guidelines are implemented. This evidence is also supported by the World Health Organization and the Center for Disease Control. While the Governor is permitting health clubs/fitness centers to operate at 25% capacity, Executive Director Romes and staff recommend reducing the capacity, to 10 people or less at a time by reservation only to current members.

Commissioner Grossberg asked if the Governor is requiring the Park District to close health clubs/fitness centers.

Executive Director Romes reported that the Park District of Highland Park is a separate unit of government, so the Park Board of Commissioners has the ability to govern our District separately, so long as it is consistent with the Park District's mission and the health and safety of the community. He and staff are recommending that the Park Board of Commissioners complies with the Governor's new restrictions, that of which Deer Creek Racquet Club and Centennial Ice Arena will only be open for one-on-one personalized training for organized sports. West Ridge Center, Heller Nature Center, and the Highland Park Field House will be closed until further notice. Programs will transition to virtual or outdoors. Sunset Valley Golf Club and the Highland Park Golf Learning Center will remain open so long as weather permits. Lastly, the Recreation Center of Highland Park would remain open by reservation only for current members, permitting no more than 10 people on the fitness floor at a time. Additionally, one-on-one personal training sessions and organized sports will be permitted and occur in a separate space of the facility, lap swim reservations

will be reduced to 3 lanes, and one-on-one swim lessons will be permitted. He reported that this decision was based on scientific data from the Center for Disease Control (CDC), the Illinois Department of Public Health (IDPH), and the World Health Organization (WHO) as their team of specialists deem health clubs/fitness centers as essential and safe environments permitted the recommended sanitation and social distancing guidelines are implemented, which he feels the Park District standards exceed those guidelines.

President Ruttenberg reported that unfortunately, the Park Board of Commissioners is receiving several conflicting opinions from the national and local levels, and the Park Board of Commissioners has the opportunity to assist in controlling a disease that is disseminating many lives, by following the local order, so he does not support the Governor's new restrictions which permit health clubs/fitness centers to remain open so he is in favor of closing the Recreation Center of Highland Park.

Commissioner Flores Weisskopf reported that 60% of residents do not have children enrolled in the School Districts, so there is a significant elderly population in Highland Park which is of high risk. While she understands the governor's stance, she is in favor of closing the Recreation Center of Highland Park to comply with the local order as it was issued to keep the community safe due to the increased spike of positivity rates throughout our region.

Vice President Kaplan is struggling to understand the local order as the scientific data from the Infectious Diseases Society of America conflicts with the data from the Illinois Department of Public Health. The Illinois Department of Public Health states that there is a 3.12% chance of a person contracting the disease while in the safety of their own home vs. a 1.75% chance of contracting the disease from a health club/fitness center. In this case, he feels the amendment is specific to health clubs/fitness centers and he does not feel comfortable making such decisions suggesting it should be an all or nothing mentality.

Mayor Rotering that such decisions are not made lightly, however, due to the significant spike in cases over the weekend, she felt drastic actions had to be taken and she is asking the Park Board of Commissioners to follow her local order and close the Recreation Center of Highland Park for 30days.

President Ruttenberg asked if home rule supersedes the Governor's order.

Mayor Rotering reported that Highland Park is a home rule municipality, so the City has the right to issue more stringent orders if the evidence supports the need.

President Ruttenberg reported that if the Park District decides to oppose the local order issued by the Mayor of Highland Park it poses a direct confrontation between two governmental agencies regardless of opinions from legal counsel.

Councilman Blumberg reported that the City of Highland Park is a home rule unit, which permits local home ruled municipalities to pass more stringent laws than those of the state. However, home rule municipalities cannot aggregate state laws if the state laws are more stringent.

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Vice President Kaplan reported that he understands how laws, statutes, and procedures work. He and Commissioner Grossberg are frustrated that Park District staff, the Park Board of Commissioners, and members of the City Council wasted time discussing a proposal which the Park District should by no means oppose as a violation of home rule order would ignite a litigation battle. He and Commissioner Grossberg reported that there was a fundamental lack of communication and understanding regarding the proposed question and the adherence to the Mayor's local order.

President Ruttenberg would like to know what was advised by the Park District's legal counsel regarding the adherence to the Mayor's local order.

Executive Director Romes that based on the Governor's order that the City of Highland Park or the Mayor of Highland Park would have the authority to close the Recreation Center of Highland Park. Regardless of advice from legal counsel, Executive Director Romes reported that the Park Board of Commissioners has the ability to decide whether to comply with or oppose the Mayor's local order, so long as the Governor's orders are followed.

President Ruttenberg reported that based on the advice from the Park District's legal counsel the Park Board of Commissioners is being asked to make a decision.

Commissioner Grossberg reported that while he disagrees with the Mayor's order, he is voting in favor of closing the Recreation Center of Highland Park so that the Park District does not violate the home rule order.

Executive Director Romes reported that the Mayor's Order only requires the fitness floor of the Recreation Center of Highland Park to close, so he would like to clarify, the Recreation Center of Highland Park will still be open as staff will teach virtual classes from the facility, outdoor group fitness classes will still be conducted, and so forth.

Commissioner Grossberg reported that he would hope in the future that the Park Board of Commissioners has the ability to meet as a unit before the City of Highland Park issuing local orders which significantly impact critical operations of the Park District as those decisions affect people's lives.

A motion was made by President Ruttenberg and seconded by Vice President Kaplan to approve the proposed Amendment which adheres to the Mayor's Local Order, requiring health clubs/fitness centers to close for 30days due to the increase of positivity and hospitalization rates in Highland Park.

**Roll Call:**

**Aye:** Commissioner Grossberg, Commissioner Flores Weisskopf, Vice President Kaplan, President Ruttenberg

**Nay:** None

**Absent:** Commissioner Bernstein

**Abstain:** None

**Motion Carried**

A motion was made by President Ruttenberg and seconded by Vice President Kaplan to approve the Governor's Executive Order, which goes into effect Friday, November 20, 2020, mandating the changes that Executive Director Romes outlined for Park District facilities and the cessation of indoor fitness activities at the Recreation Center of Highland Park to comply with the approved Amendment.

**Roll Call:**

**Aye:** Commissioner Grossberg, Commissioner Flores Weisskopf, Vice President Kaplan, President Ruttenberg

**Nay:** None

**Absent:** Commissioner Bernstein

**Abstain:** None

**Motion Carried**

**PUBLIC COMMENT FOR ITEMS ON THE AGENDA** – None

**ADDITIONS TO THE AGENDA**

A motion was made by Vice President Kaplan and seconded by Commissioner Grossberg to approve the following changes to the agenda, removal of the Sunset Woods Park Playground Renovation Design and Master Plan Update, the Preserve of Highland Park Project Update, Financial Forecast Update, Parks Foundation Update, Director's Report, and the 2020 Season Ending Report for the Sunset Valley Golf Club and the Golf Learning Center.

**Roll Call:**

**Aye:** Commissioner Grossberg, Commissioner Flores Weisskopf, Vice President Kaplan, President Ruttenberg

**Nay:** None

**Absent:** Commissioner Bernstein

**Abstain:** None

**Motion Carried**

**CONSENT AGENDA**

A motion was made by Vice President Kaplan and seconded by Commissioner Grossberg to approve the Minutes from the October 13, 2020 Workshop Meeting; the Minutes from the October 27, 2020 Regular

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Board Meeting; the 2021 Board Meeting Calendar; the IAPD/IPRA Credentials Certificate; and the Bills and Payroll in the amount of \$1,064,198.54

**Roll Call:**

**Aye:** Commissioner Grossberg, Commissioner Flores Weisskopf, Vice President Kaplan, President Ruttenberg

**Nay:** None

**Absent:** Commissioner Bernstein

**Abstain:** None

**Motion Carried**

**CONTINUATION OF TONIGHTS MEETING**

A motion was made by Vice President Kaplan and seconded by President Ruttenberg to differ Resolution 2020-12 Truth in Taxation until the continuation of tonight's Meeting which will be held on Thursday, November 19, 2020 at 6:00 p.m.

**Roll Call:**

**Aye:** Commissioner Grossberg, Commissioner Flores Weisskopf, Vice President Kaplan, President Ruttenberg

**Nay:** None

**Absent:** Commissioner Bernstein

**Abstain:** None

**Motion Carried**

**ADJOURNMENT**

A motion was made by Vice President Kaplan and seconded by Commissioner Grossberg and approved by a unanimous vote. The Board Meeting adjourned at 8:49 p.m.

Respectfully submitted,



Brian Romes, Secretary