MINUTES OF THE REGULAR MEETING of the Board of Education, Forest Ridge School District 142, held Tuesday, November 12, 2019 at Hille Middle School, 5800 West 151st Street, Oak Forest, IL 60452 from 7:05 – 8:58 PM

MEMBERS PRESENT
Mary Derman, President
Sarah Doff, Vice-President
Jack Hille, Secretary
Tina Banialis (arrived at 7:58 PM)
Nancy Hullinger
Rebekah Mensing
Karly Senesac

OTHERS PRESENT
Dr. Paul McDermott, Superintendent
Susan Arvesen, Board Recording Secretary
Darcy Kriha, Kriha-Boucek Law Firm

I. Call to Order
President Mary Derman called the meeting to order.

II. Pledge of Allegiance

III. Roll Call
President Derman asked for a Roll Call and Members responded as follows: PRESENT: Members Derman, Doff, Hille, Hullinger, Mensing, and Senesac ABSENT: Banialis – arrived after Roll Call at 7:58 PM

IV. Destination Excellence Award
Dr. Paul McDermott awarded the Destination Excellence Award to K-5 Music/Choir Teacher Joy Latka. Nominated by Principals Jeff Kulik and Curt Beringer of Kerkstra and Foster Elementary Schools, Mrs. Latka was honored for the high quality of her teaching within the Music/Choir curriculum. Mrs. Latka brings energy and excitement into her music classes at both elementary schools as well as Ridge Early Childhood Center. Mrs. Latka instills a love of music in all her students through dynamic lesson planning, ideas, units, and performances. Mrs. Latka’s persistence and passion of music has brought ukulele instruction at the 5th grade level. All of Mrs. Latka’s students explore playing a variety of musical instruments and develop a love of singing or playing early on. Outside of the classroom, Mrs. Latka has directed 80 to 100+ students for the winter choir program and spring musical. From year to year, the choir program has grown and students continue to build upon the skills Mrs. Latka has taught. Additionally, Mrs. Latka coordinates the grade-level performances during each building’s Veterans Day celebrations. Mrs. Latka takes her choirs to perform at local events and venues; this is in addition to her active role in District 142 PTA-sponsored events. Mrs. Latka creates a learning environment that is impactful and caring, leaving a positive impression on each student she teaches. Mrs. Latka embodies the ideals of the Destination Excellence Award through all the regular teaching she does and the many extra efforts she makes for students and families outside of the classroom.

V. Illinois School Board Member Appreciation Day
Dr. Paul McDermott stated that November 15, 2019 is Illinois School Board Member Appreciation Day. Dr. McDermott thanked the District 142 Board Members for their volunteer service to the students, parents, and greater District 142 community. Dr. McDermott stated that this type of leadership is needed within a community and stated Board Members help lead our students. Dr. McDermott stated that the theme for this year’s Illinois School Board Member Appreciation Day was “Transforming Vision Into Reality.” Dr. McDermott thanked the Board Members for consistently sharing a positive vision for District 142.
VI. Illinois School Report Card – Elizabeth Ehrhart
Curriculum Coordinator, Elizabeth Ehrhart, stated that the Illinois School Report Cards for the 2018-2019 School Year have been released. Mrs. Ehrhart provided an overview of the Report Cards, sharing the ratings achieved at each school: Kerkstra Elementary scored Exemplary, and Hille Middle School and Foster Elementary scored Commendable. Mrs. Ehrhart stated that Foster Elementary was only 1.2 percentage points away from achieving an Exemplary rating. Mrs. Ehrhart stated a cumulative rating is not given to Ridge Early Childhood Center, as it is largely based on standardized testing that does not take place in Preschool or Kindergarten. Mrs. Ehrhart explained that the data points are calculated from the Illinois Assessment of Readiness (IAR), Illinois Science Assessment, ACCESS (for English Language Learners), NWEA MAP Testing for ELA and Math, and Fastbridge Benchmarking scores. Mrs. Ehrhart stated that all schools posted growth in English/Language Arts (ELA) and Math. Mrs. Ehrhart stated that while the District scored over the state average for Science and saw growth in both ELA and Math, the District’s focus will be to continue focusing on improving Math attainment and growth through a variety of curricular resources and systematic interventions. Mrs. Ehrhart stated that the District is proud of its successes and will continue to strive for student growth. Mrs. Ehrhart stated that the Illinois State Report Card, both full-format and At-a-Glance were available for viewing/downloading at the District’s website, www.d142.org. Member Mensing stated that the improvements were due largely to the teachers’ work and the administration’s focus on getting results.

VII. Public Hearing on Proposed Tax Levy 2019
Chief School Business Official, Heather Rose, presented the proposed 2019 Tax Levy for District 142. Ms. Rose provided detailed information regarding how levies work for school Districts, including defining terminology, defining roles and responsibilities, and key dates and actions that must be adhered to by law. Ms. Rose also explained the role of Equalized Assessed Value (EAV) and Consumer Price Index (CPI) and how these affect the levy.

President Derman asked if there was anyone from the public present who had questions or comments about the Proposed Tax Levy for 2019. No one came forward. President Derman asked if any District 142 Board Members had any questions or comments about the Proposed Tax Levy for 2019. No Board Members expressed comments or posed questions.

VIII. Audience Participation
President Derman asked if anyone present would like to come forward to address the Board. No one from the public came forward to speak.

IX. District Committee Reports
i. Budget & Finance Meeting – 11/12/2019 @ 5:00 PM
Heather Rose, Chief School Business Official, stated that the Budget & Finance Committee met to review potential legislative updates, a review of the 2019 Tax Levy, plans for Kerkstra bathroom remodels, a discussion about the plans for the District Office on Laramie Avenue, and how Substitute Teacher pay is paid out at District 142, including plans to revised that pay schedule and process.

ii. Curriculum & Instruction Meeting – 11/12/2019 @ 6:00 PM
Member Sarah Doff stated that the Curriculum & Instruction Committee met to review the 2019 Illinois State Report Card, consider new Illinois legislation, and discuss possibilities for Gifted/Enrichment programs, including a possible expansion of STEAM and Science curriculum offerings.
X. Principal Appreciation Week – Dr. Paul McDermott
Dr. McDermott stated that since 1990, the Governor of Illinois has designated the third full week of October as Principal Appreciation Week. Dr. McDermott stated that the week is set aside to commemorate all of the hard work that principals conduct in an effort to help education make a difference for students. Dr. McDermott asked for District 142 Principals John Orth, Ryan Nagle, Curt Beringer, Kathy Davis (not present), and Jeff Kulik stand to be recognized for their commitment to District 142 students, families, and staff. Dr. McDermott stated that in addition to leading their school buildings, each Principal is also a member of the District’s Administrative Council, which helps inform, steer, and determine the direction the District is heading. Dr. McDermott thanked the Principals for their amazing work.

XI. Audience Participation
President Derman asked if anyone present would like to make a comment or ask a question of the Board. Mrs. Derman stated that, in keeping regular Board Meeting protocol, this Audience Participation would be the only time in the meeting that public comments/questions would be received. Mrs. Derman stated that the Board would make every effort to answer questions directly, if feasible. Any questions that needed to be responded to outside of the Board Meeting, could be answered by the public participant leaving his or her contact information with the Board Recording Secretary.

A woman by the name of Colleen Azeez, stated that she was an Oak Forest resident and a member of a group called Moms Demand Action. Ms. Azeez stated that there was legislation up for consideration, called Resolution 1, that would allow teachers to be armed with weapons within the school setting. Ms. Azeez stated she was against this legislation and encouraged the School Board to work against this legislation as well. Ms. Azeez provided information from her organization regarding all the ways arming teachers would not be a positive solution to possible violence in schools. Ms. Azeez shared paper copies of SMART (Be SMART in Schools) information to the Board of Education, which contained information about gun violence and safety information that would begin at home.

XII. Parent Teacher Association (PTA) Representative
President Derman asked if a representative from the District 142 PTA would be making a statement. No one came forward.

XIII. Teacher Representation
FREA Co-President Stacey Curtis thanked all the Board Members for their work on behalf of the District. Mrs. Curtis stated that the 1st Quarter was recently completed and teachers were gearing up for upcoming Parent-Teacher Conferences. Mrs. Curtis stated that teachers are looking forward to meeting parents and being able to talk about all their students’ successes and challenges.

XIV. Audit Presentation – Gassensmith & Michalesko, Ltd.
Chief School Business Official Heather Rose introduced John Michalesko, C.P.A. from Gassensmith & Michalesko, Ltd. Mr. Michalesko presented the 2019 Audit for District 142. Mr. Michalesko stated that he and his staff completed on-site visits at the District, which involved reviewing financial records, confirming all revenues and expenses, and analyzing all accounts payable/receivable, payroll, taxes, and fund balance processes. Mr. Michalesko stated that the District 142 received a “Clean-Unmodified” rating, which is the highest audit rating given. Mr. Michalesko stated that District 142 also received a “Clean-Unmodified” rating for its controls, meaning that all mandated legal and accounting procedures were being followed consistently. Mr. Michalesko stated that the District 142 Business Office was managed and running extremely well and there were no outstanding concerns.
XV. Consent Agenda – District 142
President Derman asked if there were any items to be pulled from the Consent Agenda for discussion. No additional items were identified to be pulled from the Consent Agenda.

President Derman then asked for a Motion to Approve the November 12, 2019 Consent Agenda, as printed and publicly posted in the Board Meeting Agenda.

A. Minutes
1. Approval of the Minutes of Regular Meeting held October 15, 2019 and the Minutes of the Special Meeting held October 7, 2019

B. Finance
1. Approval of the Listed Bills in the following Amounts
   - Education Fund $337,887.51
   - Operations and Maintenance Fund $59,543.37
   - Transportation $89,580.07
   - Capital Projects $64,906.00
   - TORT Immunity $4,175.00
   Total All Funds $556,091.95

   2. Approval of the Automatic Payroll
   3. Treasurer’s Report

C. Personnel
1. Acceptance of the Intent to Retire for Joyce Januszewski, Student Learning Secretary at the District Office, effective November 15, 2019
2. Acceptance of the resignation of Hilario Velarde, Paraprofessional at Hille Middle School, effective November 1, 2019

Motion: Member Doff moved to approve the Consent Agenda, as printed and publicly posted in the Board Meeting Agenda.
Seconded: The motion was seconded by Member Hille.
Discussion: No discussion.

Vote: The motion was declared carried on the following roll call: AYES: Members Doff, Hille, Hullinger, Mensing, Senesac, and Derman NAYS: None ABSENT: Banialis (arrived at 7:58 PM, after this Motion)

XI. Consent Agenda – Ratification of the Southwest Cook County Cooperative Association
President Derman asked for a Motion to Ratify the Southwest Cook County Cooperative Association’s regularly scheduled Board Meeting of November 6, 2019.

First Motion: Member Mensing
Seconded: The motion was seconded by Member Doff.

Discussion: No discussion.

Vote: The motion was declared carried on the following roll call: AYES: Mensing, Doff, Hille, Hullinger, Senesac, and Derman NAYS: None ABSENT: Banialis (arrived at 7:58 PM, after this Motion)
XII. Board Action

1. **Resolution Providing for 2019 Tax Levy**

   President Derman asked for a Motion to Adopt the Resolution providing for the 2019 Tax Levy of: $6,662,853 for the Education Fund, $950,769 for the Operations & Maintenance Fund, $328,399 for the Transportation Fund, $6,294 for the Working Cash Fund, $274,632 for the Illinois Municipal Retirement Fund, $254,338 for the Social Security Fund, $2,884 for the Fire Protection & Life Safety Fund, $2,956 for the Special Education Fund, and $143,717 for the Tort Immunity (Liability Insurance Fund), for a total levy for all funds, excluding Debt Services Fund, equaling $8,626,842.

   **First Motion:** Member Doff
   **Seconded:** The motion was seconded by Member Hille.

   **Discussion:** No discussion.

   **Vote:** The motion was declared carried on the following roll call: **AYES:** Doff, Hille, Hullinger, Mensing, Senesac, and Derman **NAYS:** None  **ABSENT:** Banialis (arrived at 7:58 PM, after this Motion)

2. **Acceptance and Filing of the Audit for Fiscal Year 2019**

   President Derman asked for a Motion to Accept and File the Audit for Fiscal Year 2019, as prepared by Gassensmith & Michalesko, Ltd.

   **First Motion:** Member Mensing
   **Seconded:** The motion was seconded by Member Senesac.

   **Discussion:** No discussion.

   **Vote:** The motion was declared carried on the following roll call: **AYES:** Members Mensing, Senesac, Hullinger, Derman, Doff, and Hille **NAYS:** None  **ABSENT:** Banialis (arrived at 7:58 PM, after this Motion)

3. **Approving Updated Board Policies 2:80, 2:80-E, 2:82, and 2:82-E**

   President Derman asked for a Motion to Approve the Updated Board Policy 2:80 – Member Oath and Code of Conduct, including 2:80-E – Exhibit of Board Member Code of Conduct, and Board Policy 2:82 – Board Agreements, including 2:82-E – Exhibit for the Board of Education Misconduct Consequences, to be signed by each current sitting Board Member

   **First Motion:** Member Hille
   **Seconded:** The motion was seconded by Member Doff.

   **Discussion:** President Derman stated that, before the vote, she wanted to have a discussion regarding the fact that she was not able to include documents in the Board Book, but rather needed to hand them out at the meeting, as a previous confidential document was inappropriately shared by a Board Member. Mrs. Derman stated that in light of the fact that the Board had done some Self-Evaluation work and they were about to sign documents attesting to the fact that they would follow the Code of Conduct, it was important to have a discussion regarding following the Code. Member Doff stated that if the Board was signing and approving these updated policies, then everyone on the Board had to follow them. Member Mensing stated that she was unhappy that documents had to be excluded from the Board Book because they couldn’t trust that another Board Member would keep them confidential. Member Mensing stated that she would have liked to have the documents ahead
Board Actions (cont.)

of time so that she would have time to read them and be ready to discuss them. Member Mensing stated that if they don’t have documents in time, then it’s difficult to make decisions in a timely manner. Mrs. Derman stated that if the Board signs these policies, the Members have to abide by what they are signing. Mrs. Derman stated that as Board Members, they are serving Board and District needs, not personal agendas.

Vote: The motion was declared carried on the following roll call: AYES: Hille, Doff, Mensing, Senesac, Derman, and Hullinger NAYS: None ABSENT: Banialis (arrived at 7:58 PM, after this Motion)

XVI. Superintendent’s Report
Dr. McDermott asked if any Board Members had questions about Administrator’s Reports. No questions were raised.

Dr. McDermott reviewed the current enrollment for the District remains steady with minimal changes and continued small class sizes. Dr. McDermott stated that he anticipates that the District will be looking to post any anticipated positions in the District early in January.

Dr. McDermott stated the Administrative Council completed a thorough review of the Blueprint Strategic Plan 2015-2020. Updates will be made to the document and a revised version will soon be posted on the District website.

Dr. McDermott stated that the District responded to one business-related FOIA, from CANON Printers, regarding the types of copiers used in the District.

Dr. McDermott stated that the IASB Triple I Conference was soon and five Board Members and two administrators, including himself, were attending. Dr. McDermott invited the Board Members to the Staff Holiday Party, taking place on December 19, 2019 from 3:00 to 6:00 PM; more information would be following.

XVII. New/Old/Unfinished Business

1. Community Calendar
Member Hille reviewed several upcoming community activities, including: a property tax appeal forum at Bremen Township on November 25, the Oak Forest Tree Lighting at 11:00 AM on December 7, and the Midlothian Tree Lighting on December 7 at 4:00 PM.

2. Draft Intergovernmental Agreement with the City of Oak Forest – Discussion
President Derman distributed packets of information that a Draft Intergovernmental Agreement with the City of Oak Forest. Mrs. Derman stated that there were three documents included in the packet: the original, a red-lined version from Darcy Kriha of Kriha-Boucek Law, and a third completely new version of an agreement. Mrs. Derman asked for input from each of the Board Members about the Original document.

Member Doff stated that the original agreement reads more like a work order, not an intergovernmental agreement. Mrs. Doff stated that it does not protect the District because the City is not insuring any of their work. Member Mensing stated that the City needs to address water/flooding issues in individual resident’s yards. Mrs. Mensing stated that she is concerned about the District’s liability. Mrs. Mensing stated that, based on the facts, the District did not cause any of the water issues. Mrs. Mensing stated that she likened the agreement to contracted work with no liability. Mrs. Mensing stated that she would like a consensus as to not agreeing with the Original Agreement.
Draft Intergovernmental Agreement (cont.)

Member Tina Banialis arrived at the Board Meeting at 7:58 PM.

The next discussion took place regarding the red-lined version of the Agreement that was provided by Kriha-Boucek Law. Darcy Kriha stated that her firm received the Original Draft Intergovernmental Agreement on September 27, 2019 and returned a red-lined version to the District on October 7, 2019. Mrs. Kriha stated that she added language so that there was shared liability between the District and the City. Additionally, she cleaned up some language in the draft.

Mrs. Kriha stated that after red-lining the agreement and having conversations with both Dr. McDermott and Mary Derman, where they reviewed the documentation that was in-hand so far, it became clear to her that an entirely new agreement needed to be considered. Mrs. Kriha stated that a solution more comprehensive in scope might be an option. In her new draft, Mrs. Kriha proposed hiring a third-party Civil Engineer and conducting a comprehensive site analysis, with the District and the City splitting the cost of the engineering study. Mrs. Kriha provided options for companies that do this type of work that she is aware of, based on other situations she has been aware of related to school Districts. Mrs. Kriha stated that the approximate cost of this could be $10,000 to $25,000, but that an estimate could be procured first, with both parties controlling the costs by setting the parameters of the study ahead of time. Mrs. Kriha stated that without this study any attempts to remedy the problem may not work or even possibly cause more problems down the road. Mrs. Kriha stated that the engineering report is a key missing piece of all the documentation that has been gathered so far. Member Hullinger asked if the engineer chosen would talk with residents. Mrs. Kriha stated that the chosen engineer could be provided with any documentation collected so far and that perhaps a small group consisting of the public, the City and the School District could be formed to work with the engineer deciding on the scope of the study.

Member Doff questioned whether the City would agree or not. Mrs. Kriha stated that both parties would have to agree in order to move forward. Mrs. Kriha stated that neither of the first drafts gets to the heart of the issue; once you start making changes to property, the liability commences. Member Hullinger asked what will be done if the City doesn’t agree to this new proposal. Member Mensing stated that the District never did anything to change its property to begin with; she has sympathy, but stated that if someone has been directed by the City to regrade their yard to help remedy the flooding, then that homeowner should do so. Member Hille stated that it is important to remember that this area in question has always flooded. Mr. Hille stated that in 2004 the Oak Forest City Council overrode the City’s Zoning Commission and allowed homes to be built in an area that was a known to flood. Mr. Hille stated that the flooding is clearly not a new issue caused by the School District. Member Doff stated that, while they have lots of pieces of information and papers, it doesn’t appear to mean anything specific in terms of the District’s responsibility. Mrs. Kriha stated that this was the crux of the problem and why hiring an outside civil engineer is needed to sort out truth from fiction. Member Doff stated that before she could put her name on any agreement, she would need that kind of professional survey to get at the facts.

President Derman stated that the document received from the City did not look like a true engineering study but rather a hand-drawn picture with lines. Mrs. Derman stated that hiring an outside engineer to do a formal survey/study would most likely be cost-prohibitive, even if that cost was split with the City. Mrs. Derman stated that the City
Council made it clear that they would not deviate from their original plan as that would set a precedent. Mrs. Derman stated that since 62% of school funding comes from local tax dollars, she would not feel comfortable expending monies for an expensive survey/study. Member Banialias asked Mrs. Kriha what the District is actually responsible for. Mrs. Kriha stated that the District is not legally responsible to do anything, but she understood that the Board wanted to be a good neighbor.

Member Senesac stated that the City made it clear they would not budge on their original draft agreement. Mrs. Senesac stated that there has been no proof provided that doing any work – building a swale or otherwise – would solve the flooding problem in peoples’ yards. Mrs. Senesac stated that as a resident of Oak Forest, she had flooding in her yard as well; her family had to hire professionals and pay out of their own pocket to fix the problem. Mrs. Senesac stated that she felt, in this case, that it was homeowners’ responsibility to pay for and solve their individual flooding issues. Mrs. Senesac stated that moving forward with the City’s draft agreement, as is, may open the District up to future problems and it would appear that the District is admitting fault, which, based on the facts, the District is not at fault for the flooding.

Member Mensing stated that the school District happens to be a neighbor to homeowners. Mrs. Mensing stated that in a regular homeowner situation, you would need to solve your own flooding problem or at your own expense through professionals, prove that it was your neighbor causing the issue. Mrs. Mensing stated that people are flooding all the way to 155th Street and in several areas of Oak Forest and the school District is not responsible for this. Mrs. Mensing stated that the area currently in question, based on facts, was flooding over 15 years ago; this is not a new problem that the District created. Member Banialias stated that $2,500 sounds like an economical solution but that it comes with no guarantees or expert input that the problem will be fixed. Mrs. Banialias stated that if there was any actual documentation about a swale or some other changes to the property, then information from an actual expert, that proved it was the District’s responsibility, she would feel better about using District funds to fix it. Member Senesac stated that she did not believe the City would retain a 3rd party engineer.

A discussion ensued regarding the addition at Ridge Early Childhood Center. Member Hille stated that the property in question, aside from an addition in the 50s or 60s has remained the same. Elizabeth Ehrhart stated that a small addition was added to Ridge in the early 2000s. Member Mensing stated that Ridge installed its own drainage system for that second addition that tied into the City sewers. Member Hille asked if there was any documentation that the baseball fields were ever elevated or modified in some way. It was generally agreed that the baseball fields had never been elevated.

Member Hullinger stated that when the most recent addition to Ridge was completed, that’s when an opening to the City sewer system was put in next to Mr. Bittner’s yard; that’s where the water was intended to go. Mrs. Hullinger stated that no one believes a swale was put in there but, she was there and saw the swale put in. Member Hille asked Mrs. Hullinger who put a swale in. Member Hullinger stated that Jim Emmett (from the City) spoke with Mr. Laycoax to obtain information about the swale. Mrs. Hullinger stated she has lived in her house for 17 years and for 14 of those years, she did not get flooding in her backyard; just some puddles here and there if it rained a lot. Mrs. Hullinger stated that the drain in her yard that everyone thinks all the
water should be flowing into is only a six-inch drain. Mrs. Hullinger stated that she has four-inch drains going in. Mrs. Hullinger stated that other neighbors are going to be putting drains into this six-inch drain. Mrs. Hullinger stated that the City would have to up-size the pipe because a six-inch drain cannot handle the amount of water that is pooling in her and her neighbors’ backyards. Mrs. Hullinger stated that the six-inch drain cannot handle severe rain.

Member Derman stated that the information Member Hullinger shared this evening was different from information previously given at Board Meetings regarding a swale; at previous Board Meetings, it was stated that the School District put in a swale. Member Hullinger stated this was the last she found out about it and that is why there are no records through the School District. Mrs. Hullinger stated that after attending a recent City Council Meeting, Jim Hortsman called her, as he was a sitting District 142 School Board Member and simultaneously on the baseball association board at the time of the swale in question. Mrs. Hullinger stated that Mr. Hortsman remembered the situation and shared with Mrs. Hullinger what actually happened. Member Derman stated that when the public is asking the District to fix a swale that, up until this School Board Meeting, was presented as a District 142-driven activity years ago it only confused things more to find out now that it was really the baseball association that was directing things back then. Mrs. Hullinger stated that while it was the baseball association that directed things, it was Marvin Laycoax who put in the swale, and that he was paid $200 cash by the baseball association to do the work. Mrs. Hullinger stated that again, these were recollections of Mr. Hortsman and there was no documentation kept by the baseball association.

Member Hullinger stated that she put two drains in her backyard and will be adding another drain because if no one from the north of her fixes anything, she is still getting all that water in her backyard. Member Mensing stated that this led her to question again why this was a District issue; she wanted to know what homeowners were doing to address their own issues; the information keeps changing. Mrs. Hullinger stated that when Rich from Public Works spent a whole Saturday in the area recently, he talked to all the neighbors about their flooding issues. Member Doff stated that if she was a homeowner with this issue, she would be spending her own money on resolving it; as a Board Member she did not feel comfortable spending District monies for a residential issue. Mrs. Doff stated that if the District spent money to build a swale without an architect, you can’t predict how erosion is going to affect that over time. Mrs. Doff stated that over time, this swale will erode because it’s not being engineered like the moat that was put in around Kerkstra, where the work was done and guaranteed by a professional engineering company; with the City’s $2,500 one-time solution, there is not enough forethought for ten, fifteen, twenty years down the line, much less the absence of a professional engineering study. Member Doff stated that she felt the Board was in a terrible position because they can’t be both a good neighbor and a good Board Member. Mrs. Mensing stated that it would set a precedent for any situation in which a resident feels the District has caused something on their property. Member Senesac stated that they each were elected to the Board to respect the taxpayers’ interests; if it doesn’t make sense, it’s better to be a good Board Member first versus trying to be a good neighbor. Member Banialis stated that the original conversation was that the swale was the District’s responsibility; now, with this new information Mrs. Hullinger shared, that was clear that this was not even an issue originated by the school District.

Member Hullinger stated that when the homeowners had a meeting with Hank Kuspa at City Hall, he walked the area in question, which was flooded at the time. Mrs. Hullinger stated that Mayor Kuspa works in construction, so he is aware of things like this. Mrs. Hullinger stated that Mayor Kuspa stated that a swale should be put in and also a drain with it so that when it does erode over time, then the drain still would be there to send the
water where it was intended to go. Mrs. Hullinger stated that part of the swale that is there that goes down to the drain to the west is working until where Mr. Bittner’s shed is; there is a hump there and that’s what stops the water. Mrs. Hullinger stated that Public Works deals with drainage issues all the time and that we have to trust them with their proposed solution. Mrs. Kriha stated that previously the City talked about doing an engineering survey and a site inspection, and she has not seen either of those things happen or produced by Public Works. Mrs. Hullinger stated that grades had been shot in the original Ridge plans that was FOIAd, so the City did have this information. Mrs. Hullinger stated that she has seen people from the City in many of the affected yards, including her own, but she didn’t know what came from that.

President Derman stated that in October that people were claiming that site survey reports were done by the City, but the School District has not seen these reports, if they were in fact produced. Mrs. Derman stated that what continues to happen is that the facts, as people remember them, including tonight’s revelation that it was actually the baseball association that paid someone cash to build a swale years ago, is that there continues to be no documentation to back up claims. Mrs. Derman stated that she will only rely on sound documentation, not memories. Mrs. Derman stated that in a FOIA received from the City by the School District, from Rich, the Director of Public Works at the City of Oak Forest, included a document that stated, regarding Nancy Hullinger’s property, “Today if the property were graded from behind the garage to the storm sewer inside the yard, the property would drain and there would be no standing water. Water coming from the north of the Hullinger’s yard is from the school and rear yards of the houses on LeClaire. Under the Illinois Drainage Act, water that goes across the property must be allowed to go across the property or through your property if you do improvements. Malecki [Builders] built a storm sewer to carry this water off the property. Whether he [Mr. Malecki] or the Hullingers changed the grades, I cannot tell. The standing water issue on the Hullinger property is their grading issue to resolve.” Mrs. Derman stated that this document and statement was from the Oak Forest Department of Public Works. Member Derman stated that the report from the MWRD (Metropolitan Water Reclamation District) states that no further action needed from the District to alleviate any residential flooding.

President Derman stated she walked into the October School Board Meeting with the idea that she wanted the District to be a good neighbor. Mrs. Derman stated that she left the October Board Meeting feeling as if she had done something wrong. Mrs. Derman stated that there is an overwhelming amount of evidence that shows this is not the District’s fault and feels as if the School Board is being put in a situation of pressure to fix something. Mrs. Derman stated that the homeowners need to do their part, just like all homeowners have to do. Mrs. Derman stated that the City said it was going to do engineering work and it has not been done. Member Derman stated that the Board is berated at Board meetings to fix something immediately; something that no one has proven is the District’s responsibility. Mrs. Derman stated that her personal opinion is that this becomes an individual conversation the homeowner needs to have with themselves. Mrs. Derman stated that clearly water is intended to flow through this area, but if it is stopping and standing due to changes or structures individual homeowners have made to or built on their property, that is not the School District’s responsibility.

A general discussion took place among Board Members about next steps with this issue. President Derman stated that their options were to sign off on the red-lined original intergovernmental agreement, knowing that it was not based on any comprehensive or 3rd party engineering studies or ask the City to agree to Mrs. Kriha’s third option of hiring an outside engineering firm and splitting the cost of this with the City. Mrs. Kriha stated that a reasonable estimate for hiring a 3rd party engineer to conduct a survey/study would be $10- to $12,000. Mrs. Kriha stated that, minimally, the School Board owes the City some
type of response. Mrs. Kriha stated that while the flooding is a complex problem, there is a solution that may be found; as to who is responsible for that solution, that remains to be seen. Member Hullinger stated that in terms of the City doing its part, Rich from Public Works did all the work needed and was doing a Water Study. Dr. McDermott stated that Rich said there were individual residential problems to be solved. Dr. McDermott stated that Rich said he would be working with individual homeowners over a period of 6 to 8 months on any remediation homeowners may need to do to their own property.

President Derman stated that the Board did need to respond to the City, communicating that the School Board needs to see what comes of the Water Study and the work Rich is doing with individual homeowners before taking any next steps. Mrs. Derman stated that homeowners first need to address individual yard issues at the direction of the City. Mrs. Derman stated that once all of this work was completed, and there are still concerns that perhaps at that time, the School Board would approach the city with a cost-sharing option for a 3rd party engineer. Member Hullinger stated that nothing can be done until the spring after the winter and spring rains, when the ground dries out. A short discussion took place regarding the consequences of some residents making the City-recommended fixes to their backyards and others not; it was determined that this would be a City responsibility, not a District responsibility to ensure homeowner compliance. Member Hille stated that a 3rd party engineering study could be beneficial to the District in making decisions as it would be objective; without such a study and with documents gathered so far Mr. Hille stated that he does not see the District being responsible for the residential flooding. Mr. Hille stated that even if the District wanted to move forward with a 3rd party engineer, the City still would have to agree to this before even obtaining an engineer’s cost assessment. Mrs. Kriha stated that even a 3rd party engineer would want to see the results of the City’s Water Study and any individual residential remediation efforts before even moving forward with an estimate of what additional studies need done. Mrs. Kriha proposed responding to the City, stating the Board discussed the draft intergovernmental agreement proposed on September 27, 2019 and the general consensus is that the Board is not in agreement with this draft agreement. Mrs. Kriha stated that the Board should then ask for a status update on the Water Study the City is performing and a status update on any individual residential remediation efforts homeowners were asked to make. The Board generally agreed to include the idea of cost-sharing a 3rd-party engineer once all these other items were addressed and reports received as something the City could consider in the future.

Member Hullinger stated that per a conversation with Ellen DeSpain (a former District 142 employee) that there may be old photographs at the old District Office of the original structure at 15000 Laramie Avenue. Mrs. Hullinger added that there was an old desk that was donated to the District Office by Cathy Baran’s daughter that they would like returned before demolition.

Member Senesac stated that the slated December 10th Board Evaluation Special Meeting was also the night of the Hille Band Concert. After some discussion it was agreed that the Board would choose a new date for a Special Meeting at the December Board Meeting.
XVIII. Adjournment

President Derman asked for a Motion to adjourn the Regular Board Meeting of District 142 for November 12, 2019.

First Motion: Member Banialis
Seconded: The motion was seconded by Member Mensing.
Discussion: No discussion.

Vote: The motion was declared carried on the following roll call: AYES: Members Banialis, Mensing, Senesac, Derman, Doff, Hille, and Hullinger  NAYS: None

Time: 8:55 PM

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President Derman

________________________________________
Secretary Hille